Wisconsin Legislative Council
COMMITTEE RECOMMENDATION

STUDY COMMITTEE ON SANDHILL CRANES

February 13, 2025

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The Wisconsin Legislative Council is a nonpartisan legislative service agency. Among other services provided to the Wisconsin Legislature, staff of the Wisconsin Legislative Council conduct study committees under the direction of the Joint Legislative Council.

Established in 1947, the Joint Legislative Council directs study committees to study and recommend legislation regarding major policy questions facing the state. Study committee members are selected by the Joint Legislative Council and include both legislators and citizen members who are knowledgeable about a study committee's topic.

This document summarizes committee activity and presents study committee recommendations to the Joint Legislative Council.

Contents

PART I | EXECUTIVE SUMMARY

The Study Committee on Sandhill Cranes, chaired by Representative Paul Tittl, was directed to review and recommend options to manage Wisconsin's population of sandhill cranes and to address the agricultural impact of sandhill cranes. The study committee completed its assignment in December 2024 and recommends one bill for introduction in the 2025-26 legislative session.

BACKGROUND

In North America, sandhill cranes are generally managed in terms of specific populations. Sandhill cranes in Wisconsin belong to the Eastern Population (EP). In the spring and summer, EP sandhill cranes breed and nest across the Great Lakes region, primarily in Wisconsin, Michigan, and Ontario. In the fall, EP sandhill cranes begin migrating south to their wintering grounds, at times congregating in large flocks at staging areas along their migratory path.

The number of EP sandhill cranes has increased steadily in the past several decades. These cranes cause damage to newly planted corn in the spring and to various fruits, vegetables, and grains in the fall. Various nonlethal practices are employed to prevent or minimize agricultural crop damage by sandhill cranes, the most successful being a chemical coating that makes a corn seed unpalatable to a crane.

Hunting of sandhill cranes is regulated by federal law, which implements international treaties that protect migratory birds. The federal government may authorize a state to implement sandhill crane hunting, but such hunting is not currently authorized in Wisconsin. The federal government also issues Migratory Bird Depredation Permits, which authorize the killing or trapping of migratory birds that are causing damage. These permits specify the species, methods, and number of birds that may be taken, and are only valid for the individuals, locations, and dates described on the permit.

The state's Wildlife Damage Abatement and Claims Program (WDACP), which is funded in part by a surcharge imposed on most hunting authorizations, provides financial assistance for wildlife damage abatement measures and makes payments to farmers for damage to agricultural crops by certain species of wildlife. Under current law, the program would cover sandhill crane-related damage only if the Department of Natural Resources (DNR) authorizes the hunting of sandhill cranes.

STUDY COMMITTEE'S MEETINGS AND RECOMMENDATIONS

The study committee met five times throughout the summer and fall of 2024. Across these meetings, it heard testimony from DNR, the Department of Agriculture, Trade and Consumer Protection (DATCP), the U.S. Department of Agriculture (USDA), and the U.S. Fish and Wildlife Service (USFWS). It also heard testimony from waterfowl ecology experts, experts in crane ecology, agricultural producers, and various conservation organizations, including both birding enthusiasts and waterfowl hunting advocates.

The study committee discussed numerous policy options to manage Wisconsin's crane population and to address the agricultural impacts of sandhill cranes.

After the completion of invited testimony, and before embarking on consideration of legislative approaches, the committee debated and approved two documents summarizing the findings and

conclusions of the committee's work by votes of Ayes, 7; Noes, 5. These documents, entitled "Summary of Findings" and "Conclusions," are printed in **Appendix 3**.

The committee recommends the following bill draft for introduction by the Joint Legislative Council:

- LRB-0815/1, relating to hunting of sandhill cranes, programs related to sandhill crane damage, providing an exemption from emergency rule procedures, granting rule-making authority, and making an appropriation.

The committee approved the bill draft, with several modifications requested, at the study committee's final meeting. The committee approved a final version of the bill draft by mail ballot in December 2024, by a vote of Ayes, 8; Noes, 4.

In addition to recommending LRB-0815/1, the study committee sent a letter to USFWS. The letter, signed by 10 of the committee's members, urged the agency to modify restrictions on sandhill crane depredation permits. Specifically, the letter asked USFWS to allow hunters to fulfill permits on behalf of agricultural producers, and to allow individuals to fully utilize sandhill cranes taken under depredation permits.

PART II | COMMITTEE ACTIVITY

ASSIGNMENT

The Joint Legislative Council established the Study Committee on Sandhill Cranes and appointed the chairperson by a mail ballot dated April 19, 2024. The study committee was directed to review and recommend options for legislation relating to the management of Wisconsin's sandhill crane population. The study committee's charge was as follows:

> The study committee is directed to review and recommend options for legislation relating to the management of Wisconsin's sandhill crane population. The committee shall examine population trends and determine whether any changes to state law would effectively address the incidence and consequences of crop damage caused by sandhill cranes in this state. As part of a comprehensive review of policy options, the committee may consider whether the Department of Natural Resources should seek federal approval to establish a hunting season for sandhill cranes. The committee shall recommend legislation to manage the population of sandhill cranes and address the agricultural impact of sandhill cranes.

To assist in completing this charge, the Joint Legislative Council appointed the study committee's membership by a mail ballot dated June 25, 2024. The final committee membership consisted of two senators, two representatives, and eight public members. **Appendix 1** lists the committee members.

SUMMARY OF MEETINGS

The committee held five meetings on the following dates:

August 1, 2024.

September 4, 2024.

October 1, 2024.

November 13, 2024.

December 10, 2024.

August 1, 2024

At its first meeting, the study committee toured the Horicon Marsh State Wildlife Area and then received an overview of background information by Legislative Council (LC) staff and invited testimony from several speakers.

Members of the study committee participated in a walking tour of the Horicon Marsh State Wildlife Area led by **Elizabeth Herzmann**, DNR Wildlife Educator, Horicon Marsh State Wildlife Area, who provided an overview of the history, geography, and ecology of the Horicon Marsh.

After conclusion of the tour, **Ethan Lauer**, Senior Staff Attorney, and **Benjamin Kranner**, Senior Staff Analyst, LC staff, provided an overview of federal and state law relevant to the

committee's scope, as provided in the LC Staff Brief 2024-03, *Study Committee on Sandhill Cranes* (July 25, 2024).

Taylor Finger, Migratory Game Bird Ecologist, DNR, provided the committee with a broad overview of sandhill cranes as a species. He noted that six populations are present in North America, but that only EP cranes are found in Wisconsin. They breed in this state and other northern locations in the spring, and typically migrate to southern locations for the winter. He provided information on population trends, locations where hunting of EP sandhill cranes is allowed, types of agricultural damage that have been reported, and assistance available for agricultural producers. He noted that sandhill crane damage currently is not eligible for reimbursement under WDACP until a hunting season is established for that species. Finally, he described the role of the Flyway Councils in coordinating migratory bird management and outlined the 2010 Federal Management Plan for EP Sandhill Cranes ("2010 management plan") and its four management objectives: (1) maintain an interim population index between 30,000 and 60,000 birds; (2) reduce agricultural depredation conflicts; (3) provide for and monitor nonconsumptive uses and develop public education opportunities; and (4) provide hunting opportunities consistent with the long-term welfare of the resource through federally mandated quotas and permits.

Anne Lacy, Director of Eastern Flyway Programs - North America, International Crane Foundation, provided the committee with information on sandhill crane history, range, and ecology. Ms. Lacy noted the different populations and subspecies of sandhill cranes, as well as trends in their population growth. She explained various keys to crane population recovery, including: wetland protections, the cranes' ability to adapt to an agricultural landscape, and threats from climate change and human activities such as development, erection of power lines, and conversion of farmland to solar energy projects. She provided detailed information on crane ecology, covering topics such as lifespan, preferred habitat, and the difference between breeding pairs and nonterritorial individuals. She noted that both breeding areas and wintering areas have seen geographic expansion over time. Finally, she described a long-term study of banded sandhill cranes at a research site in Briggsville, Wisconsin, detailing findings regarding nesting density, productivity, physical dispersal of individual cranes from their nesting places, genetic dispersal of distinct breeding populations across the northern United States and southern Canada, migration routes, and annual fledge ratios.

