

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

STATE OF WISCONSIN)
)
DEPARTMENT OF NATURAL RESOURCES) ss

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, George E. Meyer, Secretary of the Department of Natural Resources and custodian of the official records of said Department, do hereby certify that the annexed copy of Natural Resources Board Order No. WM-49-94 was duly approved and adopted by this Department on March 27, 1996. I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

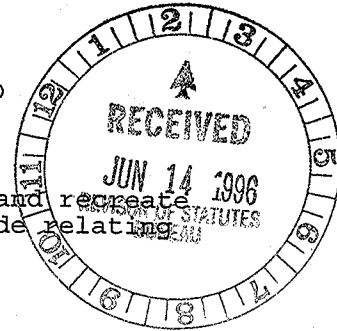


IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Natural Resources Building in the City of Madison, this 12th day of June, 1996.

George E. Meyer
George E. Meyer, Secretary

(SEAL)

ORDER OF THE STATE OF WISCONSIN NATURAL RESOURCES BOARD
REPEALING AND RECREATING RULES



The Wisconsin Natural Resources Board proposes an order to repeal and recreate NR 1.15(2) (a), 10.104 and 10.28 of the Wisconsin Administrative Code relating to deer hunting permits.

WM-49-94

Analysis Prepared by Department of Natural Resources

Statutory authority: ss. 29.107, 29.174(3), 227.11(2) (a) Stats.

Statutes interpreted: ss. 29.107 and 29.174 (1) and (2), Stats.

The proposed rules:

1. Describe the department's method for developing deer management unit size and configuration.
2. Describe how the department will monitor deer population size.
3. Require the department to manage deer populations with consideration for ecological and social impacts.
4. Establish a three year period between reviews of overwinter goals and unit boundaries.
5. Establish overwinter goals and unit boundaries.

SECTION 1. NR 1.15(2) (a) is repealed and recreated to read:

NR 1.15 (2) (a) Deer population goals. The department shall seek to maintain a deer herd in balance with its range and at deer population goals reasonably compatible with social, economic and ecosystem management objectives for each deer management unit. Deer population goals are to be based on (1) carrying capacity as determined by unit population responses to habitat quality and historical records of winter severity, (2) the demand for deer hunting and viewing opportunities, (3) ecological and economic impacts of deer browsing, (4) disease transmission, (5) concern for deer-vehicle collisions, and (6) Chippewa treaty harvest.

SECTION 2. NR 10.104 is repealed and recreated to read:

NR 10.104 DEER POPULATION MANAGEMENT. (1) DEER MANAGEMENT SYSTEM. The department shall manage the state deer population by:

- (a) Establishing deer management unit boundaries within the state;
- (b) Establishing deer population goals for each deer management unit;
- (c) Monitoring the performance of the deer population within each deer management unit; and
- (d) Establishing deer hunting seasons and annual harvest quotas with the objective of maintaining deer populations at the established deer population goals for each deer management unit.

(2) DEER MANAGEMENT UNITS. (a) The deer management unit boundaries are as described in s. NR 10.28.

(b) Management unit size and configuration. Deer management unit boundaries shall be established to encompass areas of similar land use, soils and vegetative cover, and be of sufficient size to permit accurate monitoring of herds.

(c) Unit boundaries. Unit boundaries shall be readily identifiable features of the landscape such as roads and rivers. When road boundaries are used, the department shall give priority to use of numbered and lettered highways.

(3) THREE YEAR REVIEWS. The department shall review, and seek public comment, regarding the need to modify the boundaries or population goals for all deer management units every 3 years. For deer management units in the

ceded territory as defined by s. NR 13.02(1), the department shall also consult with the Wisconsin Chippewa Bands in a government to government manner.

(4) DEER POPULATION GOALS. (a) Deer range. The department will calculate the area of deer range in each unit based on estimates of the amount of wetland, woodland at least 10 acres in size, and cropland within 330 feet of woodlands.

