

## 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 3/22/2023
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) NR 10, Game and Hunting	
4. Subject Establishing the 2023-2024 Migratory Bird Hunting Season Framework and Regulations	
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 checked="" type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input 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>\$0, (No implementation and compliance costs anticipated)</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 This rule adjusts migratory game bird seasons and regulations for 2023 to be consistent with the federal framework for the Mississippi Flyway, current biological information and public input. In general, season frameworks for migratory birds in 2023 are identical to those implemented for 2022. There is one exception.  Wisconsin has three Canada goose hunting zones for the regular Canada goose season, the North, South and Mississippi River zones. The North and South zones have traditionally opened the regular season on September 16th whereas the Mississippi River zone opened concurrent with the duck season two weeks later. The department is proposing that the Mississippi River zone open concurrent with the North and South zones to simplify regulations as well as add additional Canada goose hunting opportunity on our overabundant locally nesting Canada geese. While public input statewide indicated slight favorability for opening on September 16th, support among Mississippi River hunters—those most impacted by the proposed change—is notably higher. Although 21 individuals who attended the WDNR public hearing in Lacrosse on March 7, 2023, supported opening concurrently with the duck season, a survey conducted by the Wisconsin Wildlife Federation and Wisconsin Waterfowl Associated in 2023 showed that over 90% Mississippi River hunters who responded preferred opening on September 16th.  This rule also adjusts and simplifies the open water restrictions on all approved inland open water hunting lakes. In 2011 the Department identified several inland lakes that would be open to open water hunting. At that time, the minimum distance from shore where hunters can be without having to adhere to concealment regulations was set to “greater than 1000 feet” as a precaution until the Department had some time to review how this opportunity was utilized. With these regulations having been in place more than a decade, the Department feels that the 1000-foot restriction can be reduced to 500 feet which aligns the definition of open water hunting for both the inland lakes and the Great Lakes. This change simplifies regulations while adding additional open water hunting opportunity on these identified inland lakes. Department biologist staff, law enforcement staff and public input all were in support of this rule simplification.	

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change was initially made during the 2022 migratory season and will be made permanent in the upcoming companion permanent rule.

Another item returning from the 2022 emergency rule the clarification of the duck zone boundary for the Open Water Zone. This rule updated the definition of the Open Water Zone boundary as, “waters greater than 500 feet from the mainland shore of Green Bay and Lake Michigan; for the purposes of the Open Water Zone, mainland shore includes all adjacent rooted vegetation, adjacent floating cattail and Long Tail and Little Tail points.

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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.

No fiscal effects on small businesses, their associations, or local governments are anticipated

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

None at this time. Local Government units are not anticipated to be impacted by this rule.

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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)

No effects on small businesses, their associations, or local governments are anticipated. The department does not anticipate any fiscal impacts as a result of these rules. Following is the department’s preliminary analysis.

#### **Economic Impact**

Because the hunting season framework proposed in this rule will be very similar to those in place during previous seasons, no economic impacts are anticipated. We do not anticipate that these rules will result in changes in the activities of migratory bird hunters, their expenditures, and the related economic activity. These rules are applicable to individual hunters and impose no compliance or reporting requirements for small business, nor are any design or operational standards contained in the rule.

#### **Fiscal Impact**

The department anticipates no fiscal impact resulting from these rules. The department currently annually conducts a number of activities related to migratory bird hunting such as managing department lands, selling licenses, providing law enforcement services, and surveys and related research. The department will continue to conduct the same activities under the season framework proposed in this rule and does not anticipate any new or reduced expenditures. No effects on small businesses, their associations, or local governments are anticipated. The department does not anticipate any fiscal impacts as a result of these rules. Following is the department’s preliminary analysis.

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

By implementing this rule, Wisconsin’s migratory bird hunters will continue to enjoy excellent hunting opportunities. The expenditures of migratory bird hunters and the economic impacts resulting from their expenditures will continue to benefit the state’s economy.

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16. Long Range Implications of Implementing the Rule

Implementing these rules will have little impact on the public except that they will continue to have good hunting opportunities into the future.

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17. Compare With Approaches Being Used by Federal Government

Migratory game bird hunting is regulated by the United States Fish & Wildlife Service (USFWS), in 50 CFR part 20. Under international treaty and Federal law, migratory game bird seasons are closed unless opened annually through the USFWS regulations process. As part of the federal rule process, the service annually evaluates migratory game bird populations and breeding habitat in cooperation with state provincial agencies and the Canadian Wildlife Service. After considering recommendations from the flyway councils of states and the guidance of cooperatively developed harvest

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strategies, the USFWS establishes annual frameworks within flyway or bird populations regions. States can then establish hunting seasons within the sideboards for each species and region.

None of the provisions of this rule conflict with the federal framework.

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

The department establishes migratory game bird hunting seasons based on a federal framework that is presented to Wisconsin by the US Fish & Wildlife Service. Because of the federal guidelines, Wisconsin's regulations are similar to those in neighboring states.

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