Kent Van Horn, Former Section Chief, Area Wildlife Supervisor, and Migratory Game Bird Ecologist, DNR, shared with the committee his observations from helping to craft the 2010 management plan. He observed that sandhill cranes as a species are abundant, wide ranging, and adaptable to changing habitats, and that EP sandhill cranes are expanding their range in all directions. He noted that as territory expands, the EP may merge with the greater sandhill cranes in the Mid-Continent Population. He drew the committee's attention to various social considerations of crane management, including birdwatching appreciation, hunting opportunities, and agricultural damage and other human-crane conflicts. Finally, he presented the committee with questions regarding whether changes to WDACP are needed, whether a biologically sound hunting season could be created, whether society will accept crane hunting, whether a fall hunt would decrease spring crop damage, and whether additional management considerations are needed as the population of sandhill cranes continues to grow.

Following the invited testimony, study committee members generally discussed the day's testimony and the committee's assignment. Committee members expressed interest in hearing more from DNR regarding WDACP, including its history and financing, hearing from those who enjoy nonconsumptive uses of sandhill cranes, and also learning about whooping cranes and the harvest of sandhill cranes by the federally recognized tribes and bands in Wisconsin.

September 4, 2024

At its second meeting, the study committee received testimony from invited speakers and discussed its assignment.

Brad Koele, Wildlife Damage Specialist, Bureau of Wildlife Management, DNR, delivered a presentation on the nature and extent of crop damage caused by sandhill cranes, damage abatement measures, and the role of various agencies in addressing damage. Mr. Koele discussed the cooperative services agreement between DNR and the USDA Wildlife Services program (USDA-WS), noting that DNR directs complaints regarding crane damage to USDA-WS. Mr. Koele also provided information regarding the nature and number of crane-related crop damage complaints and the reported value of these complaints. Mr. Koele discussed various nonlethal damage abatement measures, including harassment and Avipel, a seed treatment used to prevent damage to corn. He also discussed Migratory Bird Depredation Permits, issued by USFWS, and the requirements that must be met before a farmer may obtain such a permit. Finally, Mr. Koele described the administration and funding of WDACP. He outlined factors to consider if crane-related damage was to be included in the program, including administrative costs and the potential need for statutory changes to allow the program to support proactive abatement measures.

Dan Hirchert, State Director and Certified Wildlife Biologist, Wildlife Services, Animal and Plant Health Inspection Service, USDA, delivered a presentation discussing damage by sandhill cranes and the implementation of the USDA-WS damage program. He discussed the abundance of sandhill cranes in Wisconsin, the geographic distribution of corn production in Wisconsin, and how these factors contribute to crop damage patterns. Mr. Hirchert also outlined the nature of crane-related damage, the effectiveness of various abatement measures, and practices relating to federal depredation permits. The presentation included data relating to the use of Avipel, the number and geographic distribution of depredation permits issued in Wisconsin, and the number of cranes taken under those permits.

Rick Gehrke, Farmer and Board Member, Wisconsin Corn Growers Association, discussed his background in agriculture and delivered a presentation on the challenges of crane-related crop damage and the use of Avipel. He presented estimates regarding the costs of crane-related damage, noting the costs and challenges associated with replanting crops, and discussed the nature of damage to corn and other crops. He also discussed damage abatement measures and expressed concerns about the possibility of cranes becoming acclimated to Avipel.

Robby Personette, Director, Bureau of Agrichemical Management, DATCP, described the duties and responsibilities of DATCP with respect to the regulation of pesticides. He detailed the department's role in applicator certification and licensing, pesticide product registration, the investigation of complaints relating to pesticide use, and the partnership between DATCP and the U.S. Environmental Protection Agency for implementing certain laws. Mr. Personette also discussed the role of special registrations and use authorizations and provided details specific to the registration of Avipel.

Following the invited testimony, LC staff provided an overview of Memo No. 1, *History of the Wildlife Damage Abatement and Claims Program and Description of Recent Proposal to Amend the Program* (August 28, 2024), noting that it details the history of wildlife damage abatement and claims assistance in Wisconsin and recent legislation that would impact WDACP. LC staff also provided an overview of a memorandum prepared by the Legislative Fiscal Bureau (LFB), *Wildlife Damage Abatement and Claims Program* (August 28, 2024), detailing revenues and expenditures relating to WDACP and considerations relating to a potential sandhill crane hunt.

Following these presentations, Chair Tittl led the committee through a discussion of its assignment. Members requested various information relating to WDACP, including the revenue and expenditures associated with elk, potential budget shortfalls for WDACP, and possible funding sources other than increases in surcharges paid by hunters.

October 1, 2024

At its third meeting, the study committee received testimony from invited speakers and discussed its assignment.

David P. Scott, Mississippi Flyway Representative, Division of Migratory Bird Management, USFWS, delivered a presentation on federal law and the role of his agency in managing migratory birds. He described the four administrative flyways and Flyway Councils. He highlighted the importance of the 2010 management plan and the USFWS's annual report, "Status and Harvests of Sandhill Cranes." Mr. Scott then described the process by which a state could obtain federal approval for a sandhill crane hunting season, including Flyway Council approval and three years of experimental hunting seasons. Finally, Mr. Scott outlined the federal constraints that apply to sandhill crane hunting, including the maximum number of permits that could be issued, the maximum length of a season, and the need to address potential impacts to whooping cranes. Mr. Scott estimated that approximately 150 to 200 sandhill cranes would be harvested during a hunting season in Wisconsin.

Benjamin S. Sedinger, Assistant Professor of Wildlife Ecology, University of Wisconsin (UW)-Stevens Point, discussed the North American model of wildlife conservation, wildlife population ecology, life history theory, density dependence, and harvest dynamics. His presentation included discussion of the differences in survival and reproduction rates of various waterfowl. He noted that population growth of a species generally declines as it reaches the carrying capacity of its environment, but that harvest of a species at the maximum sustainable yield results in high population growth rates. He cited modeling that indicates that EP sandhill cranes could sustain a harvest rate of approximately five percent. He also noted that a hunting season in Wisconsin should be timed to minimize the take of territorial, breeding cranes, and that the second week of October through the third week in November may be the optimal window because that is usually the peak abundance of cranes in the state.

Jeb Barzen, Lecturer, Nelson Institute for Environmental Studies, UW-Madison, delivered an overview of crane ecology, migration, breeding distribution, winter distribution, and changes in the timing of fall migration over time. He noted the difference in size between the home range of territorial cranes, which breed, versus nonterritorial cranes, which do not breed. Mr. Barzen discussed several findings and projections derived from research on banded sandhill cranes in the Briggsville research study area. Based on data collected in this study area, he described various harvest scenarios and their impacts on crane abundance and growth rate. Mr. Barzen noted that territorial cranes might be more likely to be harvested in a hunting season based on their pattern of remaining in the breeding area longer than nonterritorial cranes, and that this may account for a recent dramatic reduction in the crane population in Minnesota. Mr. Barzen then explored the possible ramifications of a four percent harvest rate of EP sandhill cranes across all jurisdictions. He concluded by noting that crane-related crop damage was reported in 1975 with an estimated crane population of 14,000 birds, emphasizing that damage is likely to occur even if crane populations are reduced.

Jennifer Lazewski, Executive Director, Wisconsin Society for Ornithology, delivered a presentation focusing on birders as stakeholders in Wisconsin's natural resources. She noted that birdwatchers travel throughout the state for birding opportunities, stressing the traditions and multi-generational appeal of the pursuit. In the context of a tremendous decline in the

overall bird population in North America, she asked the committee to view the rising sandhill crane population as a conservation success story. She described the various ways in which birders contribute to citizen science, including reporting bird sighting and supporting the Breeding Bird Atlas. Ms. Lazewski noted that decisions on whether a species should be hunted include both science and social factors, and that public opinion polling demonstrates the lack of support for a sandhill crane hunt in Wisconsin. She also indicated that DNR's Fish and Wildlife account is running a deficit, and that revenue from a sandhill crane hunting season might not offset the potential costs of managing that season. Finally, she emphasized the economic impacts of birders and the growth of bird watching in Wisconsin.

