REPORT TO LEGISLATURE
NR 10, Wis. Adm. Code

Board Order No. WM-15-10
Clearinghouse Rule No. 10-052

Basis and Purpose of the Proposed Rule

This proposal would limit the use of the antlerless deer carcass tag, issued with each archery hunting license, to units in which a gun harvest quota of antlerless deer has been established. Archers would be limited to buck only hunting in units where a zero quota gun antlerless quota has been established.

Currently, each license which authorizes archery deer hunting includes one carcass tag that is valid for taking an antlerless deer in any management unit.

The harvest of antlerless deer is managed by the department in order to achieve overwinter goals established in NR 10.104 Wis. Administrative Code. In management units where the deer population is below goal, the department may restrict antlerless deer harvest or establish an antlerless quota of zero. When the quota is zero in a unit, most firearm deer hunters may not harvest antlerless deer. Only archers, first year hunter safety graduates, and disabled permit holders are allowed to harvest antlerless deer when no quota has been established.

Eliminating archery hunter's ability to harvest antlerless deer in zero quota units would make regulations more consistent between the firearm and archery seasons and the reduced antlerless harvest will help to achieve overwinter goals by allowing additional population growth.

Summary of Public Comments

Supportive comments generally favored equalizing regulations related to the harvest of antlerless deer between firearm and archery hunters in units where there is no antlerless harvest quota. “Deer need to rebound” in zero quota units and supporters believed that this proposal is important for helping that happen. It was also noted that, “our herd status meeting supported this.”

At Rhinelander and Fitchburg, each supporter was asked and they unanimously preferred implementing the proposal in 2010 versus 2011.

Written comments of support were submitted by people who said they are bowhunters, expressed a great need to increase the population of deer, and believe that this rule proposal will help and is fair.

The Wisconsin Wildlife Federation and Wisconsin Bowhunters Association are groups that supported the proposal during the hearing process.

A representative of the Conservation Congress testified that, while there is general support and committee support for the proposal, it should go through the 2011 spring hearing process where there will be greater public input.

There was limited opposition at the hearings but it was expressed that the proposal could shift hunting pressure towards younger bucks that, presumably, the speakers did not want to be harvested at an increased rate. It was also expressed that archers have less effective weapons, invest more effort, and should have the opportunity to harvest antlerless deer. People who called and wrote during the comment period expressed a variety of concerns. “I don’t see bucks as often anymore and with the reduced herd I enjoy bow hunting and usually get a doe by the first of January.” It was expressed that the DNR and rifle hunters, through liberal permit allocations, had reduced the deer herd and bow hunters should not have to restrict their harvest in response. Two people preferred a return to one archery deer tag that would be valid for a deer of either sex. It was suggested that the antlerless harvest is not significant enough to impact harvest. It was also suggested that archers are selective in the way they hunt and would voluntarily limit harvest when deer numbers are low.

Additional Input During Comment Period
Twenty comments were received by email, mail, and telephone. Of those, 8 were supportive of the proposed change and 12 expressed opposition.

Public Hearings
Hearings were held in Rhinelander, Fitchburg and Green Bay on May 17, 18 and 24, 2010

Modifications Made
No modifications were made

Appearances at the Public Hearing

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

	Attendance	Testimony In Support	Registered Support	Testimony In Opposition	Registered Opposition	As Interest May Appear or no position
Rhinelander	18	7	9		2	
Fitchburg	1	1				
Green Bay	10	4	3	1		2
Total	39	12	12	1	2	2

Changes to Rule Analysis and Fiscal Estimate
No changes were made.

Response to Legislative Council Rules Clearinghouse Report
In response to a comment related to style, the department acknowledges the value of standardizing use of the terms “carcass tag”, “license”, and “permit” but believes that should be addressed throughout Ch. NR 10 in a way that is beyond the scope of this rule proposal. Regarding a comment on the adequacy of references to related rules, the department believes that current rules on the establishment of harvest quota objectives already accommodate potential changes in antlerless archery deer harvest from this proposal and further rule revisions are not needed. The department made a recommended change related to punctuation.

Final Regulatory Flexibility Analysis
These revisions to ch. NR 10, Wis. Adm. Code, pertain to game and hunting. These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses. This proposal does not establish design or operational standards. Under s. 227.19 (3m), Stats., a final regulatory flexibility analysis is not required.

Environmental Analysis:
Bureau of Integrated Science Services has determined that these rule revisions are a Type III action under Chapter 150, Wis. Adm. Code, and no environmental analysis is required.