(b) Unit goals. The deer population goals for each deer management unit described in s. NR 10.28 shall be expressed as the number of deer per square mile of deer range in January and are as follows:

Management Unit	Deer Goal	Management Unit	Deer Goal
1	20	49A	25
2	18	49B	25
3	10	50	20
4	10	51A	25
5	18	51B	25
6	12	52	20
7	12	53	30
8	20	54A	30
9	20	54B	25
10	25	54C	25
11	20	55	25
12	17	56	30
13	15	57	22
14	14	57A	30
15	25	57B	25
16	25	57C	30
17	15	58	25
18	20	59A	20
19	20	59B	15
20	18	59C	25
21	25	59D	20
22	20	59M	10
22A	20	60A	20
23	20	60B	20
24	20	60M	10
25	20	61	15
26	20	62A	28
27	20	62B	30
28	11	63A	30
29A	10	63B	25
29B	10	64	20
30	15	64M	10
31	19	65A	30
32	21	65B	30
33	20	66	30
34	17	67A	35
35	20	67B	35
36	25	68A	30
37	25	68B	30
38	20	69A	20
39	20	69B	15
40	20	70	30
41	25	70A	25
42	20	70B	35
43	15	70E	35
44	15	70G	30
45	20	71	20
46	25	72	20
47	25	73	20
48	20	73B	20

73C	25
74A	15
74B	15
75	20
75A	15
76	20
76A	20
76M	10
77A	20
77B	10
77C	10
77M	10
78	25
80A	15
80B	20
81	15

(5) ANNUAL ANTLERLESS DEER KILL QUOTAS. (a) Annual population estimate. The department shall annually calculate an estimate of the overwinter deer population for each deer management unit using the sex-age-kill method for calculating deer densities. The sex-age-kill method uses the following quantitative data for each deer management unit: proportion of yearling bucks in the harvest, proportion of yearling does in the harvest, proportion of males and females at birth, the number of fawns seen per doe during the summer, the proportion of total buck mortality due to hunting harvest, and the harvest by sex as registered during the hunting seasons.

(b) Quota objective. Using the overwinter deer population estimate established under par. (a), expected fawn production and overwinter mortality, the expected archery harvest of antlerless deer excluding those harvested under authority of hunter's choice and antlerless deer hunting permits, and the deer population goal in sub. (4), the department shall annually calculate an antlerless deer kill quota for each unit with the objective of maintaining the deer herd at the established deer population goal.

(c) Quota adjustment in ceded territory units. For deer management units in the ceded territory as defined in s. NR 13.02(1), expected tribal harvest shall be deducted from the antlerless deer kill quota established in Sub. (5) (b).

(6) ANTLERLESS DEER PERMITS (a) Purpose. The department shall issue deer hunting permits in sufficient numbers to achieve the state quota determined under sub. (5).

(b) Permit formula. In each deer management unit, the number of permits issued by the department shall be determined by the following formula:

$$\text{Permit number} = \frac{\text{State Quota}}{\text{Predicted hunter success rate}}$$

(c) Success rate prediction. The predicted hunter success rate used by the department to compute the number of permits for each deer management unit shall be based upon the percentage of permitted hunters harvesting an antlerless deer in that unit during previous seasons. In new deer management units or units with significant boundary changes the predicted hunter success rate shall be based upon the harvest history of similar units.

(7) ANTLERLESS DEER PERMIT APPLICATION PROCEDURES. All applications shall be on department forms and no person may submit more than one application.

(a) Application deadline. All applications shall be postmarked no later than the deadline dates indicated on the form or received by the department license section no later than 4:30 p.m. on those dates to be considered for selection. The department may not establish the annual application deadline to be earlier than July 1.

Note: The department conducts extensive publicity on the application deadlines beginning several months prior to any deadline. Application deadline dates are published in news releases, license outlet handouts, and pertinent regulation pamphlets. The license section address is 101 South Webster, Box 7926, Madison, WI 53707.