Bruce Ross, Executive Director, Wisconsin Waterfowl Association, delivered a presentation discussing hunters as conservationists, reasons for initiating a sandhill crane hunting season, and recommendations for the committee. Mr. Ross noted that hunters support science-based game management by reporting harvest data and by providing funding for conservation and habitat restoration through the federal Pittman-Robertson Wildlife Restoration Act, federal and state waterfowl stamps, and voluntary contributions. Mr. Ross highlighted various reasons the committee should support a sandhill crane hunt in Wisconsin, including crane population, hunter support, the reduction of crane-related crop damage, and DNR capability to successfully manage a hunt. He urged the committee to develop legislation to direct DNR to: (1) develop a crane management plan that considers crane-related crop damage, crane tourism, and crane hunting; (2) apply to USFWS for an experimental hunting season; and (3) develop a user fee structure that would cover DNR's administrative expenses.

Following the invited testimony, Chair Tittl invited committee members to discuss their ideas for legislation to recommend to the Legislature. Members spoke both in support of and in opposition to separating the question of a harvest from the issue of helping farmers deal with crane-related crop damage. Members also considered options to fund assistance for farmers, including increased funding for WDACP and the possibility of providing funding outside of WDACP.

Chair Tittl noted that although the current WDACP surcharge is $2 for a regular license and $4 for a conservation patron license, these amounts could be increased to provide additional revenue, and that he was preparing a chart of proposed fee revisions. In response to a question from Chair Tittl regarding the committee's next steps, LC staff suggested that he could direct them to have draft legislation prepared for the committee to consider at the next meeting.

November 13, 2024

At the committee's fourth meeting, Chair Tittl led the committee in a discussion of the documents provided by his office entitled "Findings of Facts of the Legislative Council Study on Sandhill Cranes" and "Conclusions." LC staff then provided an overview of Memo No. 2, *Options for Committee Discussion* (November 5, 2024). The study committee reviewed five preliminary bill drafts, reviewed a draft letter to USFWS from the study committee chair and vice chair, and discussed its assignment.

Chair Tittl first led the committee in a discussion of the "Findings of Facts" document. He described the purpose of the document and his goal of soliciting committee feedback on it during the day's meeting.

Several members discussed the document's finding relating to the population goal listed in the 2010 management plan and whether it had any current ecological significance. One member proposed amending the language to more clearly indicate when that number was developed. Members discussed the document's finding that no studies have forecasted the ultimate

potential size of the sandhill crane population. They then suggested changing the term "breeding capacity" to "carrying capacity."

Regarding findings relating to agricultural crop damage, members suggested clarifying that damage estimates are annual estimates, including information on other crops, clarifying that figures relating to potato damage refer to economic cost and not acreage affected, amending values regarding the estimated cost of Wisconsin's 2019 Avipel use, and refining some of the findings that were based upon acreage vulnerable to depredation. Various members discussed how to appropriately describe the effectiveness of Avipel in the document. One member noted that the document's map detailing locations where depredation permits were issued is not necessarily predictive of areas where the most damage may be occurring.

Members proposed a variety of modifications to the document's findings relating to hunting, including findings relating to the differences in management strategies between populations of sandhill crane, findings relating to the International Crane Foundation's conclusion regarding sandhill crane hunting, findings relating to the population goal listed in the 2010 management plan, the finding relating to the role of hunting in "constrain[ing]" population growth, and the finding relating to the accidental or unlawful take of whooping cranes. Although one member emphasized that hunting of sandhill cranes is purely a social and recreational issue, another opposed that characterization, noting that many people hunt for food, and that a hunt could positively impact crop damage. Another member suggested that the document include reference to public opinion data relating to sandhill crane hunting.

With respect to the portion of the document dedicated to ecotourism, members suggested that the document include language urging the next EP sandhill crane management plan to include efforts to measure ecotourism impacts. Chair Tittl indicated the document would be revised to indicate the year that the current management plan was finalized.

One member stated that many of the issues before the committee should be addressed by subject matter experts and not committee members. She opined that the document would be better characterized as a summary of information presented to the committee, rather than as "findings of facts."

After completing consideration of the "Findings of Facts" document, various members indicated that a discussion of the "Conclusions" document may largely duplicate the preceding discussion. They therefore suggested moving past this document for the time being to instead focus on the bill drafts and draft letter.

First, the study committee discussed LRB-0457/P1, relating to sandhill crane damage abatement and making an appropriation, and LRB-0604/P1, relating to sandhill crane damage rebate program and making an appropriation, each of which would establish a program to provide financial assistance for farmers' use of crane-repellent seed treatments.

Members discussed the merits of administering a program to assist farmers through DATCP, as proposed in LRB-0604/P1, as opposed to DNR, as proposed in LRB-0457/P1. Members generally favored the former on the bases that DATCP may administer similar programs already and that farmers may have a better relationship with DATCP.

Members generally supported maintaining or altering the following portions of LRB-0604/P1: (1) establishing a cap on individual assistance; (2) including a cost-share requirement; (3) raising the $2,000 cap, given the limited acreage that could be treated with this amount of assistance; (4) providing sufficient funding to support the use of treated seeds across 300,000 acres, an approximately 50 percent increase over the current number of acres treated in the state; (5) maintaining the assistance as a reimbursement after purchase, rather than a grant

program to assist prior to purchase; (6) prioritizing consideration of applicants who hold federal depredation permits; (7) prioritizing specific geographic areas based on risk of depredation; (8) creating eligibility criteria that account for prior use of seed treatments, given that the use of treatments may limit a farmer's ability to demonstrate crane damage going forward; (9) removing the program sunset; (10) removing the requirement that DATCP annually report on the impact of the program on crop yields; (11) restricting eligibility for assistance to individuals engaged in commercial agriculture; and (12) establishing eligibility based upon the entity purchasing the seed treatment, given the variety of ownership structures typical to agriculture.

Members discussed, but did not reach agreement on, the following issues: (1) potential additional sources of revenue for the program; (2) expanding program eligibility for damage to crops other than corn; (3) granting DATCP discretion to expand the program to offer assistance for the use of future abatement technologies; and (4) whether to ensure that all applicants receive at least some assistance in the event that demand for the program exceeds the amount appropriated to the program.

LC staff noted that if either bill draft moved forward in tandem with hunting legislation, the committee may wish to consider the potential relationship between a new assistance program and WDACP.

Second, the study committee discussed the following three bill drafts:

- LRB-0465/P3, relating to sandhill crane depredation permits, wildlife damage abatement assistance and claim payments for damage caused by sandhill cranes, and making an appropriation.
- LRB-0464/P3, relating to hunting of sandhill cranes, wildlife damage abatement assistance and claim payments for damage caused by sandhill cranes, and making an appropriation.
- LRB-0591/P1, relating to hunting of sandhill cranes, wildlife damage abatement assistance and claim payments for damage caused by sandhill cranes, and making an appropriation.

Although there was some support for LRB-0465/P3 as a potential means of addressing depredation to fall crops while providing some hunting opportunities, several members voiced concerns about the bill draft. Following general opposition to LRB-0465/P3, members shifted to discussion of the remaining two bill drafts relating to sandhill crane hunting.

Members generally supported the increased wildlife damage surcharges within LRB-0591/P1, on the basis that hunters are generally supportive of paying for additional hunting opportunities.

