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(FORM UPDATED: 08/11/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Environment and Natural Resources (SC-ENR)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... **HR** ... **bills and resolutions** (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

* Contents organized for archiving by: Mike Barman (LRB) (June/2014)

NATURAL RESOURCES BOARD AGENDA ITEM

SUBJECT: Request adoption of Board Order WM-10-07 revisions to NR 10 relating to removing the sunset of a 4-day firearm deer season in December north of Hwy. 8.

FOR: FEBRUARY BOARD MEETING

TO BE PRESENTED BY: Keith Warnke, Big Game Specialist

SUMMARY:

The Department recommends that the Board adopt proposed modifications to ch. NR 10. These administrative rules would remove the 1-year sunset on the statewide 4-day antlerless only December gun hunt north of Hwy. 8 and implement housekeeping changes that correct drafting errors in the 2006 Deer Rule.

The department held public hearings in Park Falls, Rhinelander, and Madison and received written comments during the month of January. All comments received during that period related to eliminating the sunset of the December hunt north of Hwy 8. Of those who registered an opinion, 104 people supported the proposed rule and 37 people opposed the rule. Hunters generally supported the rule and opposition generally came from people with concerns about snowmobiling.

The 2006 December antlerless hunt was important from a herd management standpoint. Staff report that 19,000 antlerless deer were harvested from Dec. 7 to 10, with 2,800 deer harvested from deer management units north of Highway 8.

Department staff did not document conflicts as a result of holding this season in areas north of Hwy. 8. Snow conditions were unfavorable for riding and most trails were closed as a result. No complaints were received regarding problems with access to trails for the purposes of seasonal maintenance and preparation.

Department staff recommend lifting the one year sunset in order to continue providing added hunting opportunity and allow additional harvest of antlerless deer.

RECOMMENDATION: Adoption of Board Order WM-10-07, revisions to NR 10, removing the sunset of a 4-day firearm deer season in December north of Hwy. 8

LIST OF ATTACHED MATERIALS:

- | | | | |
|----------------------------------------|-------------------------------------------------------|-----------------------------------------|----------|
| No <input type="checkbox"/> | Fiscal Estimate Required | Yes <input checked="" type="checkbox"/> | Attached |
| No <input checked="" type="checkbox"/> | Environmental Assessment or Impact Statement Required | Yes <input type="checkbox"/> | Attached |
| No <input type="checkbox"/> | Background Memo | Yes <input checked="" type="checkbox"/> | Attached |

APPROVED:

Tom Hauge
Bureau Director, Tom Hauge

1/29/07
Date

Laurie Osterndorf
Administrator, Laurie Osterndorf

1/30/07
Date

Scott Hassett
Secretary, Scott Hassett

1/30/07
Date

- cc: Amy J. Arthur - AD/5
- Laurie Ross - AD/5
- Cons. Congress Exec. Cmte. - 4 - LS/5
- Kurt Thiede - 6 - LS/5
- Tom Hauge - WM/6

- Randy Stark - LE/5
- GLIFWC & Tribes - 14 - WM/6
- Diane Brookbank - CS/GEF 3
- Kevin Huggins - CS/GEF 3
- Tim Andryk - LS/5

- Carol Turner - LS/5
- Reg. WM Sups. - 5 - WM/6
- Reg. LE Sups. - 5 - WM/6
- Bob Manwell - CE/8
- Peter Biermeier - PR/6

STAFF REVIEW - DNR BOARD AGENDA ITEM

REMINDER

Have the following questions been answered under the summary section of this form?

- Why is the rule needed?
- What are the significant changes?
- What are the key issues/controversies?
- What was the last action of the Board?

LIST OF ATTACHED REFERENCE MATERIAL REQUIRED FOR RULE PROPOSALS:

Hearing authorization:

Final adoption:

Background Memo (if needed)*
 Fiscal Estimate
 Environmental Assessment (if needed)
 Rule

Background Memo (if needed)*
 Response Summary
 Fiscal Estimate
 Environmental Assessment (if needed)
 Rule

* If all the questions listed in the REMINDER section above can be adequately summarized on the Green Sheet (and a second sheet if needed), the Background Memo may be omitted.

Unit	Reviewer	Date	Comments
Environmental Analysis and Review			
Management and Budget			
Legal Services -Program Attorney -Carol Turner	<i>Tom Amelyk</i> <i>CT</i>	<i>1-30-07</i> <i>1-30-07</i>	
Other (if applicable)			

DATE: January 29, 2007

FILE REF: 2300

TO: Natural Resources Board

FROM: Scott Hassett, Secretary

SUBJECT: Adoption of WM-10-07, revisions to Ch. NR 10, relating to repealing the sunset of antlerless-only firearm deer season in December (Clearinghouse Rule 06-131)

Recommendation:

The Department recommends that the Board adopt proposed modifications to ch. NR 10. Specifically, these administrative rules propose removal of the 1-year sunset on the statewide 4-day antlerless only December gun hunt and implement housekeeping changes included to correct drafting errors in the 2006 Deer Rule.

Lifting the sunset will provide added hunting opportunity and allow additional harvest of antlerless deer.

Background:

Part of the 2006 deer rule package that was implemented in December, 2006 was the result of a Joint Committee for Review of Administrative Rules' motion requesting that the Department agree to a 1-year experiment with the antlerless only December 4-day gun deer hunt north of HWY 8. As a result, the hunt was limited to a 1-year trial in 2006. In order for the December gun hunt to continue in Deer Management Units north of HWY 8 beyond 2006 the Department must modify administrative code.

During the 1-year trial, the Department has collected data to evaluate the effectiveness of herd control under this structure and attempted to assess whether the 4-day antlerless December gun deer hunt impacted snowmobile recreational opportunity.

Deer harvest in 2006

The 2006 December antlerless season was important from a herd management standpoint. A preliminary total of 19,000 antlerless deer were harvested from Dec. 7 to Dec. 10 statewide. 2,800 of those deer were harvested from deer management units north of Hwy. 8, adding 7% to the total antlerless kill in that area, an average of about 100 deer per unit. The added 4 days of gun hunting provided hunters with more opportunity to hunt antlerless deer during the time period they indicated that they favored.

Conflict with snowmobilers

The 2006 December antlerless season appears not to have had any impact on snowmobile recreational opportunity. An argument made by people who are opposed to the season was that it would make access to trails for regular maintenance and signage difficult. The department received no complaints that cited specific incidences of this problem at three hearings or during the public comment period. As shown in Appendix A, B and C, snow conditions were insufficient for trails to be open in nearly all areas north of Highway 8. Trails were open in some areas of southern Wisconsin, such as Rock County, but no conflicts were reported.

