Report From Agency

REPORT TO LEGISLATURE

NR 10, Wis. Adm. Code
Deer management unit population goals
Board Order No. WM-16-09
Clearinghouse Rule No. 09-053

Basis and Purpose of the Proposed Rule

Deer unit boundaries and goals are reviewed every 3 years according to s. NR 10.104 (3), Wis. Adm. Code and Voigt case stipulations (Chippewa treaty rights). There are currently 131 deer management units (DMUs) with individual over winter population goals and a statewide over winter population goal of approximately 737,000 deer. Over winter population goals and DMUs serve as the foundation for managing the deer herd and determining deer hunting season structures. All goals referred to in this rule are the over winter deer population goal for a DMU. The hunting season population will generally be substantially larger than the over winter population goal.

The Department is proposing raising deer population goals in 13 management units and lowering the goal in two.

Deer Management Unit	Current Goal Density	Proposed Goal Density
6	12	15
14	14	18
49A	25	20
57	22	25
59B	15	20
59M	10	15
60A	20	25
60B	20	25
60M	10	15
64	20	25
64M	10	15
68B	30	25
77C	15	20
77M	10	15
80B	20	25

These changes are recommended to provide hunters with more deer hunting opportunities in instances where goals are proposed for increases and to alleviate agricultural damage in the instances where the goals have been recommended for a decrease. The department does not anticipate significant ecological, agricultural or forestry impacts because of the proposed goal increases. However, there is a concern that a higher goal with low hunter densities will mean continuous herd control seasons.

Summary of Public Comments

Hearings were held in West Bend, LaCrosse, Wausau, Green Bay, Ashland, Rhinelander, and Menomonie and were attended by over 200 people. Sixty-one comments were received via a website comment form and we receive dozens of written comments via letters and email. Hearing attendance was generally light and appearances and registrations were in support of the propsed changes. The exception to this was at Green Bay where there was a well organized push to increase goals and debate the definition of deer range.

A summary of comments received is characterized by the following comments, “goal in DMU 62B should be increased to 35”; “9-day season is enough”; “need to increase goals more”; “too many timber wolves”; “definitely need a 16-day gun season”; “raise goal in DMU 37”; “goal in DMU 39 should be 15”; “need to protect farming and the environment”; “don't see very many deer”; “adjacent landowner of 30-40 acres doesn't allow anyone to hunt”;” if DMU 69 went to EAB, would think seriously about not hunting”; “over-hunting herd - fewer antlerless tags should be given”; “baiting of deer should be banned (why deer sightings have dropped off)”; “allowing significant gun hunting in Oct. or earlier in Nov. would seriously disrupt the bow season”; “EAB should be eliminated”; “deer harvest does not have a direct correlation to deer population”.

Public Hearing Appearance Forms Summary							
	# testified	Total Attendance	As interest may appear	In support	In opposition	No position indicated	Total forms completed
8/13/09, West Bend	2	7	0	0	2	0	2
8/18/09, Wausau	6	48	5	7	1	16	29
8/18/09, Rhinelander	1	2	0	0	1	1	2
8/19/09, Green Bay	16	85	13	3	46	23	85
8/19/09, La Crosse							
8/27/09, Ashland	4	7	2	0	1	3	6
8/31/09, Menomonie	1	4	1	2	0	1	4
	30	207	22	16	51	53	142

Modifications Made

The department initially recommended that the goal in DMU 3 be reduced to 15 deer per square mile of deer range (dsm) due to concerns for forest regeneration and composition. There was some public input to support this decrease, however due to the public input received at hearings and through comments, input from local wildlife biologists, and input received through the tribal consultation process (the Voigt Task Force recommends a goal between 16 and 21 dsm), the department now recommends no change to the goal in DMU 3.

Appearances at the Public Hearing

Statewide attendance was 207.

Changes to Rule Analysis and Fiscal Estimate

The rule analysis and fiscal estimate were revised to reflect the recommendation that the goal in DMU 3 not be changed.

Response to Legislative Council Rules Clearinghouse Report

The recommendations have been incorporated into the rule.

Final Regulatory Flexibility Analysis
These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small business, 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.