Members generally supported the addition of language to address the following issues: (1) providing greater protection for whooping cranes, breeding sandhill cranes, and ecotourism events; (2) establishing an annual testing requirement for sandhill crane hunters, given that it may help reduce the risk of accidental take of whooping cranes; and (3) directing DNR to align hunting requirements with applicable federal requirements, but not require more stringent requirements, outside of the ability for DNR to modify the timing of a hunting season or establish closed zones. Members also supported the removal of a provision within each bill draft that established a unique, online registration system for sandhill crane hunters to access lands opened to hunting under WDACP.

Members discussed, but did not reach agreement on, deferring a decision regarding a hunting season until a new management plan is prepared for EP sandhill cranes. Instead, various members emphasized how USFWS's adaptive management strategies and its effective monitoring of populations would help ensure that a Wisconsin hunt did not adversely affect sandhill crane populations. Members also discussed, but did not reach agreement on, the

following: (1) limiting the issuance of sandhill crane hunting permits to people who are at least 16 years of age; (2) specifying bag limits within the draft legislation; (3) establishing further restrictions on shooting hours to reduce impacts to roosting cranes; and (4) waiving a requirement relating to the cost effectiveness of abatement measures in order to ensure that crane-repellent seed treatments would be supported under WDACP.

Finally, LC staff provided background and a brief overview of a draft letter to USFWS, prepared at the suggestion of a committee member following the previous meeting. Members requested that the letter be modified to include the signatures of all committee members, rather than only the chair and vice chair. LC staff indicated that the draft letter would be finalized for the review of study committee members at the next meeting.

December 10, 2024

At the study committee's fifth and final meeting, Chair Tittl led the committee in a discussion of the documents provided by his office entitled "Summary of Findings" and "Conclusions." LC staff then provided an overview of Memo No. 3, *Preliminary Bill Draft Options for Committee Discussion* (December 3, 2024). The study committee reviewed three preliminary bill drafts, reviewed a revised letter to USFWS from the committee, and discussed its assignment.

Chair Tittl first led the committee in a discussion of the revised document, "Summary of Findings," which previously had been titled "Findings of Facts," and the document titled "Conclusions."

After various members voiced reservations regarding both documents, the committee rejected a motion that would have set aside and not adopted both the "Summary of Findings" document and the "Conclusions" document. The committee also rejected a motion to set aside and not adopt only the "Summary of Findings" document. After further discussion, the committee adopted a motion to approve both documents.

The committee then discussed LRB-0604/P3, relating to sandhill crane damage reimbursement program and making an appropriation. The committee discussed the merits of various modifications to the bill draft before rejecting a motion to recommend introduction of it.

Next, the committee discussed LRB-0815/P1, relating to hunting of sandhill cranes, programs related to sandhill crane damage, and making an appropriation. This bill draft was a combination of the provisions of LRB-0464/P3 and LRB-0591/P1, revised per the committee's discussion at the previous meeting. Following discussion, the committee agreed to modify the bill draft with the following changes: (1) providing DATCP with an appropriation of $85,000 for administrative costs; (2) moving appropriations for the reimbursement program to s. 20.115 (7), Stats., as requested by DATCP; (3) providing DATCP with 1.0 full-time equivalent (FTE) position to administer the program; (4) amending the definition of "seed coating" to confine it to a product that is registered for use on corn seed as a crane repellent; (5) specifying that payments to other eligible applicants under s. 93.67 (2) (e), Stats., must be made in the order that applications are received; (6) providing DATCP with rulemaking authority to establish the prioritization of reimbursement payments under s. 93.67 (2) (d), Stats., including specifying applicable conservation organizations under s. 93.67 (2) (d) 3., Stats.; (7) providing DATCP with rulemaking authority to establish criteria to determine whether an eligible applicant has experienced, or is likely to experience, seed or crop damage from sandhill cranes under s. 93.67 (2) (e), Stats.; (8) authorizing DATCP to issue the foregoing rules as emergency rules; (9) removing provisions allowing reciprocity for a hunter education program completed in another jurisdiction, thus requiring the completion of a Wisconsin hunter education program; and (10) allowing a sandhill crane hunting permit to be transferred from one person to another only to the extent allowable by federal law.

At the chair's suggestion, the committee decided to take no action on LRB-0591/P4, relating to hunting of sandhill cranes, wildlife damage abatement assistance and claim payments for damage caused by sandhill cranes, and making an appropriation.

Finally, Chair Tittl reminded the members that a final version of the draft letter to USFWS discussed at the November meeting had been prepared, and that members could choose to sign it before departing for the day. LC staff explained that the final version of the letter included a signature line for each member, rather than signature lines for only the chair and vice chair, and that it also included a committee membership roster as an attachment.[1]

[1] The letter was sent to USFWS following the committee's December meeting. The letter is listed in **Appendix 4** of this report

PART III | RECOMMENDATION

This Part of the report provides background information on, and a description of, the bill draft as recommended by the Study Committee on Sandhill Cranes.

LRB-0815/1, RELATING TO HUNTING OF SANDHILL CRANES, PROGRAMS RELATED TO SANDHILL CRANE DAMAGE, AND MAKING AN APPROPRIATION

Background

Abatement Assistance for Corn Producers

According to presentations by invited speakers, anthraquinone (AQ), commonly marketed under the brand name Avipel, is the most effective nonlethal deterrent to crane predation on newly planted corn crops. The committee was told that AQ costs a producer between $10 and $15 per acre of treated seed. Of the approximately four million acres of corn planted in Wisconsin, research conducted by a committee member and others suggests that approximately three million acres are in locations vulnerable to depredation from cranes. Complete AQ treatment of this acreage would cost approximately $30 million to $45 million.

Sandhill Crane Hunting

Like many other migratory birds, sandhill cranes are protected by international treaty and federal law. Consistent with those protections, USFWS may authorize a state to conduct a sandhill crane hunting season.

Crop Damage Caused by Wild Animals

WDACP provides financial assistance for wildlife damage abatement measures and makes payments to agricultural producers for damage to agricultural crops by certain wildlife. The program is funded in large measure by a wildlife damage surcharge on most hunting approvals. Under current law, the surcharge is $2 for a resident or nonresident approval, and $4 for a resident or nonresident conservation patron license. A conservation patron license consists of a bundle of individual approvals and authorizations, such as a small game hunting license, a trapping license, and an annual fishing license.

Under current law, damage caused by a sandhill crane becomes eligible under WDACP if hunting of those cranes is authorized by DNR.

Description

Abatement Assistance for Corn Producers

The bill draft directs DATCP to administer a program to provide reimbursements to eligible applicants for the purchase of seed treatment that is registered for use on corn seed to discourage sandhill cranes from consuming the seed. An eligible applicant under the program is a person who plants corn on land that is operated as part of a farm that produced at least $6,000 in gross farm revenue during the taxable year preceding the year in which a person applies for a reimbursement.

The bill draft provides for reimbursements of up to 50 percent of the actual cost of the purchase of seed treatment, and a reimbursement may not exceed $6,250 per eligible applicant per planting season. Each farm may only receive one reimbursement payment per year, and a

"farm," under the bill, consists of all land under common ownership that is primarily devoted to agricultural use.

The bill draft provides for an application window from March 1 to June 15 of each year, during which eligible applicants may apply for reimbursement for seed treatments purchased no earlier than November 1 of the prior year. To be eligible for reimbursement, applicants must provide DATCP with proof of purchase and an application on a form provided by DATCP. The department must make all reimbursement payments no later than September 15 following the application window.

The bill draft directs DATCP to prioritize reimbursement payments based upon an applicant's receipt of a federal depredation permit for sandhill crane in the previous year; an applicant's receipt of reimbursement under the bill draft's program in any of the prior three years or documentation of the purchase of seed coating in any of the prior three years; and the vulnerability of an applicant's land to sandhill crane depredation, as determined by DATCP in consultation with DNR and applicable conservation organizations. After reimbursing applicants that meet these criteria, DATCP must make reimbursement payments on a first-come, first-served basis to other eligible applicants that have experienced, or are likely to experience, seed or crop damage from sandhill cranes.