The Department expects support from the hunting stakeholder groups who have supported this rule change from the beginning. Opposition and controversy over this report may come from the Association of Wisconsin Snowmobile Clubs.

The rule language authorizing the special youth gun deer hunt event is modified in this package to clarify Earn-a-buck and CWD tagging requirements during that season. This rule order also includes several housekeeping changes pertaining to deer hunting in several state parks. These portions of the rule do not establish new deer seasons, rather they correctly codify seasons that have existed in the parks in previous years. In drafting the 2006 Deer Hunting Rule, major revisions to NR 10 took place to consolidate complicated state park deer hunting rule language. During the consolidation, several drafting errors and omissions occurred. These housekeeping changes are included to correct those drafting errors.

Public Hearings and Timeline:

The department held public hearings in Park Falls, Rhinelander, and Madison during the month of January. The department is seeking board adoption in February so that there is ample time for legislative review prior to the deadline for publication in the regulations pamphlet.

All comments received at the public hearings and during the comment period related to eliminating the sunset of the December hunt north of Hwy 8. Overall, comments reflected the following support and opposition; 104 people supported the proposed rule, 37 people opposed the rule, and 19 people did not register an opinion.

Table 1. Summary of Public Hearing Attendance Support and Opposition.

	Attendance	Testimony In Favor	Registered Support	Testimony In Opposition	Registered Opposition	As Interest May Appear	No Position Taken
Rhinelander	35	1	8	4	11	3	8
Park Falls	20	2	11	0	2	0	5
Fitchburg	13	2	8	0	0	2	1
Total	68	5	27	4	13	5	14

In addition to testimony and registrations at hearings, 72 people submitted written comments expressing support for eliminating the sunset of the December firearm season and 20 people opposed the season.

People who wrote to express opposition were split between opposing the season because of concern about conflicts with snowmobilers, they prefer to hunt in October, or they do not believe there are enough deer to support extra hunting opportunities. Resolutions of opposition from the Iron County Board of Supervisors and the Iron County Development Council focused on use of public and private lands by both hunters and snowmobilers.

Support for the proposal as a whole was widespread among most hunters. Supporters mentioned favoring a December hunt over an October hunt as one reason for supporting the proposal while others mentioned they liked the extra hunting opportunity. Hunters did not generally perceive that there was conflict between snowmobilers and hunters.

Response to Public Comments:

Comment: Additional harvest of antlerless deer is not needed in northern Wisconsin.

Department Response: The department is confident that there are enough deer in all areas north of Hwy 8 to support harvest from this season and that in certain areas additional harvest is very important. Wisconsin's deer population model has received positive reviews by many experts, deer harvest remains high and predictable year-after-year, and overharvest is very unlikely because hunting will only be possible when antlerless deer permits have been issued.

Comment: A December gun hunt will delay the start of snowmobiling.

Department response: There is currently a 10-day December gun hunt statewide (muzzleloading season) in which up to 70,000 hunters participate. South of Hwy. 8 there is a 4-day mid-December antlerless only gun deer hunt in select units. In addition, the archery season extends through the month of December and into early January across the state. There is no evidence that these hunts or any other type of hunting that occurs in December delays the start of the snowmobile season. When there has been adequate snow for snowmobiling south of Hwy. 8, snowmobile trails were open during the December deer gun hunt without reported conflicts.

Comment: Private landowners will refuse to allow snowmobile trails across their land to open if there is a December gun hunt.

Department response: Again, there is currently a 10-day December gun hunt statewide (muzzleloading season) in which up to 70,000 hunters participate, a 4-day unit specific gun deer hunt south of Hwy. 8, and a statewide archery hunt.. There is no evidence that these hunts or any other type of hunting that occurs in December affect access to private land for snowmobile trails.

Comment: Private landowners will refuse access to trails for maintenance and signing work while gun hunting is open, and a lot or a majority of trail maintenance and sign placement occurs after the close of the 9-day gun season.

Department response: Of over 6,400 hours of trail maintenance and sign placement activities reported in 2004 in Vilas, Ashland, Bayfield, Iron, and Forest counties (DNR records), 12% were recorded during November 15-30 (during the regular 9-day gun hunt), 12% during December 1-15 (muzzle-loading season and proposed 4-day gun hunt), and only 4% were recorded December 6-15 (dates which could include the proposed 4-day gun hunt). The vast majority of trail maintenance and sign work hours (88%) were recorded before December 1 in 2004.

Comment: Herd control is best done in October prior to the regular 9-day gun hunt and not in December.

Department response: Herd control is accomplished by Wisconsin deer hunters. For many hunters, December is their desired time to hunt. We agree that the October hunt is an effective tool. This proposal does not prevent the reinstatement of an October hunt if needed.

Comment: Tourism and income will be negatively impacted by the delay of the snowmobile season if the December gun hunt is approved.

Department response: There is little evidence that any of the current December deer hunting opportunities including the 10-day muzzleloader, the 4-day mid-December gun hunt south of Hwy. 8, or the late archery seasons, delays the start of the snowmobile season or impacts revenue from snowmobiling. Snowmobiling begins when adequate snow falls and the ground below is frozen

regardless of whether there is deer hunting or any other hunting taking place. We do not believe that a December gun deer hunt or any other type of hunting will impact the start of the snowmobiling season.

December gun hunting may have added to the number of people visiting areas north of Hwy. 8.

Proposed Modifications to the Initial Proposed Rule Making Order:

No modifications were made as a result of the public hearings.

Rule Development:

These rules were developed with the assistance of the Bureaus of Law Enforcement, Customer Service and Licensing, Parks and Recreation, and Legal Services.

Small Business and Initial Regulatory Flexibility Analysis:

The revision to NR Chs. 10, Wis. Adm. Code, pertain to rules that relate to deer hunting and permit issuance. These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses, nor are any design or operational standards contained in the rule. Therefore, under s. 227.19 (3m), Stats., a final regulatory flexibility analysis is not required.

Environmental Analysis:

The effects of Wisconsin's current deer management system, including Deer Management Units (DMUs) and population goals, were analyzed in an environmental analysis completed in 1995. This proposed rule order does not include changes to existing DMUs or population goals, rather it proposes changes to the system by which deer seasons are implemented and how permits are issued to achieve the recommended population goals developed under the guidance of the completed environmental assessment. Therefore, it has been determined that these rule revisions to NR Chs. 10 and 45, Wis. Adm. Code, are a Type III action under Chapter 150, Wis. Adm. Code, and no environmental analysis is required.

Legislative Council Rules and Clearinghouse Report:

All of the comments and corrections that the department received from the Legislative Council Clearinghouse have been incorporated (See Attached Report).

