

The statement of scope for this rule, SS 074-24, was approved by the Governor on July 11, 2024, published in Register No. 823A3 on July 15, 2024, and approved by the Natural Resources Board on August 14, 2024. This rule was approved by the Governor on March 13, 2025.

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

The Wisconsin Natural Resources Board proposes an order to **amend** NR 103 (5) (b), (c) (intro.) and 3., (d) and 10.41 (3) (b); and **repeal and recreate** NR 10.28 (1), (2) (c) and (h), and (4) relating to revising white-tailed deer management unit boundaries.

**WM-12-24**

**Analysis Prepared by the Department of Natural Resources**

**1. Statute Interpreted:**

In promulgating this rule, ss. 29.011(1), 29.014 and 29.889 (12), Stats., have been interpreted as authorizing the department to establish deer population objectives to manage deer herds at acceptable population sizes while ensuring public hunting and recreation opportunities. In addition, s. 29.040, Stats., affirm the department the authority to implement deer advisory councils, which originated from a recommendation contained in the Deer Trustee Report of 2012. Deer advisory councils, currently organized at the county level, establish deer population objective and deer management unit boundary recommendations for further consideration by the department and the Natural Resource Board.

**2. Statutory Authority:**

Statutes that authorize the promulgation of this rule order include ss. 29.011 (1), 29.014, 29.063 (1) and 227.11, Stats.

**3. Explanation of Agency Authority:**

Sections 29.014, 29.063 and 227.11, Stats., grant rule-making authority to the department to establish seasons and bag limits for hunting that ensure continued hunting opportunities for citizens of the state and are compatible with the state's chronic wasting disease (CWD) policies. All rules promulgated under this authority are subject to review under Ch. 227, Stats.

**4. Related Statutes or Rules:**

This rule is related to WM-11-24 (E), a companion emergency rule that the department is currently developing.

**5. Plain Language Analysis:**

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

The permanent rule also renames county deer advisory councils to citizen deer advisory councils and removes a requirement that these bodies are organized on a county basis. These changes will provides the department the flexibility regarding the geographical area citizen deer advisory councils may represent. These changes would not require the department adjust the structure of the deer advisory councils but

rather leaves the option to open do so in the future. The department plans working closely with the Wisconsin Conservation Congress to review the organization of CDACs in consideration of the proposed unit boundaries. The emergency rule does not propose this change so the 2025 deer advisory councils will remain organized by county.

The permanent rule also makes two small non-substantive changes to correct administrative code language so that it complies with current drafting standards.

**6. Summary of, and Comparison with, Existing or Proposed Federal Statutes and Regulations:**

States possess inherent authority to manage the wildlife resources located within their boundaries, except insofar as preempted by federal treaties and laws, including regulations established in the Federal Register. None of these rule changes violate or conflict with the provisions established in the Federal Code of Regulations.

**7. If Held, Summary of Comments Received During Preliminary Comment Period**

**and at Public Hearing on the Statement of Scope:** A preliminary public hearing on the statement of scope was not required.

**8. Comparison with Similar Rules in Adjacent States:** All of Wisconsin's neighboring states have established management units for the purpose of managing deer populations. By using units with identifiable boundaries, deer populations can be monitored and kept at various population levels to more effectively control the deer herd, address regional differences in habitat and population (human and deer), and reduce conflict with other land uses such as residential, agricultural or forestry. In addition, neighboring states utilize population goals, informed by hunter and public input, to keep deer populations at levels that are biologically and socially acceptable.

**9. Summary of Factual Data and Analytical Methodologies Used and How Any Related Findings Support the Regulatory Approach Chosen:**

The department reviews deer management unit boundaries every three years. Prior to 2014, units were bounded by major roads and rivers that surrounded areas with generally similar habitat. In response to a recommendation in the Deer Trustee Report of 2012, units were adjusted to instead align with county boundaries. County deer advisory councils were also established in 2014. Previous council meetings and unit boundary reviews, as well as input gathered in connection with this present review, have indicated a strong interest in returning to habitat-based units in the Northern Forest Deer Management Zone.