(b) Group applications. Group applications up to and including 4 hunters will be honored for deer hunting established in s. NR 10.01(3)(e)3. provided each applicant completes the application form and all forms are submitted in one envelope marked "group application" on the outside.

(8) PERMIT ISSUANCE. Upon receipt of proper application, the department shall issue permits in the following manner:

(a) Preference system. If the number of qualified applicants for antlerless deer permits and hunter's choice permits in a deer management unit exceeds the number of permits available, the department shall issue those antlerless deer permits and hunter's choice permits for that deer management unit according to the preference system established under s. 29.107(5), Stats.

(b) Initial permit. Successful applicants for deer hunting permits shall be determined by random selection from all eligible applications received for each deer management unit.

(c) Additional permits. If the number of deer hunting permits in any management unit exceeds the number of applications for the permits, the department may issue the remaining permits available for that unit as antlerless deer hunting permits to its initial deer hunting permit applicants. Permittees to be issued the second permit shall be randomly selected in accordance with any statutorily established landowner preference permit issuance system.

(d) Unallotted permits. The department may issue any remaining antlerless deer permits to interested permit applicants on a first-come, first-served basis who possess a valid deer hunting license.

(9) PERMIT AUTHORITY. No person may hunt antlerless deer in deer management units described as such in s. NR 10.01(3)(e) unless he or she possesses a current validated deer hunting permit.

(10) BAG LIMIT. Each issued deer hunting permit shall authorize the use of the holder's current valid Wisconsin deer hunting license, back tag and carcass tag for the killing of one deer in the deer management unit designated on the permit as follows:

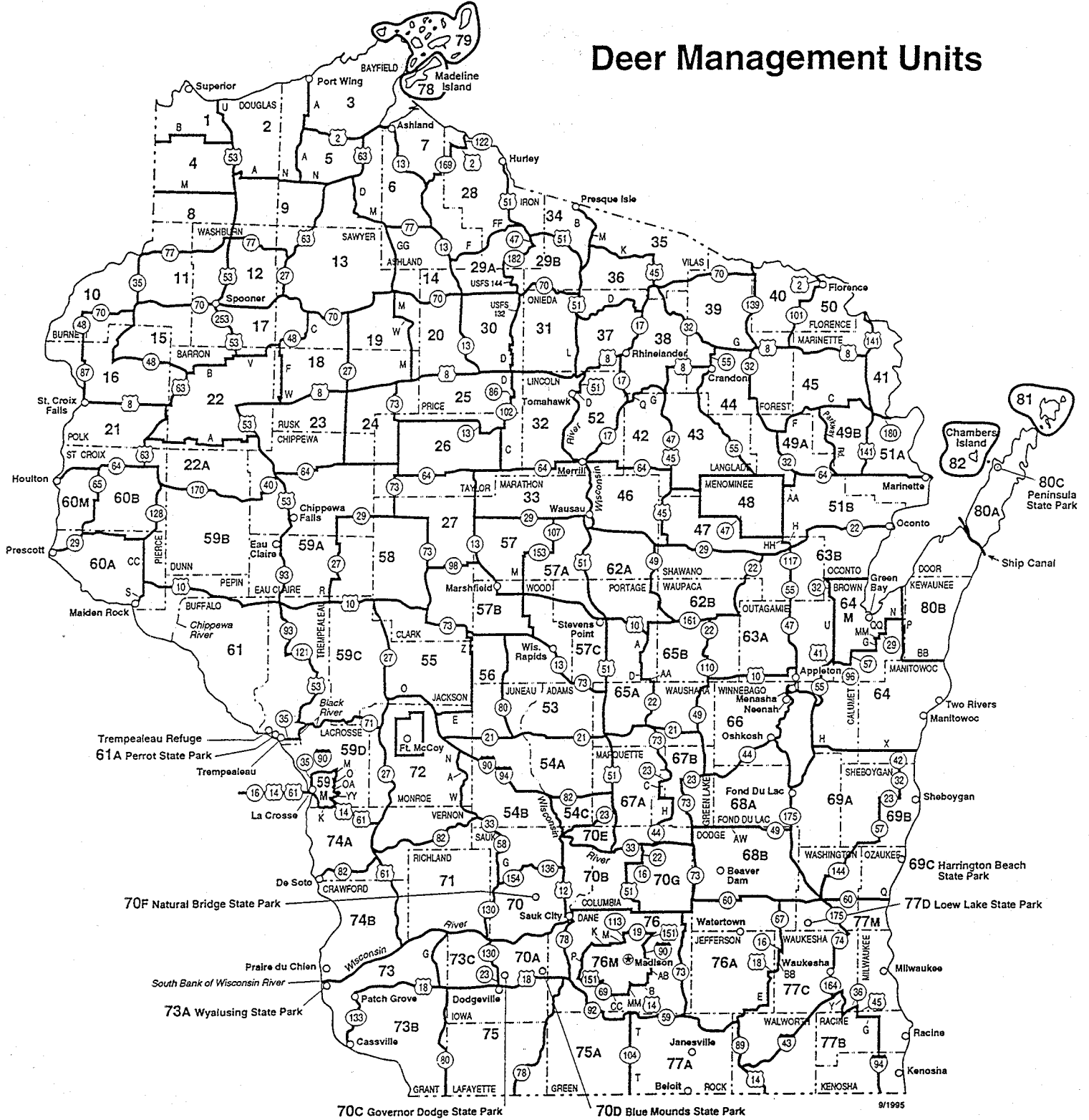
(a) Hunter's choice deer hunting permit. Valid for the taking of one deer of either sex, except on Chambers island in Door county where the bag limit shall be one antlerless deer or one buck deer with a forked antler as indicated on the permit and except during the archery season where the permit authorizes the taking of an antlerless deer only under the authority of an archery hunting license.