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Last Updated 12/12/2006

Snow reports for 2006 are starting to trickle in. With the temperatures dropping, watch this space for ongoing updates.

Keep in touch with the latest and greatest info - bookmark the Wisconsin Snow Condition report. Updated weekly, if not daily, during the winter months by trail groomers and other front-line weather spotters, the snow conditions report is your guide to who's getting the freshest powder, how much they're getting and what conditions you can expect for your winter sports retreat.



For more outdoor conditions, including ice conditions, visit the [Dept. of Natural Resources' onli report](#).

Ride safe this winter! Visit the [Association of Wisconsin Snowmobile Clubs](#) site for snowmobile

- [Downhill Skiing Conditions](#)
- [Cross Country Skiing Conditions](#)
- [Snowmobiling Conditions](#)

Downhill Skiing Conditions

Central Wisconsin

- TRIP PLANNER
- VIRTUAL WISCONSIN
- FREE GUIDEBOOKS
- FUN STUFF
- MAPS
- WEEKEND EVENTS
- BROWSER PLUGINS

GET EMAIL UPDATES

Destination	Update	Base (in inches)	# of Runs Open	Conditio
<u>Granite Peak Ski Area at Rib Mountain</u>	12/08/06			
<u>Kewaunee County</u>	12/06/06	0 inches	0	Close
<u>Nordic Mountain Ski, Snowboard, and Tubing Area</u>	12/06/06	12in - 28in	7	Excele
<u>Nutt Hill</u>	12/06/06			Close
<u>Powers Bluff County Park</u>	12/12/06			Close
<u>Standing Rocks Park</u>	12/06/06			Close
<u>Whitetail Ridge Ski Area</u>	12/06/06			
<u>Winter Park Recreation Area</u>	12/06/06	0	0	Close

North Wisconsin

Destination	Update	Base (in inches)	# of Runs Open	Conditio
<u>Christie Mountain</u>	12/12/06	23-45"	8	Close
<u>Mont du Lac</u>	12/06/06			Close
<u>Trollhaugen Ski Resort</u>	12/06/06	12-26	6	

South Wisconsin

Destination	Update	Base (in inches)	# of Runs Open	Conditio
<u>Cascade Mountain Ski & Snowboard Area</u>	12/05/06	20	5	Good
<u>Christmas Mountain Village Golf & Skiing</u>	12/05/06			Close
<u>Little Switzerland Ski Area</u>	12/07/06	6-48	0	
<u>Sunburst Ski Area</u>	12/06/06	12-18"	9	Excele
<u>Tyrol Basin Ski & Snowboard Area</u>	12/07/06	12-24	8	Excele

Cross Country Skiing Conditions

Central Wisconsin

Destination	Update	Groomed	Conditions
<u>Calumet County</u>	12/07/06	No	Closed
<u>Chippewa County</u>	12/07/06	No	Closed
<u>Dunn County</u>	12/07/06	No	Closed
<u>Eau Claire</u>	12/07/06	No	Closed
<u>Fond du Lac County</u>	12/08/06	No	Closed

<u>Juneau County</u>	12/05/06		Closed
<u>La Crosse County</u>	11/30/06		Closed
<u>Monroe County</u>	12/06/06	No	Closed
<u>Portage County</u>	12/06/06	No	Closed
<u>Sheboygan County</u>	12/12/06	Yes	Poor
<u>Standing Rocks Park</u>	12/06/06	No	Closed
<u>Waupaca County</u>	12/06/06		Closed
<u>Waushara County</u>	12/06/06		Closed
<u>Wood County</u>	12/12/06		Closed

North Wisconsin

Destination	Update	Groomed	Conditions
<u>Ashland Area</u>	12/11/06	No	Closed
<u>Bayfield County</u>	12/05/06	No	Closed
<u>Boulder Junction Area</u>	12/12/06	No	Closed
<u>Door County</u>	12/06/06	No	Poor
<u>Douglas County</u>	12/06/06		Closed
<u>Florence County</u>	12/11/06	No	Closed
<u>Forest County</u>	12/06/06		Closed
<u>Hurley Area</u>	12/12/06		Closed
<u>Langlade County</u>	12/06/06	No	Closed
<u>Manitowish Waters Area</u>	12/12/06	No	
<u>Polk County</u>	12/12/06	No	Closed
<u>Price County</u>	12/06/06	No	Closed

South Wisconsin

Destination	Update	Groomed	Conditions
<u>Dane County</u>	12/06/06	No	Poor
<u>Governor Dodge State Park</u>	12/12/06		Closed
<u>Governor Nelson State Park</u>	12/06/06	Yes	Closed
<u>Mirror Lake State Park</u>	12/06/06		Closed
<u>Racine County</u>	12/05/06		Closed
<u>Sauk County</u>	12/05/06		Closed
<u>Waukesha County</u>	12/06/06	Yes	Good

Snowmobiling Conditions

Central Wisconsin

Destination	Update	Groomed	Conditions
<u>Adams County</u>	12/06/06	No	Closed
<u>Calumet County</u>	12/07/06		Closed
<u>Chippewa County</u>	12/07/06	No	Closed
<u>Dunn County</u>	12/07/06	No	Closed
<u>Eau Claire County</u>	12/07/06	No	Closed
<u>Fond du Lac County</u>	12/08/06	No	Closed
<u>Green Lake County</u>	12/11/06	No	Closed
<u>Juneau County</u>	12/05/06		Closed
<u>Kewaunee County</u>	12/06/06	No	Closed
<u>La Crosse County</u>	11/30/06		Closed
<u>Marquette County</u>	12/06/06	No	Closed
<u>Monroe County</u>	12/12/06	No	Closed
<u>Outagamie County</u>	12/07/06	No	Closed
<u>Portage County</u>	12/06/06	No	Closed
<u>Sheboygan County</u>	12/12/06	No	Closed
<u>Trempealeau County</u>	12/07/06	No	Closed
<u>Waupaca County</u>	12/06/06	No	Closed
<u>Waushara County</u>	12/06/06		Closed
<u>Wood County</u>	12/12/06		Closed

North Wisconsin

Destination	Update	Groomed	Conditions
<u>Ashland Area</u>	12/11/06	No	Closed
<u>Barron County</u>	12/06/06	No	Closed
<u>Bayfield County</u>	12/05/06	No	Poor
<u>Boulder Junction Area</u>	12/07/06	No	Closed
<u>Burnett County</u>	12/06/06		Closed
<u>Door County</u>	12/06/06		Closed
<u>Douglas County</u>	12/06/06		Closed
<u>Eagle River Area</u>	12/12/06	No	Closed
<u>Florence County</u>	12/11/06	No	Closed
<u>Forest County</u>	12/06/06		Closed
<u>Hurley Area</u>	12/12/06	Yes	Poor

