



## Legislative Fiscal Bureau

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August 28, 2024

TO: Members, Legislative Council Study Committee on Sandhill Cranes

FROM: Bob Lang, Director

SUBJECT: Wildlife Damage Abatement and Claims Program

This memorandum describes the wildlife damage abatement and claims program (WDACP) and considerations for a sandhill crane hunt, which would be required under current law for sandhill crane to be eligible for the program. The attachment shows the condition of funding dedicated for the WDACP in recent fiscal years.

### Background

*Revenue.* Wildlife control programs are funded through a series of dedicated revenue sources: the wildlife damage surcharge and bonus antlerless deer permits. The wildlife damage surcharge is added to most resident and nonresident hunting licenses to fund wildlife damage program activities. A surcharge of \$2 is added to most hunting licenses; a \$4 surcharge is added to conservation patron licenses. In 2023-24, the wildlife damage surcharge raised \$2,053,700.

In addition to the wildlife damage surcharge, revenue from the \$12 (\$20 nonresident) bonus deer permit is used to fund wildlife damage programs. Resident and nonresident bonus deer permits generated a total of \$1.84 million during 2023-24. A portion of these revenues are made available exclusively for chronic wasting disease (CWD) management and testing. \$5 of each bonus deer permit sold in a county where CWD has been confirmed in a wild deer is deposited in a continuing appropriation for CWD management and testing. Of the \$1.84 million raised by bonus deer permits, \$667,200 was made available for CWD management, and \$1,172,300 was retained for wildlife damage programs. Therefore, total wildlife damage revenues available were \$3.23 million.

*Expenditures.* Revenue from the wildlife damage surcharge and the portion of bonus deer permit revenues with which damage surcharges are pooled are utilized for the following programs related to wildlife damage: (a) control of wild animals; (b) the urban wildlife abatement and control grant program; (c) venison processing donation costs; and (d) the wildlife damage abatement and claims program. The attachment shows revenues and expenditures, by program area, for the WDACP since 2019-20.

## **Wildlife Damage Claims**

Under the wildlife damage program, persons in participating counties may be reimbursed for part of the damage to agricultural crops, harvested crops, orchard trees, nursery stock, beehives or livestock if the damage is caused by deer, cougars, bear, geese or turkey. Damage caused by sandhill cranes would also be statutorily included, if a hunting season were established.

If a claim is more than \$500, but not more than \$5,250, the claimant is paid 100% of the claim. If a claim is greater than \$5,250, a claimant can receive 80% of the amount of the remaining claim up to the statutory maximum. However, the value paid for any claim may not exceed \$10,000. Payments are based on assessed damage claims and do not vary by animal. Current law specifies that if the total amount of damage claimed is greater than available revenues, after paying for administration and urban abatement, venison processing, and wildlife control activities, the Department of Natural Resources (DNR) is first required to prorate agricultural damage claim payments. In 2023-24, DNR paid \$823,600 in damage claims.

A person receiving a wildlife damage claim payment is required to permit hunting of the type of wild animals causing the damage on that land during the appropriate open hunting season. However, a hunter must first notify the landowner of his or her intent to hunt on the land, and a landowner may deny a hunter access to land for reasonable cause related to certain safety and property-related concerns. In addition, a landowner may deny a hunter access if at least two hunters per 40 acres of eligible land are present on the land when the hunter notifies the landowner that he or she intends to hunt on the land.

While DNR pays wildlife damage claims, administration of the damage claims and abatement programs is the responsibility of counties. Each county but Kenosha and Menominee participate in the program. 54 counties contract with the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) and 16 administer the programs locally. DNR reimburses each county for the costs of administering the program, including the costs of APHIS contracts. In 2023-24, DNR reimbursed counties \$1,776,700 for administrative expenses.

## **Sandhill Crane Damage**

As noted above, once a hunting season for sandhill cranes is approved, damage caused by the birds will become eligible for the wildlife damage claims program. Since crane damage is not currently eligible for reimbursement, landowners currently have little incentive to report crop damages caused by cranes. Therefore, reliable estimates of crane-caused agricultural damage are not available. Estimates of crane crop damage have ranged from as low as \$1.2 million in 2019 to \$1.9 million in 2013, according to APHIS. DNR's fiscal estimate to 2021 Senate Bill 620, which would have authorized a sandhill crane hunt, estimated that sandhill cranes caused \$1.6 million in crop damage, an average loss of \$8,000 per damage claim.

*County Administrative Costs.* Wildlife damage claims are inspected and appraised by county damage technicians. In a fiscal estimate prepared for 2021 SB 620, DNR estimated that inspections of wildlife damage claims typically require five hours of county damage technician staff time. At a standard salary and fringe rate of \$35 per hour, each inspection costs roughly \$175 in staff time. This

staff time is eligible for reimbursement from the WDACP along with other county administrative costs. Therefore, the number of claims requested each year will affect the total account expenditures. According to APHIS, the number of sandhill crane damage claims has been estimated between 165 and 265. DNR's fiscal estimate for 2021 SB 620 estimated claims at 200. At the wage and fringe rate described above, authorizing a sandhill crane hunt could increase county administrative costs for the WDACP by between \$28,900 and \$46,400.

*Wildlife Damage Claims.* After a damage claim is inspected and eligibility for WDACP payment is determined, the county wildlife damage technician appraises the value of the crops damaged. As described above, DNR pays a maximum of \$10,000 for damage claims. Based on the deductible structure of wildlife damage claim payments, the total damage caused by a wild animal must be approximately \$11,800 to receive the full \$10,000 payment. Therefore, the value and number of damage claims will affect the increase in WDACP expenditures attributable to authorizing a sandhill crane hunt.