Under the bill draft, DATCP must compile and submit an annual report to the appropriate standing committees of the Legislature. The report must detail the number of reimbursements requested and the total dollar amount of these requests. Similarly, the report must detail the number of reimbursements issued and the total dollar amount of these reimbursements. This report must be provided no later than December 31 each year.

The bill draft grants rule-making authority to DATCP to promulgate administrative rules, including emergency rules, to implement provisions regarding the prioritization and eligibility of applicants under the program.

The bill draft creates a continuing appropriation of general purpose revenue to support the program. This appropriation consists of $1,875,000 in fiscal year 2025-26 and $1,875,000 in fiscal year 2026-27 for reimbursements, and $85,000 in each of those fiscal years for administrative expenses. The bill draft also authorizes the creation of one DATCP position to administer the program.

The program takes effect on the first day of the fourth month beginning after publication, or the second day after publication of the 2025 Biennial Budget Act, whichever is later.

Sandhill Crane Hunting

The bill draft directs DNR, upon approval by USFWS, to authorize sandhill crane hunting in Wisconsin. The bill draft requires that DNR use permits to control the number of hunters and the number of cranes that may be harvested. The bill draft authorizes DNR to establish closed zones or other restrictions to minimize the inadvertent taking of other bird species, including whooping cranes.

The bill draft directs DNR to establish restrictions to minimize the likelihood that breeding sandhill cranes are disproportionately hunted, in response to testimony before the committee that indicated that only some sandhill cranes are members of breeding pairs, and that the harvest of a breeding crane has a greater impact on overall species population than the harvest of a nonbreeding crane.

The bill draft requires that DNR conduct a free sandhill crane hunter education program. A person must complete the program and pass a test before hunting sandhill cranes. The program

must include specified information about sandhill cranes, such as how to distinguish them from other birds, and specified information about applicable hunting zones and regulations. The results of the test are valid for one year.

If demand for sandhill crane hunting permits exceeds supply, the bill draft requires DNR to issue permits according to a cumulative preference system. For any given season, a person may apply for either a permit or for a preference point. A person who applies unsuccessfully for a permit is awarded a preference point instead. A person may accumulate and transfer preference points to certain other persons in the same manner as the cumulative preference systems used for other species. A person may transfer a permit to certain other persons in the same manner as approvals for other species, to the extent allowable by federal law.

The bill draft sets the cost of a sandhill crane hunting permit at $20 for a resident and $100 for a nonresident. The bill draft also requires a processing fee of $4.25 and an issuing fee of $0.25 for each application for a permit or for a preference point.

The bill draft deposits with DNR the revenue raised by the sale of a permit and by the processing fee, to be used by DNR, as follows: half for WDACP, described below, and half for developing, managing, preserving, restoring, and maintaining the sandhill crane population and for the sandhill crane hunter education program.

Crop Damage Caused by Wild Animals

The bill draft raises the wildlife damage surcharge to the following amounts: (1) $3 for a resident approval; (2) $4 for a nonresident approval; (3) $6 for a resident conservation patron license; and (4) $8 for a nonresident conservation patron license. However, the bill draft renders these increases contingent on USFWS approving a sandhill crane hunting season in Wisconsin.

PART IV | STUDY COMMITTEE VOTES

The study committee voted by a December 17, 2024 mail ballot to recommend the following bill draft to the Joint Legislative Council for introduction in the 2025-2026 Session of the Legislature. The vote on the bill draft was as follows:

- LRB-0815/1, relating to hunting of sandhill cranes, programs related to sandhill crane damage, providing an exemption from emergency rule procedures, granting rule-making authority, and making an appropriation, was approved on a vote of Ayes, 8 (Rep. Tittl; Sen. Quinn; and Public Members Gehrke, Houlihan, Mickelson, Schaller, Sedinger, and Wait); and Noes, 4 (Rep. Considine; Sen. Spreitzer; and Public Members Johnson and Lacy).

APPENDIX 1 | LIST OF COMMITTEE MEMBERS

Legislative Council Study Committee on Sandhill Cranes

Chair Paul Tittl, Representative
Manitowoc, WI 54220

Vice Chair Romaine Quinn, Senator
Cameron, WI 54822

Dave Considine, Representative
Baraboo, WI 53913

Rick Gehrke, Farmer/Board Member
Wisconsin Corn Growers Association
Omro, WI 54963

Tamas Houlihan, Executive Director
Wisconsin Potato & Vegetable Growers Association
Antigo, WI 54409

Meleesa Johnson, Executive Director
Wisconsin's Green Fire
Stevens Point, WI 54481

Anne Lacy, Director of Eastern Flyway Programs -
North America
International Crane Foundation
Baraboo, WI 53913

David Mickelson, Farmer
Mickelson Prairie Farms
DeForest, WI 53532

Todd Schaller, Vice President
Wisconsin Waterfowl Association
Sun Prairie, WI 53590

Benjamin Sedinger, Asst. Professor and Kennedy
Grohne Chair in Waterfowl and Wetland Conservation
UW-Stevens Point
Stevens Point, WI 54481

Mark Spreitzer, Senator
Beloit, WI 53511

Paul Wait, Senior Manager of Communications
Delta Waterfowl
New London, WI 54961

STUDY ASSIGNMENT: The Study Committee is directed to review and recommend options for legislation relating to the management of Wisconsin's sandhill crane population. The committee shall examine population trends and determine whether any changes to state law would effectively address the incidence and consequences of crop damage caused by sandhill cranes in this state. As part of a comprehensive review of policy options, the committee may consider whether the Department of Natural Resources should seek federal approval to establish a hunting season for sandhill cranes. The committee shall recommend legislation to manage the population of sandhill cranes and address the agricultural impact of sandhill cranes.

12 MEMBERS: 2 Representatives; 2 Senators; and 8 Public Members.

LEGISLATIVE COUNCIL STAFF: Ethan Lauer, Senior Staff Attorney, Benjamin Kranner, Senior Staff Analyst, and Katie Patyk, Administrative Staff.

APPENDIX 2 | LIST OF COMMITTEE MATERIALS

August 1, 2024

Staff Brief 2024-03, Study Committee on Sandhill Cranes (July 25, 2024).

Presentation, "Wisconsin Sandhill Crane Population," by Taylor Finger, WDNR Game Bird Ecologist.

Presentation, "The Sandhill Crane: History, Range, Ecology," by Anne Lacy, Director of Eastern Flyway Programs - North America, International Crane Foundation.

Presentation, "History and Perspective on Sandhill Cranes," by Kent Van Horn, Former Section Chief, Area Wildlife Supervisor, and Migratory Game Bird Ecologist, DNR.

Minutes of the August 1, 2024 meeting.

September 4, 2024

Memo No. 1, "History of the Wildlife Damage Abatement and Claims Program and Description of Recent Proposal to Amend the Program" (August 28, 2024).

Presentation, "Wildlife Damage Abatement and Claims Program: Fiscal Summary and Considerations for a Sandhill Crane Hunt," by the LC staff (September 4, 2024).

Memorandum from LFB, "Wildlife Damage Abatement and Claims Program," by Bob Lang (August 28, 2024).

Presentation, "Wisconsin Sandhill Crane Conflicts," by Brad Koele, WDNR Wildlife Damage Specialist.

Presentation by Dan Hirchert, CWB, Wisconsin State Director, USDA-APHIS-Wildlife Services (September 4, 2024).

Presentation, "The Problems Farmers Face With Sandhill Cranes," Rick Gehrke, Wisconsin Corn Growers Association.

Handout from Rick Gehrke, "Avipel Liquid Corn Seed Treatment, Precautionary Statements" (2020).

Memorandum from the DATCP, "Pesticide Product Regulation," by Randy Romanski (September 4, 2024)

Proceedings of the North American Crane Workshop Article, "Sandhill Crane Foraging Behavior and Damage Estimates in Cornfields During Spring," by Jeb Barzen, Andrew Gossens, and Anne Lacy (2018).