<u>Land O' Lakes Area</u>	12/06/06		Closed
<u>Langlade County</u>	12/06/06	No	Closed
<u>Manitowish Waters Area</u>	12/12/06	No	Closed
<u>Mercer Area</u>	12/06/06	No	Closed
<u>Polk County</u>	12/12/06	No	Closed
<u>Price County</u>	12/11/06	No	Poor
<u>Shawano County</u>	12/06/06	No	Closed
<u>St. Germain Area</u>	12/11/06		Closed
<u>Washburn County</u>	11/22/06		Closed

South Wisconsin

Destination	Update	Groomed	Conditions
Columbia County	12/01/06		Closed
Crawford County	12/12/06		Closed
Dane County	12/06/06		Closed
<u>Dodge County</u>	12/12/06		Closed
<u>Governor Dodge State Park</u>	12/12/06		Closed
Grant County	12/07/06		Closed
Lafayette County	12/12/06		Closed
Milwaukee County	12/07/06	No	Closed
Racine County	12/05/06		Closed
<u>Rock County</u>	12/05/06		Closed
<u>Sauk County</u>	12/05/06		Closed
<u>Waukesha County</u>	12/06/06	No	Closed

X.C. ski trails in Iron Co were open Dec 7-10

Snowmobile Trail Report during 2006 December Antlerless Hunt

County	Washburn	Gary Dunsmoor and Nancy Christal	No	Inadequate Snow	No complaints or concerns. In the last 7 years, there was only one year that they opened before December 15 th .
County	Douglas	Greg Keester	No	Inadequate Snow	2-4 inches of snow fell Tuesday night before the seasons. No fresh snow during the 4-day hunt. Snow on south slopes and fields mostly gone by Saturday evening due to temps and sunshine. Douglas county classifies their trails as either summer or winter trails. They plan to open-close these trails based on weather and proper preparation, irregardless of deer seasons. They may add signage to warn users during years when trails are expected to be used during on ongoing gun seasons, but it will not dictate when trails are open or closed, with one exception of an easement where the landowner has stipulated that the trail will not open with less than 6 inches of snow nor until all gun deer season are completed.
County	Barron and Polk	Kevin Morgan	No	Inadequate Snow	There was 1" of snow at the beginning of the antlerless hunt and basically none when it ended. No snowmobiling opportunity was missed because of the December antlerless hunt. Jack Nedland, Barron County Forest and Recreation Administrator, is very outspoken about what he feels is a very mistaken emphasis on the "missed" snowmobiling opportunity that will occur with a December gun hunt. In the farm fringe country, they are lucky if they have snow by Christmas that allows snowmobiling on the trails. There has to be a significant snowfall and a good base before they even start grooming the trails in both Barron and Polk County and that just does not happen in early December very often even in the good years. His opinion is that shooting the deer is more important than 4 potentially missed days of snowmobiling recreation. I think most foresters would agree. Weekday hunting pressure was light but interest was pretty good on Saturday and
County	Langlade	Eric Borchert	No	Inadequate Snow	I talked with our County snowmobile trail coordinator today and she had not received any complaints from clubs regarding the hunt. In fact she said most clubs had a bulk of their trail work done prior to the gun deer season.

Ashland and Iron	Bruce Bacon	No	<p>Iron Co: Had several landowners request trail(s) be closed during 4 day hunt. Landowner preferred to hunt deer. Ashland Co: "Potential to upset landowners." Administrator wanted to emphasize trails were closed due to 4 day antlerless hunt! Poor snow conditions existed for snowmobiling in Ashland County. Very marginal in Iron County.</p>
Oneida	Ron Eckstein	No	<p>Oneida County Trail Coordinator, John Billogan, reports that all snowmobile trails were closed during the hunt. John also reports that he heard of no problems setting up trails because of the hunt. John said even if there were a few problems in Oneida County those few places could easily be set up for snowmobiling this week. So, no concerns.</p>
Lincoln	Rich Wissink	No	<p>I did observe parked vehicles and deer hunters each day, I would characterize hunting pressure as "light". The pleasant weather over the weekend helped encourage hunters to get out and not waste such great hunting conditions but there was not a great deal of participation.</p>
Sawyer	Laine Stowell	No	<p>I contacted Sawyer County Forest Administrator Greg Peterson. He informed me that he is the county official responsible as the Sawyer County Snowmobile Trail Coordinator. He said there is no major trail projects going on right now and that the 2 inches of dry snow present is insufficient to even consider grooming at this time. According to Greg "until we get more snow the trails will remain closed". Looks like very few deer hunters and absolutely no snowmobilers.</p>

Conservation Congress Delegate - December Deer Season Feedback:

We received 15 completed "Volunteer December Gun Hunt Snowmobile Trail Survey" forms as of Thursday, December 14, 2006. Below is a summary of these survey forms:

• **Counties North of Hwy. 8:**

Forest County – Trails were not open in Forest County December 7 – 10, due to inadequate snow or poor trail conditions (southern Forest County only had 2" of snow).

Sawyer County – Trails were not open December 7 – 10, due to inadequate snow or poor trail conditions (only about 2" of snow cover).

Polk County – Trails were not open December 7 – 10, due to inadequate snow or poor trail conditions (less than 1" of snow).

Barron County – Trails were not open December 7 – 10, due to inadequate snow or poor trail conditions.

Bayfield County – Trails were not open December 7 – 10, due to inadequate snow or poor trail conditions (no snow).

• **Counties South of Hwy. 8:**

Pepin County – Trails were not open December 7 – 10, no reason provided.

Clark County – Trails were not open December 7 – 10, due to inadequate snow or poor trail conditions.

Grant County – Trails were not open December 7 – 10, due to inadequate snow or poor trail conditions.

Note: Better than expected hunter participation.

Fond du Lac County – Trails were not open December 7 – 10, no reason provided.

Manitowoc County – Trails were not open December 7 – 10, due to inadequate snow or poor trail conditions.

Rock County – Trails were open in Rock County, and no portions of the trail were closed during the December 7 – 10 deer hunt. (Note: This is a CWD county and the season was open November 19 – December 10)

Iowa County – Trails were not open December 7 – 10, due to inadequate snow or poor trail conditions (no snow).

Lincoln County – Trails were not open December 7 – 10, due to inadequate snow or poor trail conditions.

Wood County – Trails were not open December 7 – 10, due to inadequate snow or poor trail conditions (no snow).

Adams County – Trails were not open December 7 – 10, due to inadequate snow or poor trail conditions.

