

## ADMINISTRATIVE RULES

### Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date 11/15/17
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) Chapter NR 10, Game and Hunting; Board Order WM-15-17	
4. Subject Elk management	
5. Fund Sources Affected <input type="checkbox"/> GPR <input checked="" type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected
7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget	
8. The Rule Will Impact the Following (Check All That Apply) <input checked="" type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$Less than \$50,000 [minimal impact]. The department does not anticipate any additional compliance costs for this rule. Any additional staff time can be absorbed into current employee workload. No additional costs will be imposed on individuals unless they voluntarily apply for a permit. The cost of each permit application is \$10.	
10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Policy Problem Addressed by the Rule Current policy states that an elk population of 200 must be reached before an elk season can occur in the Clam Lake Elk Range and a population of 150 must be reached before a hunt can occur in the Black River Elk Range. This rule would allow the department to initiate an elk season when population data indicate that the herd could support a limited bull elk harvest. The rule would also repeal the requirement for the department to issue a number of permits equal to 5% of the total population. This would eliminate an potential annual conflict of opinion on herd size, which influence permit levels. This would allow the department greater flexibility in properly managing the elk herds. Under current rules, the department would be required to issue 10 bull elk permits if establishing a hunt once the herd has reached 200 animals. The proposed rule would allow the department to set either a lower or higher level of permits each year to allow for the harvest of surplus bulls while maintaining a healthy population structure. The proposed rule is not anticipated to significantly influence the revenue generated from application and license fees, as a similar number of hunters is expected to apply for the limited number of elk licenses each year regardless of the proportion of permits issued once a season begins.	
12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. Stakeholder outreach included: Chippewa Tribes (Great Lakes Indian Fish and Wildlife Commission), Wisconsin Conservation Congress, Wisconsin Wildlife Federation, Rocky Mountain Elk Foundation, Jackson County Wildlife Fund, Wisconsin Bowhunters Association, Jackson County Forest and Parks, Ho Chunk Nation and Friends for Wisconsin Wildlife. These groups have participated in elk management discussions as part of the DNR Elk Advisory Committee and favor creating the proposed rule.	
13. Identify the Local Governmental Units that Participated in the Development of this EIA.	

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None

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14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

The impact of this rule to the state is expected to be minimal; once a hunt is implemented, the Department of Natural Resources would face some expenditures relating to holding the hunt that would be offset by application and license fees. According to the 2012 Elk Management Plan Amendment, elk application fees alone are conservatively estimated to generate \$400,000 per year once a hunting season is established. Management costs under current rules are estimated to be \$200,000 per year, and if the proposed rule is implemented and the department launches a hunting season, additional costs are expected to be minimal and not to exceed \$50,000 per year. Businesses and local governments may benefit economically as an outcome of the rule, since a hunting season would likely draw additional tourism revenue to the community.

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15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

Implementing the rule would allow an elk hunt to be initiated in line with scientific management principles. The department would be able to issue permits allowing the harvest of surplus bull elk when herd metrics indicate that a bull hunt would not harm the population. A hunt would provide an additional recreational opportunity for Wisconsin citizens and economic benefits to state and local economies. Failure to implement the rule would restrict the department to opening a season only when the population size has reached the predetermined threshold, at which time the department would also be required to issue bull elk permits equivalent to 5% of the population, which could be detrimental to the herd. Under existing rules, an elk hunt would still likely occur in the near future based on current policy and not scientific metrics.

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16. Long Range Implications of Implementing the Rule

This rule would allow flexibility in offering elk hunting opportunity while considering the influence of population structure and dynamics, winter severity, and other metrics to determine elk permit allocation. Implementing the rule would allow the department to initiate a hunting season when herd metrics indicate that the population can sustain a limited bull harvest, and would allow the department to delay a season if population analysis indicates that the removal of elk would be deleterious to the herd. The rule would also allow the department to adapt an elk hunting season to maintain elk population structure and dynamics, mitigate elk-human conflicts such as crop and forest damage, and provide recreational opportunities. Initiation of a hunt may also draw additional tourism to local communities, providing a local economic benefit over the years. Currently, tourism from elk viewing alone is estimated to contribute \$210,000 annually to the Clam Lake area, according to the Cable Chamber of Commerce. The impacts of tourism are expected to be even greater in the Black River area.

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17. Compare With Approaches Being Used by Federal Government

Federal regulations allow states to manage the wildlife resources located within their boundaries provided they do not conflict with regulations established in the Federal Register. None of these rule changes violate or conflict with the provisions established in the Federal Code of Regulations.

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18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Minnesota State Statutes allow an elk season to be held once the pre-calving population exceeds 20 elk, and elk management plans for increasing the herd may not be enacted unless evidence indicates that agricultural damage has not increased over the past two years. Michigan initiated an elk hunt in 1984, and according to administrative rules, the Department of Natural Resources currently issues a set number of antlerless and any elk licenses in each elk management unit.

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19. Contact Name

Meredith Penthorn

20. Contact Phone Number

608-267-2948

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**Fiscal Estimate & Economic Impact Analysis**

**ATTACHMENT A**

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1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

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2. Summary of the data sources used to measure the Rule's impact on Small Businesses

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3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

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4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

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5. Describe the Rule's Enforcement Provisions

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6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes    No
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