Conservation Science and Practice Article, "Applying hierarchical resource selection concepts to solving crop damage caused by birds," by Jeb Barzen, Andrew Gossens, Anne Lacy, and Brian Yandell (April 3, 2020).

Handout from Meleesa Johnson, "NCEL Fact Sheet: State Wildlife Agency Funding" by the National Caucus of Environmental Legislators.

Email from Dan Hirchert, "Sandhill Crane Damage for Calendar Year 2023" (September 5, 2024).

Minutes of the September 4, 2024 meeting.

October 1, 2024

Handout from Chair Tittl, "Responses to Questions Submitted by Chair Tittl," by DNR (October 1, 2024).

Presentation, "Sandhill Cranes: A Briefing for the Wisconsin Legislative Study Committee," by David P. Scott, Mississippi Flyway Representative, Division of Migratory Bird Management, USFWS (October 1, 2024).

Presentation, "Population Ecology and Harvest Management," by Benjamin Sedinger, Assistant Professor of Wildlife Ecology and Kennedy Grohne Chair in Waterfowl and Wetland Conservation, UW-Stevens Point (October 1, 2024).

Presentation, "Data Related to Crane Hunting Proposal in Wisconsin," by Jeb Barzen, Lecturer, Nelson Institute for Environmental Studies, UW-Madison (October 1, 2024).

Handout from Jeb Barzen, Lecturer, Nelson Institute for Environmental Studies, UW-Madison, "Sandhill Crane Population and Crop Damage Papers" (October 1, 2024).

Presentation, "Birders as Stakeholders in Wisconsin Natural Resources," by Jennifer Lazewski, Executive Director, Wisconsin Society for Ornithology (October 1, 2024).

Handout from Jennifer Lazewski, "Study: Wisconsin Resident Views on Possible Sandhill Crane Hunting Season," by Ryan Michalesko, Paul Robbins, Anne Lacy, and Rich Beilfuss.

Presentation, "An Ethical and Sustainable Sandhill Crane Hunt," by Bruce Ross, Executive Director, Wisconsin Waterfowl Association (October 1, 2024).

Letter from Mark Kakatsch, Vice President and Chair of Migratory Committee, Wisconsin Wildlife Federation (November 5, 2024).

Minutes of the October 1, 2024 meeting.

November 13, 2024

Memo No. 2, "Options for Committee Discussion" (November 5, 2024).

2025 LRB-0457/P1, relating to sandhill crane damage abatement and making an appropriation.

2025 LRB-0604/P1, relating to sandhill crane damage rebate program and making an appropriation.

2025 LRB-0464/P3, relating to hunting of sandhill cranes, wildlife damage abatement assistance and claim payments for damage caused by sandhill cranes, and making an appropriation.

2025 LRB-0591/P1, relating to hunting of sandhill cranes, wildlife damage abatement.

2025 LRB-0465/P3, relating to sandhill crane depredation permits, wildlife damage abatement assistance and claim payments for damage caused by sandhill cranes, and making an appropriation.

Handout from Senator Spreitzer, "Hunting Sandhill Cranes in Regions Hosting Traditional Staging Areas," by Stanley A. Temple, Department of Forest and Wildlife Ecology, UW-Madison and Aldo Leopold Foundation.

Handout, “Management Plan for the Eastern Population of Sandhill Cranes,” Prepared for the Atlantic and Mississippi Flyway Councils by the Ad Hoc EP Sandhill Crane Committee, (2010).

Draft Letter to Migratory Bird Permit Office, Region 3, USFWS (November 5, 2024).

Comments on “Findings of Facts” document, by Anne Lacy, Director of Eastern Flyway Programs - North America, International Crane Foundation, and Jeb Barzen, Lecturer, Nelson Institute for Environmental Studies, UW-Madison (November 23, 2024).

Handout, “Conclusions,” by Chair Tittl (November 1, 2024).

Handout, “Findings of Facts of the Legislative Council Study on Sandhill Cranes,” by Chair Tittl (November 1, 2024).

Minutes of the November 13, 2024 meeting.

December 10, 2024

2025 LRB-0591/P4, relating to hunting of sandhill cranes, wildlife damage abatement assistance and claim payments for damage caused by sandhill cranes, and making an appropriation.

2025 LRB-0604/P3, relating to sandhill crane damage reimbursement program and making an appropriation.

2025 LRB-0815/P1, relating to hunting of sandhill cranes, programs related to sandhill crane damage, and making an appropriation.

Handout from Anne Lacy, Letter from David A. Aborn, Professor, Department of Biology, Geology, and Environmental Science, The University of Tennessee at Chattanooga (November 27, 2024).

Handout, Responses from David P. Scott, Mississippi Flyway Representative, Division of Migratory Bird Management, USFWS, to questions submitted by Todd Schaller, Member, Study Committee on Sandhill Cranes (December 5, 2024).

Handout, Comments on LRB-0604/P2 by the DATCP (December 4, 2024).

Memorandum, “2025 LRB-0591 and LRB-0604: Sandhill Crane Hunting and Crop Damage Rebates,” by LFB (December 3. 2024).

Letter to Migratory Bird Permit Office, Region 3, USFWS (December 10, 2024).

Handout, “Conclusions,” by Chair Tittl (November 1, 2024, revised December 9, 2024).

Handout, “Summary of Findings,” by Chair Tittl (December 3, 2024).

Minutes of the December 10, 2024 meeting.

December 17, 2024 Mail Ballot

December 17, 2024 Mail Ballot.

2025 LRB-0815/1, relating to hunting of sandhill cranes, programs related to sandhill crane damage, providing an exemption from emergency rule procedures, granting rule-making authority, and making an appropriation.

Results of December 17, 2024 Mail Ballot.

APPENDIX 3 | DOCUMENTS APPROVED BY THE COMMITTEE

At its final meeting, the committee voted to approve the documents titled "Summary of Findings" and "Conclusions," on a vote of Ayes, 7 (Rep. Tittl; Sen. Quinn; and Public Members Gehrke, Houlihan, Schaller, Sedinger, and Wait); Noes, 5 (Sen. Spreitzer; Rep. Considine; and Public Members Johnson, Lacy, and Mickelson).

Legislative Council Study on Sandhill Cranes

Summary of Findings

Relevant Findings (references in parentheses after each fact)

A. General Background Facts on Sandhill Cranes

a. Sandhill cranes are abundant, wide-ranging and adaptable. In 2023, the USFWS estimated there were over 1.4 million sandhill cranes on the continent. (Lauer)

b. Sandhill cranes are migratory birds with federal protections derived from the US enactment of the Migratory Bird Treaty Act in 1918. The nature of migratory birds means they are managed continentally, and within the United States by the US Fish and Wildlife Service (USFWS). Further management activities occur at the flyway level by Councils comprised of representatives from states and provinces. (Lauer)

c. Flyway councils can promulgate management plans for migratory birds within their flyway. The Mississippi and Atlantic Flyway Councils have developed such a management plan for the cranes that migrate to or through Wisconsin. (Van Horn)

d. The population of sandhill cranes that migrates to or through Wisconsin is categorized and managed as the "Eastern Population" of sandhill cranes. (Lauer)

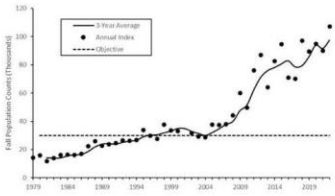
e. Cranes are long-lived birds and successfully breed around 4-5 years of age. (Lacy) Once a sandhill crane reaches sexual maturity around 2 years of age, there are few natural predators and many live beyond 30 years of age. (Van Horn)

f. There are two social groups or cohorts of sandhill cranes: Breeding (or Territorial) birds and Non-territorial birds. Territorial birds are typically a mating pair, have small ranges when breeding, staying generally within 1 sq. mile of their wetland nesting sites. Non-territorial birds form larger groups and may roam as much as 2 miles or more from their wetland roost sites. (Lacy, Barzen)

g. The 2010 USFWS Management Plan for the Eastern Population of sandhill crane population goal is to "Maintain an interim population index of between 30,000 to 60,000 birds". (Van Horn)

h. The 2023 population index of EP cranes is 112,000 birds. This is widely considered to be an undercount of the actual number of birds and both their migratory range and breeding territory is expanding. (Van Horn, Lacy, Barzen)

i. The EP sandhill crane population is growing at 4.4% (calculated from USFWS data)



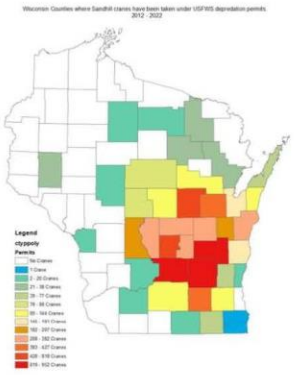
j. There is some raw data to possibly indicate that the territorial / breeding birds may be reaching carrying capacity in Wisconsin. (Lacy, Sedinger) But no studies were presented to forecast the ultimate size of that breeding population cohort, nor the ultimate population of the Non-territorial

crane cohort, nor the size of the population of migratory cranes that pass through Wisconsin in the spring and fall on their way to other states/provinces.