Sandhill cranes are known to systematically forage for emergent vegetation in cornfields, uprooting young corn plants row by row until satiated. Additionally, sandhill cranes are known to visit the same feeding areas year after year. In DNR's fiscal estimate for 2021 SB 620, the Department estimated that as many as 200 sandhill damage claims, with an appraised value of \$1.6 million, could be filed annually. In 2021, APHIS received 265 sandhill crane damage complaints totaling approximately \$1.9 million. For comparison, in 2023, WDACP received 203 claims totaling \$1.4 million, an average damage claim of \$6,720. Of these, the program paid 185 claims a total of \$826,500, an average payout of \$4,470.

*Abatement Projects.* The wildlife damage abatement program partially reimburses landowners for approved projects that are likely to reduce wildlife damages. Under the program, DNR pays up to 75% of the cost of materials and installation on both permanent abatement projects, such as constructing fences and other protective structures, and temporary abatement projects, such as scare techniques, trapping and relocating nuisance animals, and repellents. In 2023-24, DNR expended \$411,900 on abatement projects.

Section 29.889(5)(bm) of the statutes requires that counties recommend only those abatement projects that are cost-effective relative to the value of wildlife damage claims that would be avoided through their implementation. Section NR 12.35(2) of the administrative code specifies that wildlife abatement practices are limited to those listed in the WDACP technical manual. If a sandhill crane hunt were authorized, DNR wildlife damage specialists would need to update the WDACP technical manual before any sandhill crane abatement projects could be funded.

According to information published by UW-Madison Division of Extension, most typical methods of nuisance wildlife abatement, such as construction of fencing, or the use of light and sound harassment, are ineffective against sandhill cranes. Both UW-Extension and APHIS recommend applying Avipel, a chemical irritant, to corn seed prior to planting. Avipel is distasteful to cranes but is non-lethal and does not cause any permanent damage after ingestion. In 2019, a report from the Wisconsin Waterfowl Association estimated that Avipel was applied to 195,000 acres of corn fields in Wisconsin. DNR reports that Avipel's producer estimated that 160,000 acres of corn fields were voluntarily treated with Avipel in 2019.

To be eligible for abatement funding, there must be active wildlife damage from an eligible species to the property, as verified by county damage technicians. Current estimates of sandhill crane damage are derived from unverified landowner reports. Additionally, in order to receive WDACP abatement funding, landowners must agree to program requirements, including authorizing hunting for the nuisance game species. Therefore, it is not known how many acres of corn fields Avipel would be applied to if such a measure were an eligible damage abatement method.

BL/EH/ml  
Attachment

# ATTACHMENT

## Wildlife Damage Claims and Abatement Program Condition

	2019-20 <u>Actual</u>	2020-21 <u>Actual</u>	2021-22 <u>Actual</u>	2022-23 <u>Actual</u>	2023-24 <u>Preliminary</u>	2024-25 <u>Budgeted</u>
Opening Balance	\$5,759,100	\$5,946,100	\$6,103,700	\$6,214,000	\$6,270,600	\$6,020,200
<b>Revenue</b>						
Wildlife Damage Surcharge	\$2,044,300	\$2,088,000	\$2,059,100	\$2,038,000	\$2,053,700	\$2,055,000
Bonus Antlerless Deer Permits	1,047,400	1,177,800	1,220,000	1,218,900	1,172,300	1,150,000
Other	<u>-</u>	<u>10,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Revenue	\$3,091,700	\$3,275,800	\$3,279,100	\$3,256,900	\$3,226,000	\$3,205,000
<b>Expenditures</b>						
<i>Wildlife Damage and Abatement</i>						
County Administrative Costs	\$1,388,300	\$1,509,800	\$1,482,200	\$1,485,000	\$1,776,700	\$1,500,000
Abatement Projects	327,900	307,600	410,700	392,500	411,900	550,000
Wildlife Damage Claims	<u>767,600</u>	<u>842,700</u>	<u>815,800</u>	<u>848,500</u>	<u>823,600</u>	<u>900,000</u>
Subtotal	\$2,483,800	\$2,660,100	\$2,708,700	\$2,726,000	\$3,012,200	\$2,950,000
<i>Other Programs</i>						
Urban Wildlife Abatement and Control Grants	\$18,300	\$21,100	\$20,600	\$24,200	\$14,400	\$24,700
Control of Wild Animals	290,200	290,200	308,500	308,500	324,100	324,100
Venison Processing	<u>112,400</u>	<u>146,800</u>	<u>131,000</u>	<u>141,600</u>	<u>125,700</u>	<u>314,800</u>
Subtotal	\$420,900	\$458,100	\$460,100	\$474,300	\$464,200	\$663,600
Total Expenditures	\$2,904,700	\$3,118,200	\$3,168,800	\$3,200,300	\$3,476,400	\$3,613,600
Closing Cash Balance	\$5,946,100	\$6,103,700	\$6,214,000	\$6,270,600	\$6,020,200	\$5,611,600
Encumbrances and Continuing Balances	\$323,200	\$102,800	\$238,500	\$2,224,400	\$3,028,700	\$2,950,800
Available Balance	\$5,622,900	\$6,000,900	\$5,975,500	\$4,046,200	\$2,991,500	\$2,660,800