

## **Report From Agency**

### **REPORT TO LEGISLATURE**

CH. NR 10 Wis. Adm. Code  
Bobcat hunting and trapping and elk management  
Board Order No. WM-05-13  
Clearinghouse Rule No. 13-067

#### Basis and Purpose of the Proposed Rule

This proposal could result in new hunting and trapping opportunities for bobcat in portions of the state where harvest is not allowed under current rules.

This proposal would create a new elk management zone and population goal in an area of the state where elk are not currently found but where a management plan approved by the Natural Resources Board recommends establishing a herd.

Specifically, these rules would:

SECTIONS 1 and 2 establish that bobcat hunting and trapping may be allowed statewide instead of only north of State Highway 64.

SECTION 3 establishes that the elk hunting season begins on the Saturday nearest October 15, instead of September 15, in any open elk management zone.

SECTION 4 establishes one elk population goal, instead of two, for the Clam Lake elk management zone and establishes a population goal for the newly created Black River elk management zone.

SECTION 5 establishes that elk tags issued for the Black River elk management zone, in addition to ones issued for Clam Lake, may be designated as valid outside an elk management zone.

SECTION 6 establishes that the formula for determining the number of bull elk tags to issue applies to new Black River Falls elk management zone as well as the Clam Lake zone.

SECTION 7 clarifies that the department may establish a bobcat harvest quota in areas where it has not established a population goal.

SECTION 8 creates one new bobcat hunting and trapping zone for areas of state south of State Hwy. 64.

SECTION 9 consolidates two existing elk management zones in the Clam Lake area, expands the size of that overall zone, and creates a new Black River elk management zone.

#### Summary of Public Comments

The department conducted hearings in Fitchburg, Black River Falls, and Hayward from October 1 to 3. A total of 23 people attended the hearings in Fitchburg and Black River Falls. There were no appearances in Hayward. Organizations or governments whose representatives appeared in support of the rule include the Wisconsin Conservation Congress, Wisconsin Trapper's Association, Jackson County, and the Jackson County Wildlife Fund. Representatives of the trapper's association and the conservation congress favored a two zone configuration for bobcat management. Two representatives of a small business as defined by s. 227.114, Wis. Stats.,

American Animal nuisance animal removal, appeared in support of the bobcat related rule provisions.

Support for the rule and preference for different bobcat zone configurations is summarized below.

Table 1.

	Speaking in support	Registering in support	Speaking in Opposition	Registering in Opposition	Favor two bobcat zones	Favor four bobcat zones
Fitchburg	4	4			8	
Black River Falls	7	8			9	4
Hayward						
Written Comment		1				1
	24		None		17	5

Summary of hearing comments

- “I look forward to seeing elk back in central Wisconsin”
- “Fully in support of both rule changes”
- “Support reintroduction of elk, am also a local cranberry grower”
- “As a nuisance animal business, having the entire state within a zone makes it more efficient for getting authorization from DNR and law enforcement when having to help with bobcats through the state that may have disease and come into conflict with humans or pets.”
- “Bobcat population is high and old enough to allow a harvest statewide. One zone (south) is simple. Cats are being seen in Central Wisconsin by people every day . . .”
- “We have many bobcats south of WHY 64. My local warden has personally caught, and had to help release, many . . . “
- “Zone geometry is not important. Statewide harvest is the most important issue.”
- “. . . The WTA association would like to see two. With only one zone south of 64 hunters and trappers could move around the southern but if we have 3 zones you have to stay in that zone to harvest that cat . . . we must look at Act 168 where we are charged with simplifying hunting and trapping regulation . . . “
- “Trappers and hunters will not work for bobcats if they know there are none. It will make more people take notice if there is a season on them. States around us have much more liberal seasons on bobcats, why is Wisconsin so tight with this animal? We are not special. If the department wants science, this is a good way to get it, 4 zones. An individual zone can always be closed by the department if a population becomes questionable.”
- “The bobcat population has expanded its range south of HWY 64 sufficient to warrant a harvest season. Reports from other trappers, and personal observations support the increased population.”

Previous public participation

A spring hearing advisory question which was asked by the department to gauge public opinion on generally expanding bobcat hunting and trapping opportunities was supported by a vote of

Ayes, 3,379; Noes, 1,395. The question was supported in 67 counties and opposed in five. A copy of the question is attached as Appendix 1.

In 2013 the Conservation Congress also asked a statewide advisory question to gauge public opinion about allowing bobcat harvest statewide. Their question was supported by a vote of Ayes, 2,814; Noes, 1,605. The idea was approved in 65 counties and rejected in seven. A copy of the question is attached as Appendix 2.

Prior to the board's April 24, 2013 meeting when the statement of scope for this rule order was approved, two letters opposing expanded bobcat hunting and trapping opportunity were received.

#### Modification Following Hearings

There were no changes made in response to hearing information.

#### Changes to Rule Analysis and Fiscal Estimate

No changes were made.

#### Response to Legislative Council Rules Clearinghouse Report

The recommendations have been incorporated into the rule.

#### Final Regulatory Flexibility Analysis

These rules, and the legislation which grants the department rule making authority, do not have a fiscal effect on the private sector or small businesses. 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.