In addition to these forms, we received e-mails from 12 delegates in northern Wisconsin that provided their observations on snow cover and hunter participation:

Hayward Area - Snow conditions in and around the Hayward area was just enough for tracking. There was some shooting but minimal and there were a small number of hunters out as evidenced by those in the field and those riding around. There was not enough snow for snowmobiling.

Hayward Area - I hunted up north of Hayward by Barnes for fist 4 days of Muzzle loader, did not get up there for the 4-day antlerless, as I hunted near Eau Claire. During muzzleloader season saw quite an increase in number of hunters and shots heard from last year. There was only an inch or so of snow during early Muzzleloader. I was in the area the following Thursday (beginning of 4 day hunt) for work and saw very little snow cover, patchy at best. Only saw a few hunters out on that Thursday.

Unit 39 (Northern Forest County) - There was three inches of new snow on the ground. The snowmobile trails would not have been open.

Unit 35 (Northeast Vilas County) - Thursday morning Dec 7th was 6 degrees below zero, don't think anyone went out, heard no shooting in eastern Vilas County; Friday morning was only 4 below zero and still heard no shooting. With hard ground and snow cover, especially in northwestern Vilas, trails could have opened that weekend. All trails were inspected by the county snowmobile coordinator and the official opening was announced to be at noon on Thursday, Dec 14th . . . (but with the thaw and rain Monday night and Tuesday Dec 11-12 the opening was cancelled.) Saturday morning heard one shot; Saturday afternoon heard two shots, one of which was my wife filling her antlerless tag. Talked to one registration station when we registered her deer, very few deer were brought in. The owner said about 25 at that time, compared to several hundred when the October season was on. If there is anything positive about the December season in the North, it was those antlerless deer usually shot in an October antlerless hunt were still on the landscape during the November gun season . . . and hunters saw more deer, but did not necessarily shoot them. Bottom line . . . in the North if you want us to kill more does, give us the October season regardless of

having or not having snow conditions for snowmobiling; hunting conditions are more comfortable and the harvest is a lot higher.

Washburn, Douglas and Sawyer Counties - Snow conditions in and around Hayward during the Dec. 7-10 T Zone were approx. 1.5 inches of 5 day old snow. Hunter participation was low as observed from my travels in and around Washburn, Douglas and Sawyer County. Few hunters were observed in vehicles and 3-5 hunters were observed in the field in Douglas County on the property I was working on. Snow mobile trails closed due to lack of snow and unsafe ice conditions. Not a factor concerning the late T Zone in this area.

Polk County - The snow condition in Polk County was "a fuzz" of snow for a day or two, not even good tracking snow. No snowmobile trails were open. Hunter participation was light.

Florence County - I saw very little hunter activity in Florence County Dec 7-8-9-and 10th. I have not spoken to our local DNR office or our biologist, about how many deer were registered. The weather was cold and if there was any snow left it would be in isolated locations. Snowmobile trails were certainly not an issue about being open here in Florence.

Vilas County - The snow conditions for the Muzzleloader hunt North of Hwy. 8 was terrible, below zero to -7F mornings were the norm. The weather warmed for the weekend only of the antlerless 4-day hunt; there was about 4" of snow and very high relative humidity. Is there some reason that the antlerless season could not be split at Hwy 8 so that the 4 day hunt would occur in October North of 8 and in December South of 8? My constituents (almost all of which snowmobile, some 2500 miles/season) don't like the interference of this late season with snowmobiling which is forcing many of them to travel to the UP to spend their money (which has 2' of snow in some areas). The snow cover on the ground in Vilas County (11" average) has been a bit shy that last few years, global warming is projected to increase the snowfall in this region in the future.

Burnett County - We had only enough snow to make the leaves white in Burnett County, and it was mostly gone by noon Saturday. Great weather for December, way better than most of the rifle season (much of which was too warm!). We probably shouldn't expect that as a regular occurrence, though. There seemed to be a fair number of people out, I heard more shooting than during some days of the regular season. It does seem to me that the deer are more inactive at this time of year, and aren't moving unless they're pushed, or are going to a nearby food source (corn pile). I don't like to sit over bait, and was hunting alone, so didn't see as many deer, or sign, for that matter, as I thought I might. The neat thing about a hunting opportunity like this is that you can hunt however you want to; the number of people out is substantially less, which enhances the experience, for me.

Forest County - I live in Forest Co. right on Hwy 8. We had about 2 inches of snow, perfect hunting snow, but very few hunters.

Lincoln County - I participated in the December Gun Hunt on 2 days and was grouse hunting another day during the hunt. Although I did observe parked vehicles and deer hunters each day, I would characterize hunting pressure as "light". The pleasant weather over the weekend helped encourage hunters to get out and not waste such great hunting conditions, but there was not a great deal of participation.

We were also made aware that certain counties were approached and the decision was made to close trails in specific northern counties until after the 4-day December antlerless hunt. At least Iron likely received enough snow to be open during this hunt and could have provided proof of the ability for the two pursuits to exist side-by-side. The following are excerpts from an e-mail from Chairman Harvey:

...Iron County has decided to keep snowmobile trails closed until the 11th. They claim this is out of respect for land owners. I spoke with most of our delegates from Iron County. They only know what they have seen in the papers. They indicated that the kill is down in Ashland and Iron Counties. They do not expect much participation this weekend. They also do not expect much support for any antlerless hunt, especially the October hunt.

...the Iron County Forestry Committee...is the committee that ordered the closures. He said they had to close them because two land owners have closed trails through their land. Pat and the other delegates are of the impression that people have known about this for a while, but kept it under wraps until it was too late to do anything about it. Today, Ashland and Vilas Counties closed their trails until after the December hunt as well. I did not follow up on the reasons for that. It is now too late to be calling people at home.

If I remember clearly, after the snowmobilers were successful in shutting down the Dec. T-zone, we kept track of when trails were marked in each county. The snowmobilers realized how absurd it was to argue that they would have trails open that weekend. They based their objection on the fact that they needed that weekend to mark trails. Most counties would have trails marked before gun deer season. The weekend of the

October T-zone was often used. However, each year, Iron County would ceremoniously mark their trails on the weekend of the December hunt.

And now, the joke of the night: William Niehus is one of our Iron county delegates. He is a cross country ski trail boss. Ski trails in Iron County are on county land, but are run by shi clubs. William says that they have not been told to close ski trails, so they will not...

Also, I was able to come by some trail conditions reports from more northern counties prior to the December Antlerless Deer Hunt:

Bayfield County report: December 6, 2006 Trail Conditions: Not Rideable Snow Cover: 5-7 inches Area Report: Welcome to this site. This is my third year compiling the report for Bayfield and west to the Valhalla area in the Chequamegon National Forest. You will find that my report is valid and based on my first hand experience while riding my sled, talking to the area grooming coordinator or taking a road trip to measure the snow depth and a visual of the trails.

