

## 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 July 19, 2024
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) Ch NR 10, Game and Hunting	
4. Subject WM-18-23, relating to the deer management assistance program	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input 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 checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input 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 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 <b>(if checked, complete Attachment A)</b>	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). <b>\$155,982</b>	
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 <p>Current administrative rules establish the structure, benefits, and eligibility requirements for the Deer Management Assistance Program (DMAP). The established rule bases DMAP's structure on the size of the enrolled property regardless of previous program involvement or landowner needs. Based on feedback received from focus group sessions representing 5 stakeholder groups, this rule change aims to restructure the program based on participant needs and previous program involvement in addition to property size. Specifically, it separates DMAP membership from on-site benefits. This enables members to select if and when they want on-site benefits. Additionally, it allows members electing to receive on-site benefits the ability to customize these benefits by enrolling based on their previous program involvement (new from returning members) and property size (small, medium, and large acreage parcels).</p> <p>Program benefits under the current rules limit on-site benefits to properties with at least 160 acres. Given that the average parcel size of family-owned land in Wisconsin is 26 acres the current rule misses the majority of the program's target audience and/or forces them into large group cooperatives, which are less likely to implement habitat management. To better serve Wisconsin's landowners and hunters, and improve alignment between the program's mission and benefits, the new rule reduces minimum acreage requirements for on-site services from 160 to 40 acres. Additionally, it provides expanded services to members not receiving on-site services such as property-specific annual harvest reports. Under the current statute, the department is directed to provide a method for collecting information about deer health and populations from landowners who receive deer management assistance. The established code, however, does not incorporate this component and DMAP members, per member surveys and focus groups, want it emphasized. To account for this, the new rule incorporates data sharing as an eligibility component for continued on-site benefits.</p> <p>The structural changes outlined within the new code necessitate the need for an updated fee structure. To align with the new structure and member's ability to elect if and when they want on-site benefits, the new code separates program membership fees from those for on-site benefits. On-site benefit fees are further divided based on previous program enrollment to account for services selected and data sharing. DMAP fees were originally set in 2014. Modest fee</p>	

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increases for on-site benefits are included as part of the proposed rule to adjust for inflation and were supported by stakeholder focus groups. All fees are directly invested back into the DMAP.

Finally, in order to focus the program on private lands and adjust for unused program benefits, the new code refines the benefits available to public land. The current rules establishes that public land may enroll in the DMAP and receive habitat management recommendations as well as antlerless tags. However, in the 10 years since the program was established, no public land permits have been authorized through the DMAP. Given this information and that the intent of the permits are to help private landowners manage deer at the local level, the new code limits public land involvement to on-site benefits related to habitat management.

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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.

Since DMAP is a voluntary program, this rule and its economic impacts will only impact landowners who choose to and are eligible to enroll their property in DMAP.

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13. Identify the Local Governmental Units that Participated in the Development of this EIA.

A notice for solicitation of comments on this analysis will be posted on the department's website during a 10 day period in April 2024 and various interest groups, including local governments, may be contacted.

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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)

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.

This rule raises the cost of a nonresident bonus deer permit issued under DMAP from \$6 to \$10, which is half the price of a nonresident bonus permit. The also now allows for landowners who own between 40 and 160 acres to be able to be issued, if appropriate, bonus deer permits. On average, half of all eligible enrollments receive tags. To account for caps, the number of enrollments receiving tags within the 40-160 acre class is half the number included in the enrollment fee calculator (231 enrollments served, 115 requesting 3 tags each). Based on this data, we assume landowners purchasing bonus deer permits under the new rules will now bring in an additional \$2,174 in license fees each year for the first two years.

Current rules establish three levels for participation in DMAP. Level one is free while levels two and three have a three year enrollment fee of \$75 and \$150 respectively. The proposed rules now will only have two levels of participation. All individuals wishing to participate in DMAP will now pay a membership fee of \$50 every three years. Eligible DMAP members approved to receive elective benefits will now be issued a fee based on the acreage of the property enrolled. First time enrollees will now be charged the following fees: \$150 for the properties between 40 and 160 acres, \$200 for properties between 160 and 640 acres and \$250 properties greater than 640 acres. Instead of a three year term, DMAP member will only be charged a reduced rate after their initial enrollment in elective benefits if they choose to receive the on-site elective benefits again. There are currently 2,041 properties enrolled in DMAP. Assuming that one-third of all members will renew their membership each year, that the department is able to provide on-site elective benefits to 36-properties a year while also fitting current enrolled properties into the new acreage classifications and assuming that those electing to receive on-site visits is proportional to enrollment over all acreage classification we project that the rules will bring in an additional \$75,817 in enrollment fees each year for the first two years.

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

This rule will offer greater flexibility to DMAP members. Landowners will be able to customize the services they want and the frequency that they receive them. They have also increased involvement in state deer management through data

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sharing. By lowering the acreage minimum from 160 acres to 40 acres, the department will also be able to offer on-site benefits to more landowners. The changed fee structure could potentially cost landowners less money to be in DMAP since the charges for on-site benefits will only occur when a landowner needs them. Finally, there will be more benefits available to all DMAP members regardless of their involvement with elective benefits.

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16. Long Range Implications of Implementing the Rule

DMAP will be able to serve more people and obtain more deer management data for the department by these rule changes.

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17. Compare With Approaches Being Used by Federal Government

States possess inherent authority to manage the wildlife resources located within their boundaries, except insofar as preempted by federal treaties and laws, including 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)

Illinois, Minnesota, and Iowa do not have a program comparable to DMAP. Michigan does have a deer management assistance program. However, this program only offers antlerless permits to landowners and no other management assistance. Antlerless permits issued under Michigan's program cannot be used by anyone other than the landowner or the authorized designee of the land and cannot be transferred to another person.

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19. Contact Name

Scott Karel

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20. Contact Phone Number

608-206-0222

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**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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