

NOTICE OF PUBLIC HEARINGS
BEFORE THE
DEPARTMENT OF NATURAL RESOURCES
WM-09-11 and WM-03-12(E)

NOTICE IS HEREBY GIVEN that pursuant to ss. 29.011, 29.014, 29.192, 227.11 and 227.24 Stats., interpreting ss. 29.011, 29.014 and 29.192, Stats., the Department of Natural Resources will hold public hearings on revisions to ch. NR 10 Wis. Adm. Code relating to the bobcat hunting and trapping season.

NOTICE IS HEREBY FURTHER GIVEN that the hearing will be held on Monday, August 27, 2012 at 11:00 a.m. at the following location: Room 608, Natural Resources State Office Building (GEF-2), 101 South Webster St., Madison.

NOTICE IS HEREBY FURTHER GIVEN that the proposed rule and fiscal estimate may be reviewed and comments electronically submitted at the following Internet site: <http://adminrules.wisconsin.gov>. Written comments on the proposed rule may be submitted via U.S. mail to Mr. Scott Loomans, Bureau of Wildlife Management, P.O. Box 7921, Madison, WI 53707. Comments may be submitted until August 27, 2012. Written comments whether submitted electronically or by U.S. mail will have the same weight and effect as oral statements presented at the public hearings. A personal copy of the proposed rule and fiscal estimate may be obtained from Mr. Loomans.

Plain Language Rule Analysis: These identical emergency and permanent rules establish that the bobcat hunting and trapping seasons are split into two time periods; the first beginning on the Saturday nearest Oct. 17 and continuing through Dec. 25 and the second beginning on Dec. 26 and continuing through Jan 31.

Related Statute or Rule: There are no related statutes or rules currently under promulgations. This emergency rule will take effect on October 1, 2012. The department anticipates that the identical permanent rule will be in effect for the 2013 bobcat hunting and trapping seasons.

Comparison with rules in Adjacent States: Bobcats are not harvested in Illinois and Iowa but are present and increasing in number in both states. Michigan hunters and trappers can generally harvest two bobcats per season. Minnesota hunters and trappers have a season limit of five bobcats. The more liberal season frameworks in Michigan and Minnesota reflect greater abundance of the species in those states and significantly less hunter and trapper interest. Neither state has the long tradition of hunting with hounds that Wisconsin has.

Federal Regulatory Analysis: These state rules and statutes do not relieve individuals from the restrictions, requirements and conditions of federal statutes and regulations. Regulating the hunting and trapping of native species has been delegated to state fish and wildlife agencies.

Summary of Factual Data and Analytical Methodologies: Through this rulemaking, the department will make permanent a trial bobcat season framework that was split into two separate time periods in 2010 and 2011. The primary interest expressed by advocates for a split season framework is that ideal conditions for hunting with hounds occur when there is snow cover. These conditions do not occur before the December 31 end of the traditional, straight-season framework every year. In order to provide the type of hunting opportunity that hunters have asked for, but still maintain opportunities that trappers and hunters who do not use hounds have enjoyed, this proposal would add an additional month and create an early and a late time period and require permit applicants to choose one-or-the-other.

The dates of the bobcat season under this proposal and during the 2010 and 2011 trial period were; the Saturday nearest Oct. 17 - Dec. 25 and Dec. 26 to Jan 31. There appears to have been public support for the

new season framework and the opinion of department staff is that it provides the tools for sound use, management and protection of the bobcat resource. If permanent or emergency rules are not promulgated, the season automatically reverts back to a single permit period beginning on the Saturday nearest October 17 and continuing through December 31 in 2012.

All hunters and trappers must obtain a special harvest permit before pursuing bobcats, and the annual bag limit is one bobcat per permit. Bobcat harvest goals are set annually based upon population size in relation to management goals. The number of harvest permits issued is based on the highest success rate during the previous three years for the first time period and a conservative, high success rate for the later, new time period. Because these harvest controls are in place, the actual dates and length of the hunting and trapping seasons are more important for hunter/trapper satisfaction than for protecting the bobcat population from overharvest.

Anticipated Private Sector Costs: These rules, and the legislation which grants the department rule making authority, do not have a significant fiscal effect on the private sector. Additionally, no costs are associated with compliance to these rules.

Effects on Small Business: These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses, and no design or operational standards are contained in the rule. Because this rule does not add any regulatory requirements for small businesses, the proposed rules will not have a significant economic impact on a substantial number of small businesses under 227.114(6) or 227.14(2g).

Agency Contact Person: Scott Loomans, 101 South Webster St., PO BOX 7921, Madison, WI 53707-7921. (608) 267-2452, scott.loomans@wisconsin.gov

NOTICE IS HEREBY FURTHER GIVEN that pursuant to s. 227.114, Stats., it is not anticipated that the proposed rules will have a significant economic impact on small businesses. The Department's Small Business Regulatory Coordinator may be contacted at SmallBusiness@dnr.state.wi.us or by calling (608) 266-1959.

NOTICE IS HEREBY FURTHER GIVEN that the Department has made a preliminary determination that this action does not involve significant adverse environmental effects and does not need an environmental analysis under ch. NR 150, Wis. Adm. Code. However, based on the comments received, the Department may prepare an environmental analysis before proceeding with the proposal. This environmental review document would summarize the Department's consideration of the impacts of the proposal and reasonable alternatives.

NOTICE IS HEREBY FURTHER GIVEN that pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call Scott Loomans at (608) 267-2452 with specific information on your request at least 10 days before the date of the scheduled hearing.

Dated at Madison, Wisconsin _____

STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

By _____
Cathy Stepp, Secretary