Due to the special antlerless deer season, trails will not open until Dec 11. Trails will not open until there is adequate snow cover.

The Bayfield Peninsula area has received some early season snow since last weekend. 10-12" LES was common but as usual, the snow depth has settled. The NWS is calling for 6-10" of LES starting tonight through Thursday evening. The heaviest amounts will likely occur in the higher terrain west of Bayfield.

Winter type temps the past week has helped freeze the ground which assists in maintaining the current snow levels. Temps are to moderate to the mid and upper 30's this Saturday through the following Wednesday with no major snow makers headed this way.

Ashland/Bayfield County report: December 4, 2006 Trail Conditions: Not Rideable Snow Cover: 0 inches Area Report:

Ashland County: Snow showers in the forecast . . . still waiting . . .

Bayfield County: Do that snow dance!

Hurley report: December 6, 2006 Trail Conditions: Trails Closed, Snow Cover: 9 inches. Area Report: We have received 18.9 inches since Dec. 1, with 9 inches currently on the ground and 43 inches received to date. Temperatures will be very cold through Thursday with highs in the teens. Friday temps will start warming into the low 30's. We are under a lake effect snow warning with 8-12 inches expected. Groomers have been out rolling and grooming the trails, preparing for the Dec. 11th opening, which was moved back from the traditional Dec 1 start, due to the special deer hunt that has been scheduled for Dec 7-10. The change was necessary out of respect for the landowners along our trail system. All ATV trails are also closed from until Dec 11. Beginning with the opening of the snowmobile season, all ATV's are to stay off the trails if temperatures are above 30 degrees due to the potential for great damage to the trail base. Watch the trail report for closures in case of warm temps as we set the base for the winter season. News and Events: Red Light Rally December 14-17! 25th Annual!

Mercer report: December 06, 2006 Trail Conditions: Trails Closed Snow Cover: 0 to 5 inches Area Report: Our lakes are freezing quite rapidly and by the time we get some snow maybe the lake trails will be flagged.. The cold weather(without snow) will be good for freezing the swampy areas also.

Minocqua report: December 6, 2006 Trail Conditions: Trails Closed; Snow Cover: 04 inches. Area Report: Cold weather is setting the lakes up nicely. Some people are ice fishing already but only the small lakes. Has been snowing with this cold air and lake snows. We will be out soon panning the trails before they open. 55 mph speed limit at night now and this will start this season.

Finally, as of December 14, here is a summary of trail openings across Northern Wisconsin:

Location	Update	Groomed	Conditions
Ashland Area	12/14/06	No	Closed
Barron County	12/06/06	No	Closed
Bayfield County	12/13/06	No	Poor
Boulder Junction Area	12/07/06	No	Closed
Burnett County	12/06/06		Closed*
Cable Area	12/13/06	No	Closed
Douglas County	12/13/06		Closed
Eagle River Area	12/12/06	No	Closed
Florence County	12/11/06	No	Closed
Forest County	12/13/06		Closed
Hurley Area	12/14/06	Yes	Poor
Lac du Flambeau Area	12/13/06		Closed
Land O' Lakes Area	12/13/06		Closed
Langlade County	12/13/06	No	Closed
Manitowish Waters Area	12/13/06	No	Closed
Mercer Area	12/06/06	No	Closed**
Polk County	12/12/06	No	Closed
Price County	12/13/06	No	Poor
Sawyer County	12/14/06	No	
St. Germain Area	12/13/06		Closed

* Burnett County trails will open when snow conditions improve and snow depth exceeds 4". Currently we need more snow.

** Iron county trails were closed until after the December deer hunt, here is the most recent report:

December 12, 2006:

The snowmobile trails in Iron County are officially open, however, they are not rideable at this time.

Temperatures have been in the 40's and we recd a lot of rain today.

Fiscal Estimate — 2003 Session

<input checked="" type="checkbox"/> Original	<input type="checkbox"/> Updated	LRB Number	Amendment Number if Applicable
<input type="checkbox"/> Corrected	<input type="checkbox"/> Supplemental	Bill Number	Administrative Rule Number WM-10-7

Subject
 December gun deer hunt in Deer Management Units north of HWY 8.

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- | | |
|----------------------------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> Increase Existing Appropriation | <input type="checkbox"/> Increase Existing Revenues |
| <input type="checkbox"/> Decrease Existing Appropriation | <input type="checkbox"/> Decrease Existing Revenues |
| <input type="checkbox"/> Create New Appropriation | |

- Increase Costs — May be possible to absorb within agency's budget.
 Yes No
- Decrease Costs

Local: No Local Government Costs

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others _____
 School Districts WTCS Districts

Fund Sources Affected

- GPR FED PRO PRS SEG SEG-S

Affected Chapter 20 Appropriations


Assumptions Used in Arriving at Fiscal Estimate

Part of the 2006 deer rule package that was implemented this fall was the result of a Joint Committee for Review of Administrative Rules (JCRAR) motion that requesting that the Department agree to a 1-year experiment with the antlerless only December 4-day gun hunt north of HWY 8. As a result, the 4-day antlerless only December hunt starting the second Thursday after Thanksgiving in Deer Management Units north of HWY 8 was limited to a 1-year trial in 2006. In order for the December gun hunt to continue in Deer Management Units north of HWY 8 beyond 2006, the Department must modify administrative code through the rule process.

This is an extension of current administrative code. Therefore there is no expected fiscal impact.

Long-Range Fiscal Implications

None

Prepared By: Joseph Polasek	Telephone No. 266-2794	Agency Department of Natural Resources
Authorized Signature 	Telephone No. 266-2794	Date (mm/dd/ccyy) 11/20/2006

Fiscal Estimate Worksheet — 2003 Session
 Detailed Estimate of Annual Fiscal Effect

Original Updated
 Corrected Supplemental

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number WM-10-07

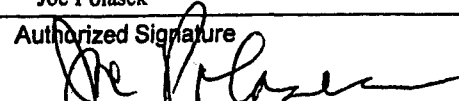
Subject
 December gun deer hunt in Deer Management Units north of HWY 8.