Prior to the Department's implementation of county-based units, an external expert analysis of the habitat-based units in place at that time was performed. The analysis suggested these units were too small to provide sufficient datasets for statistically sound population monitoring. As a result, the present review sought to develop larger units while still retaining the benefit of historical deer harvest and population data gathered over decades by pairing adjacent units that had similar deer harvest and population metrics, as well as land cover and historical hunter densities. Data from the last five years of prior units (2009-2013) was averaged and used to inform the best pairings of adjacent units to arrive at a similar number of units that currently exist under the county-based system while configuring the units to capture more homogenous landscapes and associated deer herds.

Many northern councils have been expressing a desire to return to habitat-based units through their annual meeting minutes. Additionally, the agency conducted an online survey to gauge support from the public. On a scale of 1 being no support and 10 being strong support for the concept of returning to habitat-based units, 50% of respondents shared strong support (10) and 75% of respondents shared some level of support (6-10). 90% of respondents were neutral to supportive (5-10). Respondents who indicated an

interest in the Central Forest Zone boundary or Metro Subunits also affirmed the previously documented interests of councils to adjust boundaries in their counties.

Current rules require the department to establish county-based deer management advisory councils. Since this rule proposes to move away from county-based deer management units in the Northern Forest Zone the department may consider options to adjust the geographical areas represented by deer advisory councils in the Northern Forest Zone to better align with adjusted unit boundaries.

**10. Analysis and Supporting Documents Used to Determine the Effect on Small Business or in Preparation of an Economic Impact Report:** These rules, and the legislation which grants the department rule-making authority, do not have fiscal effects on the private sector or small businesses. No costs to the private sector or small businesses are associated with compliance with these rules.

**11. Effect on Small Business (final regulatory flexibility analysis):**  
These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses, nor are any design or operational standards contained in the rule.

**12. Agency Contact Person:** Jeff Pritzl, Deer Specialist, [Jeffrey.pritzl@wisconsin.gov](mailto:Jeffrey.pritzl@wisconsin.gov), (920) 366-3450

**13. Place where comments are to be submitted and deadline for submission:**  
A public comment period on the draft rule occurred from December 9, 2024, to January 10, 2025, and a public hearing was held on January 8, 2025.

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## RULE TEXT

**SECTION 1. NR 10.103 (5) (b), (c) (intro.) and 3., (d) and 10.41 (3) (b) are amended to read:**

(b) ~~County~~ Citizen deer management advisory councils. The department shall establish ~~county citizen~~ deer management advisory councils for the purpose of seeking comment from members of the public on the status of the deer herd ~~at the county level~~ within designated areas of the state. The council shall be chaired by the chairperson for ~~the~~ a county delegation of the Conservation Congress established under s. 15.348, Stats., or a designee who shall be approved by the department. At least 3 members of each council shall be individuals who held an annual license authorizing deer hunting in this state or another state in at least 7 of the 10 years previous to the year in which the individual is nominated, except if the individual served on active duty in the U.S. armed forces or national guard during the 10 years previous to the year in which the individual is nominated. If the individual served on active duty in the U.S. armed forces or

National Guard, the number of years in which he or she is required to have held a deer hunting license equals 7 minus the number of years of active duty served during those 10 years. ~~The~~ Each ~~advisory~~ council may also be comprised of a representative of any of the following entities:

(c) *Deer management functions.* ~~County~~ Citizen deer management advisory councils ~~will~~ shall do all of the following:

3. Make recommendations to the department for deer population objectives every three years and ~~will~~ annually recommend antlerless deer permit quotas and hunting season framework options necessary to maintain the deer herd in balance with its range, population objective and sustainable harvest objectives. The recommendations of ~~county~~ citizen deer management advisory councils shall be presented to the board by the chair of the Conservation Congress.