(b) Antlerless deer hunting permit. Valid for the taking of one antlerless deer only.

SECTION 3. NR 10.28 (intro.) is repealed and recreated to read:

NR 10.28 DEER POPULATION MANAGEMENT UNITS. Deer population management units are established as designated on the following maps:

- (1) STATEWIDE DEER MANAGEMENT UNITS.



The foregoing rules are approved and adopted by the Natural Resources Board on March 27, 1996.

The rules shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated at Madison, Wisconsin

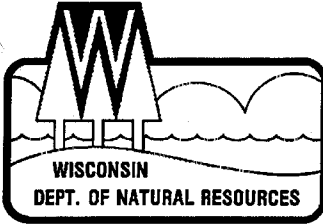
June 12, 1996

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By

George E. Meyer
George E. Meyer, Secretary

(SEAL)



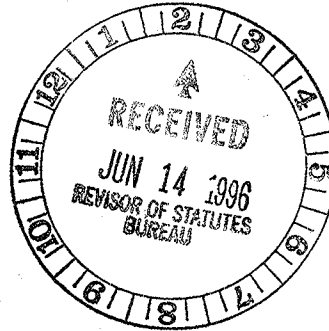
State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary

Box 7921
101 South Webster Street
Madison, Wisconsin 53707-7921
TELEPHONE 608-266-2621
FAX 608-267-3579
TDD 608-267-6897

June 12, 1996

Mr. Gary L. Poulson
Assistant Revisor of Statutes
131 West Wilson Street - Suite 800
Madison, WI



Dear Mr. Poulson:

Enclosed are two copies, including one certified copy, of State of Wisconsin Natural Resources Board Order No. WM-49-94. These rules were reviewed by the Assembly Committee on Natural Resources and the Senate Committee on Environment and Energy pursuant to s. 227.19, Stats. Summaries of the final regulatory flexibility analysis and comments of the legislative review committees are also enclosed.

You will note that this order takes effect following publication. Kindly publish it in the Administrative Code accordingly.

Sincerely,

George
George E. Meyer
Secretary

Enc.