One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

Annualized Costs:		Annualized Fiscal Impact on State Funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations — Salaries and Fringes		\$ -	\$ -
(FTE Position Changes)		(FTE)	(FTE)
State Operations — Other Costs		-	-
Local Assistance		-	-
Aids to Individuals or Organizations		-	-
Total State Costs by Category		\$ -	\$ -
B. State Costs by Source of Funds			
GPR		\$ -	\$ -
FED		-	-
PRO/PRS		-	-
SEG/SEG-S		-	-
State Revenues	Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Revenue	Decreased Revenue
GPR Taxes		\$ -	\$ -
GPR Earned		-	-
FED		-	-
PRO/PRS		-	-
SEG/SEG-S		-	-
Total State Revenues		\$ 0	\$ - 0

Net Annualized Fiscal Impact

	State	Local
Net Change in Costs	\$ 0	\$ 0
Net Change in Revenues	\$ 0	\$ 0

Prepared By: Joe Polasek	Telephone No. 266-2794	Agency Department of Natural Resources
Authorized Signature 	Telephone No. 266-2794	Date (mm/dd/ccyy) 11/20/2006

Fiscal Estimate — 2003 Session

**Page 2 Assumptions Narrative
Continued**

LRB Number	Amendment Number if Applicable
Bill Number	Administrative Rule Number WM-10-07

Assumptions Used in Arriving at Fiscal Estimate – Continued





WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 06-131

AN ORDER to repeal NR 10.01 (3) (e) 1. d.; to amend NR 10.01 (3) (e) 1. c., and 2.b. and g., (em) 4. (title), a. and c., and (ev); to repeal and recreate NR 10.01 (3) (em) 1.; and to create NR 10.01 (3) (es) 3, relating to deer hunting season and permit issuance regulation changes.

Submitted by **DEPARTMENT OF NATURAL RESOURCES**

12-06-2006 RECEIVED BY LEGISLATIVE COUNCIL.

12-20-2006 REPORT SENT TO AGENCY.

RS:REL

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]
Comment Attached YES NO
2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]
Comment Attached YES NO
3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]
Comment Attached YES NO
4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS
[s. 227.15 (2) (e)]
Comment Attached YES NO
5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]
Comment Attached YES NO
6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL
REGULATIONS [s. 227.15 (2) (g)]
Comment Attached YES NO
7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]
Comment Attached YES NO



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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CLEARINGHOUSE RULE 06-131

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated January 2005.]

2. Form, Style and Placement in Administrative Code

- a. The rule preface should include an email address for the agency contact person.
- b. In s. NR 10.01 (3) (em) 1., “through” should be changed to “to.” In addition, “Deer bow season” should be italicized.
- c. In the treatment clause of SECTION 6, “(title)” should be deleted; the title of s. NR 10.01 (3) (em) 4. was amended in SECTION 5.

5. Clarity, Grammar, Punctuation and Use of Plain Language

In the federal regulatory analysis section of the rule analysis, “Federal” should be changed to “federal.”

**ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD REPEALING, AMENDING,
REPEALING AND RECREATING, AND CREATING RULES**

The Wisconsin Natural Resources Board proposes an order to repeal s. NR 10.01(3)(e)1.d.; to amend ss. NR 10.01(3)(e)1.c., 2.b. and g., (em)4.(title), a. and c., and (ev); to repeal and recreate s. NR 10.01(3)(em)1.; and to create s. NR 10.01(3)(es)3. relating to deer hunting season and permit issuance regulation changes.

WM-10-07

Analysis Prepared by the Department of Natural Resources

Statutory Authority and Explanation: Statutes that authorize the promulgation of this rule order include § 29.014, 29.089(3), and 29.177(3m), Stats. These sections grant rule making authority to the department to establish seasons, regulations and bag limits for hunting that ensure the citizens of the state continued opportunities for quality hunting. Additionally, these statutes provide authority for the department to manage state owned properties and issue special antlerless deer permits. All rules promulgated under this authority are subject to review under ch. 227, Stats.

Statutes Interpreted and Explanation: In promulgating this rule § 29.014, 29.024(6), 29.089(3), 29.173(3), 29.177, and 29.181, Stats., have been interpreted as providing the department with the authority to allow the department to establish deer hunting regulations as well as deer license and deer carcass tag issuance regulations.

Related Statute or Rule: This rule amends the Deer 2006 rule order, clearinghouse rule 05-086.

Plain Language Rule Analysis: This rule order includes the following modifications:

1. This rule eliminates the one year sunset of the 4-day December antlerless deer gun hunt beginning on the 2nd Thursday following the Thanksgiving holiday (except in CWD zones, state parks, and metro units). The hunt will be open in all units to anyone with a valid antlerless deer permit. Archery hunting will be limited to antlerless deer only during this gun hunt.
2. Clarifies the application of the special youth gun deer hunt event to Earn-a-Buck units and CWD zones.
3. In drafting the 2006 Deer Hunting Rule, major revisions to ch. NR 10 took place to consolidate complicated state park deer hunting rule language. During the consolidation, several drafting errors and omissions occurred. This rule includes housekeeping changes to correct those drafting errors.

Federal Regulatory Analysis: Provided state rules and statutes do not relieve individuals from the restrictions, requirements and conditions of federal statutes and regulations, regulation of hunting and trapping of native species has been delegated to state fish and wildlife agencies. None of the proposed rules exceed the authorities granted the states in 50 CFR 10.

State Regulatory Analysis: Minnesota has deer seasons that run from early to mid-November, with a muzzleloader season that runs from the end of November to mid-December. There is a two-day youth deer hunt in northwest Minnesota. Gun and archery licenses are purchased separately. Minnesota only issues one tag with each license, with additional tags available for purchase. There is a lottery for these tags in "lottery deer permit areas".

Michigan has a firearm season that runs from mid-November to the end of November, an archery season that runs from October to January, and a nine-day muzzleloader season in December. There is also a two-day youth hunt in September. Like Wisconsin, hunters purchase either a firearm or archery deer license. A regular license allows the harvest of a buck and an antlerless license allows the harvest of an antlerless deer. An antlerless license may be applied for (for a fee) and a drawing is held to determine successful applicants who then may purchase an Antlerless License.

Illinois has multiple short gun seasons that falls between late November to mid-January. The archery season runs from the beginning of October to mid-January. There is also a two-day Youth Firearm Deer Season in October. Hunters must purchase separate gun and archery authorizations, similar to Wisconsin. All carcass tags must be purchased; additional tags may be acquired through a lottery.

Iowa has a split gun season in December, muzzleloader season from mid-December to mid-January, and a bow season that runs from October to December. There is a youth hunt open to Iowa residents only, which runs from mid-September to October. Iowa's deer license is not weapon specific. There is only one tag issued per license but additional tags may be purchased with the first antlerless tag costing \$26 and subsequent tags costing \$11 each. These tags are first come, first served until quotas are filled.

Overall, Wisconsin's deer hunting license and season structure is similar to those of neighboring states. One exception is that Wisconsin issues more than one harvest authorization with a deer license. Also, if the current proposal is approved, Wisconsin will be the only state to issue hunting authorizations to all hunters free of charge.