B. Relevant Agricultural Damage and Conflict Facts

a. The recovery of the sandhill crane population is in part due to their adaptability to the agricultural landscape. (Lacy)
b. Crane-human conflict reports are increasing as the sandhill population increases. (Hirchert)
c. US Department of Agriculture – Wildlife Services (USDA-WS) is the primary responding agency to collect damage reports. (Van Horn, Hirchert)
d. Since there is little incentive for producers to report crane-caused damage and current damage claims are not verified, estimates of agricultural damage are not entirely reliable. (Lang, Finger)
e. The following 2023 damage, from 229 Wisconsin incidents reported to the USDA-WS, total $1,974,150:
    i. Field Crops = $1,811,400
        1. Corn damage=$934,900 (52%),
        2. Potato damage= $870,500 (48%) and
        3. Winter wheat damage= Unknown
    ii. Other crop damage (cranberries and strawberries): $100,000
    iii. Conflicts with aircraft are the next highest reported conflicts with 5 incidents, no damage value reported.
    iv. Other property damage, including golf courses, was reported at $62,750. (Hirchert)
f. The majority of crane-caused corn damage happens after seed planting until the corn plant is about 8-10" tall. (Finger)
g. In addition to absorbing crane-caused crop damage, some corn producers apply Anthraquinone (commonly known under its brand name of Avipel™) to their corn seed prior to planting to prevent or mitigate crane damage (Hirchert, Gerhke)
h. This chemical is mostly effective at protecting the corn seed and limiting crop losses. (Gehrke).
i. In 2019, this chemical was applied to 196,476 acres of corn. The estimated cost of this Avipel application is $10-15 per acre (Hirchert), making the application cost between $2-3 million. (calculated)
j. There are 2.8 million acres of corn within ¾ mile of possible sandhill crane wetland roost sites (Barzen). If all those fields are treated with Avipel it could cost as much as $28-42 million per year. (calculated)
k. There is no comparable chemical crane repellent for potatoes or other crops, which are nearly half (48%) of the reported financial damage (Annually). (Hirchert, calculated)
l. There is no current financial consideration for producers to address sandhill crane damage or mitigation. Because sandhill cranes are not open to Wisconsin hunting, the hunter-funded Wisconsin Damage Abatement and Claims Program is not available to farmers to offset crane-caused damage. (Lauer, Finger, Koehle)

m. Producers may apply for crane depredation kill permits to the USDA-WS with final approval by the USFWS. The application fee is $100. In 2023, over 1400 cranes were killed under those depredation permits, and over the last seven years, more than 8,000 cranes have been killed in Wisconsin under these depredation permits. (Hirchert, Finger). The crane carcasses must be left in the field, buried or burned—no human consumption is allowed by under those depredation permits. (Finger, Van Horn)



n. The chart to the right shows the locations where sandhill depredation kill permits have been issued between 2012 and 2022 and therefore represent the areas of greatest reported sandhill crane depredation. (Finger)
o. There are non-Avipel, non-lethal approaches to frightening cranes from fields, but they tend to be expensive, time-consuming or labor intensive, and none are uniformly effective. (Lauer, Hirchert)
p. If a hunt is established in Wisconsin, under current law the Wisconsin Damage Abatement and Claims Assistance Program (WDACP) would be statutorily available to address farmer losses and mitigation efforts. (Lauer, Finger, Lang).
    i. The WDACP is an established mechanism for evaluating wildlife damage to crops and paying out damage /mitigation claims to producers. (Lauer, Lang)
    ii. The WDACP is funded through a surcharge added to most hunting licenses, and bonus antlerless deer permits. (Lauer, Lang)

C. Relevant Hunting Facts

a. Sandhill cranes have been hunted in the United States for over 6 decades. (Van Horn, Scott)
b. The international (US and Canada) migratory bird management community has 62 years of experience managing the hunting of sandhill cranes. (Van Horn, Scott)
c. 18 US states, 4 Canadian provinces, and Mexico currently hunt sandhill cranes. (Van Horn)
d. The International Crane Foundation does not identify hunting as a threat to sandhill crane populations. (Lacy)
e. The Flyway Councils charged with responsibility for managing migratory birds apply an adaptive harvest management approach that incorporates relevant science and annual bird counts to annually adjust harvest of migratory gamebirds. (Scott, Finger, Ross)
f. Migratory gamebird populations (waterfowl) under this approach have positive population trends that exceed most other North American bird populations--waterfowl are up 56% in the last 50 years in contrast to most other bird populations' collective decline of 3 billion birds. (Lazewski, Ross)
g. The Eastern Population of sandhill cranes has grown 646% in that same timeframe. (calculated from USFWS data)
h. The minimum population to justify a sandhill crane hunt, according to the relevant 2010 USFWS crane management plan, is 30,000. The current population index stands at 112,000. (Finger, Van Horn, Scott)
i. The USFWS Management Plan for Sandhill Cranes plan includes a goal to provide sandhill crane hunt opportunities. Goal 4: "Through federal mandated quotas and

permits, provide hunting opportunity consistent with long-term welfare of the resource". (Scott, Ross)

j. Hunting of EP cranes began in 2011 in Kentucky and are now hunted in three states (KY, TN, AL) under a more controlled system than found in western states in the Central Flyway. Tribal hunting of sandhill cranes is allowed in the ceded territories of WI, MN, MI, and two Canadian provinces are moving forward with a hunt proposal as well. (Van Horn, Scott, Ross)
k. Research indicates that a sandhill crane hunt can manage future population growth (Barzen)
l. Any state desiring to establish a sandhill crane hunt must apply to the USFWS and include specific approaches to the unique circumstances of that state. This is a 2-3 year process to receive permission for "experimental" hunting seasons that if successful, lead to a permanently authorized hunt. (Scott, Finger)
m. Every year, USFWS adjusts each state's harvest authorizations based on several factors that include the overall population size and health. The USFWS reports that expected fall harvest levels in Wisconsin would be below that of current depredation kills in the spring. (Scott, Hirchert)
n. All current limited drawing permit systems are established in statute. State permit fees require legislation. (DNR response to Chair Tittl's questions)
o. Sandhill Crane hunting began in the Central Flyway 62 years ago and has been managed alongside the only wild migratory population of whooping cranes, which has been slowly increasing during this period. (Van Horn)
p. The USFWS does not expect states with whooping cranes to forego a sandhill crane hunt. However, a state proposing a hunt must have educational tools and communications that will help hunters understand how to avoid harvest of whooping cranes and other non-target species. (Scott)
q. International Crane Foundation (ICF) research indicates no legally authorized sandhill crane hunter has misidentified and shot a whooping crane. (Ross)
r. The Wisconsin Constitution provides that "[t]he people have the right to fish, hunt, trap, and take game subject only to reasonable restrictions as prescribed by law." Article 1, Section 26. (Ross)
s. There will be additional costs to the DNR's establishment and ongoing administration of a sandhill crane hunt. Such costs are generally offset by hunter user fees. (DNR response to Chair Tittl's questions)
t. If there are more hunters wishing to participate in a hunt than the number of tags authorized by the USFWS, the DNR must conduct a lottery system to down-select to the number of tags authorized by the USFWS. (DNR response to Chair Tittl's questions)

