

## **Report From Agency**

### **REPORT TO LEGISLATURE**

NR 10, Wis. Adm. Code

Board Order No. WM-12-24  
Clearinghouse Rule No. 24-089

#### **Basis and Purpose of the Proposed Rule**

This rule proposes a return to habitat-based deer management units in the Northern Forest Zone. Prior to 2014, units were bounded by major roads and rivers that surrounded areas with generally similar habitat. Additionally, these rules propose to reduce the portion of the Central Forest Deer Management Zone boundary in Adams, Wood, Juneau and Monroe counties. As a result of this proposed change all of Adams County would be located in the Central Farmland Zone. These rules also propose to expand select Metropolitan Subunit boundaries except for the boundary found in Manitowoc County which will be reduced.

This rule also renames county deer advisory councils to citizen deer advisory councils (CDACs) and removes a requirement that these bodies are organized on a county basis. This provides the department the flexibility to modify the geographical area CDACs may represent. These changes would not require the department to adjust the structure of the deer advisory councils but rather leaves the option open to do so in the future. The department intends to work closely with the Wisconsin Conservation Congress to consider the geographic extent and corresponding recommendation process for each CDAC based on the proposed unit boundaries. The associated emergency rule does not propose this change so the 2025 deer advisory councils will remain organized by county. This rule also makes two small non-substantive changes to correct administrative code language so that it complies with current drafting standards.

#### **Summary of Public Comments**

The formal public comment period on the rule was open from December 9, 2024, through January 10, 2025. 120 written comments were received. Seventy-eight percent of the comments expressed general support for the rule proposal. The majority of these comments came from individuals representing themselves. However, three organizations did provide written comments on the rule. Both the Wisconsin Wildlife Federation and Wisconsin's Green Fire wrote in support of all the changes proposed in the rule. The Wisconsin Animal Protection Society offered comments that were unrelated to the contents of the rule. Although a few comments expressed opposition to the rule in general, most opposing comments were directed at two specific locations, Adams County and the large size of the proposed DMU 126. The attached document (Appendix A) summarizes the comments received during the open comment period and department responses to those comments.

#### **Modifications Made**

In response to the open house feedback indicating support for modifying CDAC boundaries to align with new DMU boundaries, rule language was modified to allow for this to occur. Replacing the word "county" with "citizen" when describing deer advisory councils and amending other wording that implies a county structure will allow for a similar number of CDACs to exist in the Northern Forest Zone, just with administrative boundaries that follow DMU boundaries. Most CDACs would cover two DMUs and avoid the challenge of single DMUs being discussed at multiple CDAC meetings, possibly generating multiple recommendations that differ.

In response to significant concerns expressed about how historic DMU lines do not capture the current deer distribution characteristics in several northcentral counties, a new DMU (111) was proposed surrounding the Chippewa River valley in Rusk and Sawyer Counties, and other adjustments were made to adjacent DMUs to the north and east of the new DMU. These DMU changes are reflected in the maps in the board orders for both the emergency and permanent rules.

#### Appearances at the Public Hearing

The department held a virtual public hearing on January 8, 2025. Just over 70 members of the public attended the hearing and 18 people offered oral testimony. All of these individuals testifying represented themselves with nobody offering testimony on behalf of a group or organization. Testimony came in at six in favor and six opposed to the rule. All remaining speakers either did not indicate a position, asked clarifying questions, or gave testimony that was unrelated to the rule. The concerns raised in the hearing largely mirrored those identified in the written comments with speakers primarily focused on the size of DMU 126 and the changing Adams County to the Central Farmland Zone. Many of those testifying at the hearing had already entered their support or opposition as written comments prior to the hearing. The overall public input remained strongly in favor of the rule change, with the two main local exceptions as noted above.

#### Changes to Rule Analysis and Fiscal Estimate

No changes were made to the rule analysis or fiscal estimate through the public comment process.

#### Response to Legislative Council Rules Clearinghouse Report

The Legislative Council Rules Clearinghouse submitted a report on December 16, 2024. No suggested changes to the rule were made in the report.

#### Final Regulatory Flexibility Analysis

These rules, and the legislation which grants the department rule making authority, do not have a significant 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.

#### Response to Small Business Regulatory Review Board Report

The Small Business Regulatory Review Board did not prepare a report on this rule proposal.