Summary of Factual Data and Analytical Methodologies: Part of the 2006 deer rule package that was implemented in 2006 was the result of a Joint Committee for Review of Administrative Rules (JCRAR) motion requesting that the Department agree to a 1-year experiment with the antlerless only December 4-day gun hunt north of HWY 8. As a result, the 4-day antlerless only December gun hunt starting the second Thursday after Thanksgiving in Deer Management Units north of HWY 8 was limited to a 1-year trial. In order for the December gun hunt to continue in Deer Management Units north of HWY 8 beyond 2006, the Department must modify administrative code through the rule process.

The Department expects support from the hunting stakeholder groups that supported this rule change since its inception. Opposition is anticipated from the Association of Wisconsin Snowmobile Clubs.

Anticipated Private Sector Costs: There are no direct additional costs imposed on hunters as a result of this rule.

Effects on Small Businesses: These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses, nor are any design or operational standards contained in the rule.

Agency Contact Person: Keith Warnke, 101 S. Webster St., PO BOX 7921, Madison, WI 53707-7921.
keith.warnke@wisconsin.gov (608) 264-6023

Deadline for Comments: January 30, 2007.

Section 1. NR 10.01(3)(e)1.c. is amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
c. All that part of the state not otherwise listed in subds. 2. to 65., or in CWD zones described in s. NR 10.28 (3), not included in the December herd control zone identified in s. NR 10.28 (1).	4-day deer gun season beginning the second Thursday following the Thanksgiving holiday. Allowable types of guns are those authorized on the first day of the deer gun season identified in subdivision paragraph a. or b.	One antlerless deer per antlerless deer permit issued under s. NR 10.104.

Section 2. NR 10.01(3)(e)1.d. is repealed.

Section 3. NR 10.01(3)(e)2.b. and g. are amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(e)2.b. The following state parks and trails: the portion of Big Bay state park located on Madeline Island west of a north-south line beginning at the park entrance on Haines road, Governor Thompson, Elroy-Sparta, Hartman Creek, Interstate, the Plum Island portion of Grand Traverse Islands, Mill Bluff, Newport, Rock Island, <u>Straight Lake</u> , Wyalusing (73A) and Tuscobia-Park Falls.	Firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days. The firearm type is the same as authorized for the surrounding deer management unit.	One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.
g. Loew Lake Unit - Kettle Moraine state forest (unit 77D).	Muzzleloading firearm season beginning on the Saturday immediately preceding the Thanksgiving holiday and continuing for 9 consecutive days. Muzzleloader firearm deer hunting is limited to persons holding a permit for unit 77D.	One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.

Section 4. NR 10.01(3)(em)1. is repealed and recreated to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(em) <i>Deer bow season</i> . 1. Statewide except as established under subds. 2. to 5. and pars. (ed), (et) and (ez).	<i>Early archery season</i> . Beginning on the Saturday nearest September 15 and continuing through the Thursday immediately prior to the opening of the deer gun season described in par. (e).	One buck and one antlerless deer as authorized by the appropriate archery deer carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.

Late archery season. Reopening on the day immediately after the deer gun season described in par. (e) 1. a. and b. and continuing through the second Wednesday following the Thanksgiving holiday.

One buck and one antlerless deer as authorized by the appropriate archery deer carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.

Beginning on the second Thursday following the Thanksgiving holiday and continuing for 4 consecutive days.

One antlerless deer per antlerless deer permit issued under s. NR 10.104.

Beginning on the day immediately following the 4-day antlerless hunt above and continuing through the Sunday nearest January 6.

One buck and one antlerless deer as authorized by the appropriate archery deer carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.

Section 5. NR 10.01(3)(em)4. (title) is amended to read:

NR 10.01(3)(em)4. (title) State parks and forests.

Section 6. NR 10.01(3)(em)4. a. and c. are amended to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(em)4.a <u>Loew Lake Unit - Kettle Moraine state forest (unit 77D)</u> , Buckhorn state park and the Plum Island portion of Grand Traverse Islands state park.	During the early and late archery seasons described in subd. 1.	One buck and one antlerless deer as authorized by the appropriate archery deer carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.
c. The following state parks and trails: Elroy-Sparta, Council Grounds(52A), Hartman Creek, Interstate, Kinnickinnic, Wildcat Mountain (unit 72A), Rib Mountain (unit 57D), Harrington Beach (unit 69C), Kohler-Andrae (unit 77E), Willow River, Newport, Rock Island and Tuscobia-Park Falls.	During the late archery seasons described in subd. 1.	One buck and one antlerless deer as authorized by the appropriate archery deer carcass tag and additional antlerless deer as authorized by antlerless permits issued under s. NR 10.104.

Section 7. NR 10.01(3)(es)3. is created to read:

Kind of animal and locality	Open season (all dates inclusive)	Limit
NR 10.01(3)(es)3. Mill Bluff, Newport, Rock Island, and Straight Lake state parks	Beginning on the Monday immediately following the Thanksgiving holiday and continuing for 10 consecutive days.	One buck deer and additional antlerless deer as authorized by antlerless deer permits issued under s. NR 10.104.

Section 8. NR 10.01(3)(ev) is amended to read:

NR 10.01(3)(ev)(title) *Special youth antlerless gun deer hunt event* Persons 12 years of age or older but under the age of 16 years of age who possess a certificate of accomplishment under s. 29.591, Stats., or its equivalent from another state or province, may hunt deer with a firearm for 2 consecutive days beginning on the Saturday nearest October 8 in all deer management units, except state park units, deer management unit 48 and federal lands. Allowable types of firearms are those authorized on the first day of the regular gun deer season under par. (e) or (et). The bag limit is one buck deer per valid gun buck deer carcass tag and additional antlerless deer per valid antlerless deer carcass tags issued under par. (ed) or s. NR 10.104 (8). ~~Youth who are first time graduates of the hunter education program may use their certificates of accomplishment to take an antlerless deer.~~ Hunters shall be accompanied by an adult 18 years of age or older. One adult may not accompany more than 2 hunters and all other hunting regulations apply. Blaze orange requirements under s. 29.301 (2), Stats., apply to all hunters on these days except waterfowl hunters. Earn-a-buck requirements do not apply to youth hunters hunting in CWD zones identified in s. NR 10.28(3) or non-CWD earn-a-buck units when using their regular gun buck deer carcass tag. Youth hunters may harvest and tag bucks or antlerless deer in CWD zones as authorized by CWD tags under s. NR 10.104(11) or CWD landowner permit tags issued pursuant to s. NR 10.41(3).

Section 9. Effective date. This rule shall take effect the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Section 10. Board adoption. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on _____.

Dated at Madison, Wisconsin _____.

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Scott Hassett, Secretary

(SEAL)