D. Relevant Eco-tourism Facts

a. The USFWS Management Plan for Sandhill Cranes has a goal to "provide for and monitor non-consumptive uses and develop public education opportunities." (Scott, Ross)
b. Crane-based eco-tourism occurs in several states, including those that have crane hunting. (Ross)
c. In the fall, certain "staging areas" see large gatherings of sandhills that are important to the bird's migratory life cycle. These gatherings provide public viewing that supports eco-tourism opportunities. (Ross)
d. Sandhill cranes are a powerful symbol of Wisconsin's conservation success, and many in Wisconsin have contributed to this success. (Lazewski)

E. *Other issues*

a. A Wisconsin Sandhill Crane Management Plan is not required to apply for federal permission to establish a sandhill crane hunt but could bring all the relevant management issues (agricultural damage, eco-tourism, hunting) under a single plan. (DNR answers to Chair Tittl's questions, Ross).

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Legislative Council Study on Sandhill Cranes

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CONCLUSIONS

1. **The crane population that visits Wisconsin is strong and growing quickly.** Sandhill cranes are large, territorial, adaptable birds that are increasingly comfortable in areas populated by humans.
2. **The crane population has already imposed significant agricultural producer costs and caused other public nuisance impacts which will continue to grow with the crane population**.
3. **While these migratory cranes are managed continentally by the federal government, the state can have a role to address damage caused by the cranes.** That role could include reimbursement to farmers for crane-caused damage (or mitigation steps) and/or establishing a hunting season for cranes.
4. **While estimates of crane-caused damage to crops are not entirely reliable, the WDNR and Fiscal Bureau places them between $1.6 million and $1.9 million.** Field crop damage is nearly evenly split between corn (52%) and potatoes (48%).
5. **The chemical repellent Anthroquinine is a (mostly) effective crane repellent for corn but no such treatment exists for potatoes.**
6. **The Wildlife Damage Abatement and Claims Program (WDACP) is an existing and appropriate county-state partnership for evaluating wildlife damage claims and apportioning available funding.** WDACP funding is derived from surcharges to hunting licenses and by bonus antlerless deer permits. Under current law, WDACP does not address sandhill crane damages unless sandhill crane hunting is authorized.
7. **If sandhill cranes are added to the list of wildlife which are eligible for damage claims under the WDACP, the existing funding would likely become oversubscribed**. This would result in proportionally less funding per damage claim. The degree to which the fund is impacted depends on both the number of total claims and the magnitude of those claims which is currently unreliable.
8. **There is no research available that projects the ultimate population size of the EP of sandhill cranes that visit Wisconsin, meaning the future economic impact on farmers and nuisance levels are unknown and unbounded**.
    a. As one metric potentially bounding the challenge for only corn growers, there are 2.8 million acres of corn within ¾ of a mile of wetlands potentially used by sandhill cranes. Application at current rates for application of Anthroquinine would be between $32 - 48 million if the chemical was applied to every seed in those acres. Farmer funding of such an endeavor is unrealistic, so farmers take reasonable half-measures or leave the fields untreated.
    b. There is no similar metric for potatoes, which currently are 48% of reported crane damage.
9. **Unless controls are put in place, if damage levels are unbounded by crane population size, any state financial contributions to offset crane-caused damage would also be unbounded.** Those controls could be fiscal limits, or steps to limit the growth of the sandhill crane through hunting as a component of population control. Fiscal prudence suggests both.
10. **Research shows crane harvests can impact the crane's population size, depending on harvest levels and other factors.** Because of Wisconsin's central

breeding location, it is possible crane harvests in Wisconsin could have a greater population influence than harvests in other states, meaning greater ability to stabilize the population. But crane population harvest levels are not the purview of states--the USFWS manages those levels.

11. **The USFWS' adaptive harvest management approach to a Wisconsin sandhill crane hunt incorporates the lifecycle attributes of the sandhill crane and offers negligible risk to the health of Eastern Population while providing a stabilizing effect on its population**. The USFWS' six decades of migratory bird management includes hunting management and has yielded exemplary results for migratory bird populations, including the crane. Especially since the EP population is far in excess of management goals and continues to grow at a considerable rate.
12. **The timing of a Wisconsin sandhill crane hunt could impact the state's breeding population, depending on the goals of a hunt.** Timing a hunt between mid-October and Mid-November maximizes the likelihood of harvesting migratory or non-territorial birds, as opposed to Wisconsin breeding/territorial breeding cranes.
13. **The legislature must provide direction to the DNR to establish a sandhill crane hunting season together with the licensing parameters, limited draw permit approach, to impose a mandatory training requirement to comply with federal requirements, among other specific requirements.** That legislation should describe the legislative intention to generate additional revenue to both administer any possible hunt and provide additional funding to the WDACP. Further, legislation must address the questions posed by the DNR in responding to Chairman Tittl's questions.
14. **The risk of an authorized sandhill crane hunter misidentifying a whooping crane for a sandhill crane is small**. Identification training to distinguish between a sandhill and whooping crane is required of anyone obtaining a sandhill crane hunting tag. An ICF study acknowledges no legally authorized sandhill crane hunter has misidentified and shot a whooping crane.
15. **Wisconsin's Constitutional expectation that "[t]he people have the right to fish, hunt, trap, and take game subject only to reasonable restrictions as prescribed by law" (Article 1, Section 26)**
16. **Eco-tourism associated with cranes could be economically significant and is compatible with a crane hunting season.** Legislative intent communicated to the DNR should include the expectation to protect crane viewing associated with the substantial crane staging along the Wisconsin River. This can be done with a combination of geographical limitations as well as temporal restrictions.

APPENDIX 4 | LETTER TO U.S. FISH AND WILDLIFE SERVICE

STATE OF WISCONSIN

JOINT LEGISLATIVE COUNCIL

December 10, 2024

U.S. Fish and Wildlife Service
Migratory Bird Permit Office
Region 3 - Midwest
5600 American Boulevard West
Suite 990
Bloomington, MN 55437-1458

Dear Migratory Bird Permit Office:

We are writing on behalf the Wisconsin Legislative Council's Study Committee on Sandhill Cranes. Under state law, study committees consist of legislators and citizen stakeholders with special interest and knowledge on the subject to be studied. A roster of committee members is attached to this letter.

The Study Committee on Sandhill Cranes was created to, among other duties, review the management of Wisconsin's sandhill crane population and determine whether any changes to state law would effectively address the incidence and consequences of crop damage caused by sandhill cranes in this state.

During its deliberations, the study committee received information regarding the Federal Migratory Bird Depredation Permits that may be issued to address agricultural damage resulting from sandhill cranes. It is the committee's understanding that a sandhill crane taken under a depredation permit generally cannot be utilized by the person who took it. Rather, the carcass must be buried or left in the field.

The study committee respectfully requests that the U.S. Fish and Wildlife Service consider modifying current restrictions on the use of a sandhill crane carcass that is taken under a Federal Migratory Bird Depredation Permit. The study committee believes that allowing hunters to fulfill permits on behalf of agricultural producers, and allowing individuals to fully utilize sandhill cranes taken under depredation permits, would reduce waste and result in a more preferential outcome.

Thank you in advance for your diligent attention to these matters.

Sincerely,

Representative Paul Tittl, Chair
Study Committee on Sandhill Cranes

Senator Romaine Quinn, Vice Chair
Study Committee on Sandhill Cranes

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Todd Schaller, Member
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Benjamin Sedinger, Member
Study Committee on Sandhill Cranes

Paul Wait, Member
Study Committee on Sandhill Cranes

Attachment