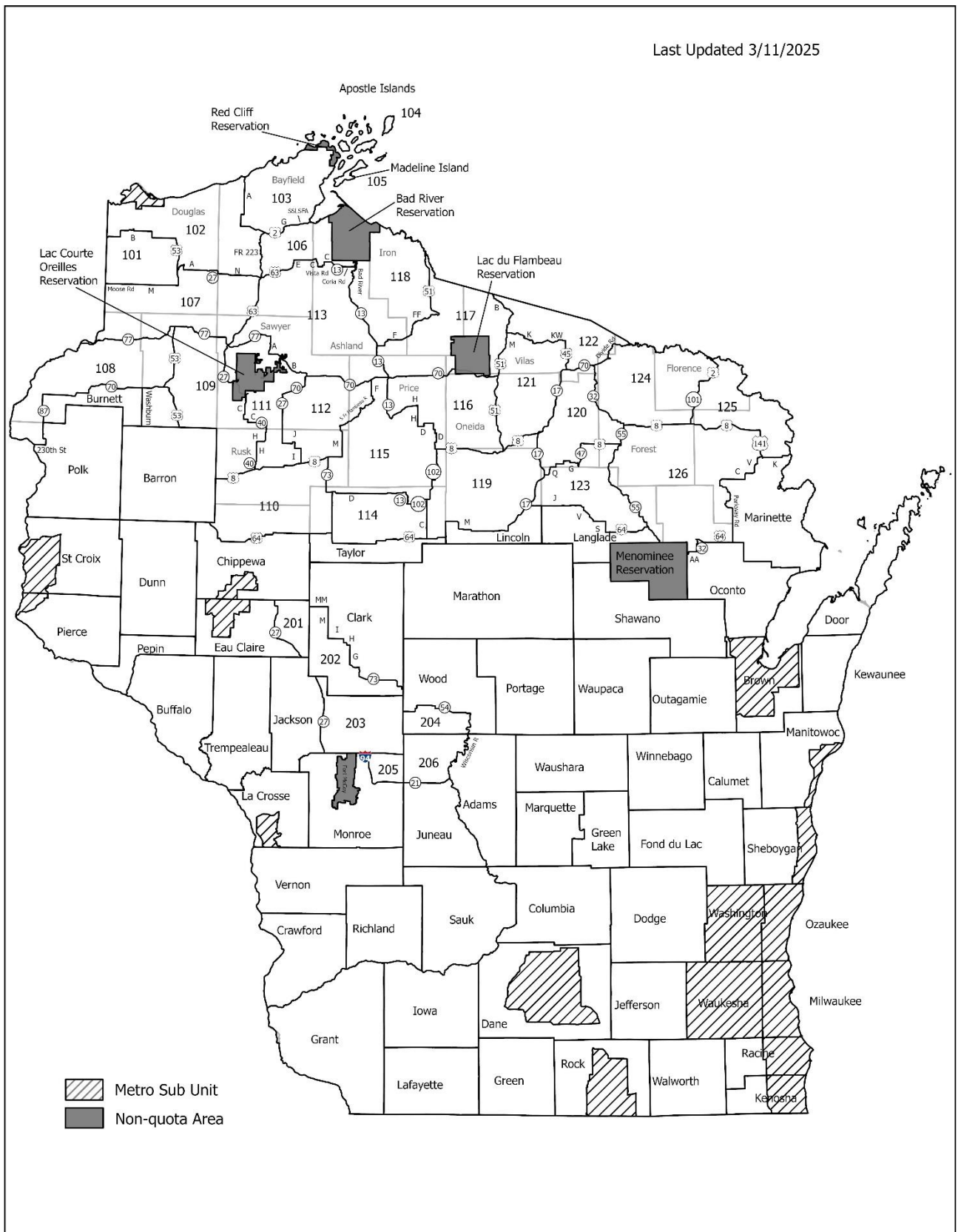
(d) *Operation of ~~county~~ citizen deer management advisory councils.* 1. The department shall establish guidance for the operation of ~~county~~ citizen deer management advisory councils. Guidance may include, ~~but is not limited to,~~ any conditions which are necessary for the operation of meetings, selecting members, and establishing terms of service for members.

10.41 (3) (b) *Population objectives.* Entire counties, or portions of counties, located within the boundaries of a CWD affected area shall be managed toward a population objective established after seeking comment from ~~county~~ citizen deer management advisory councils under s. NR 10.104 (5).

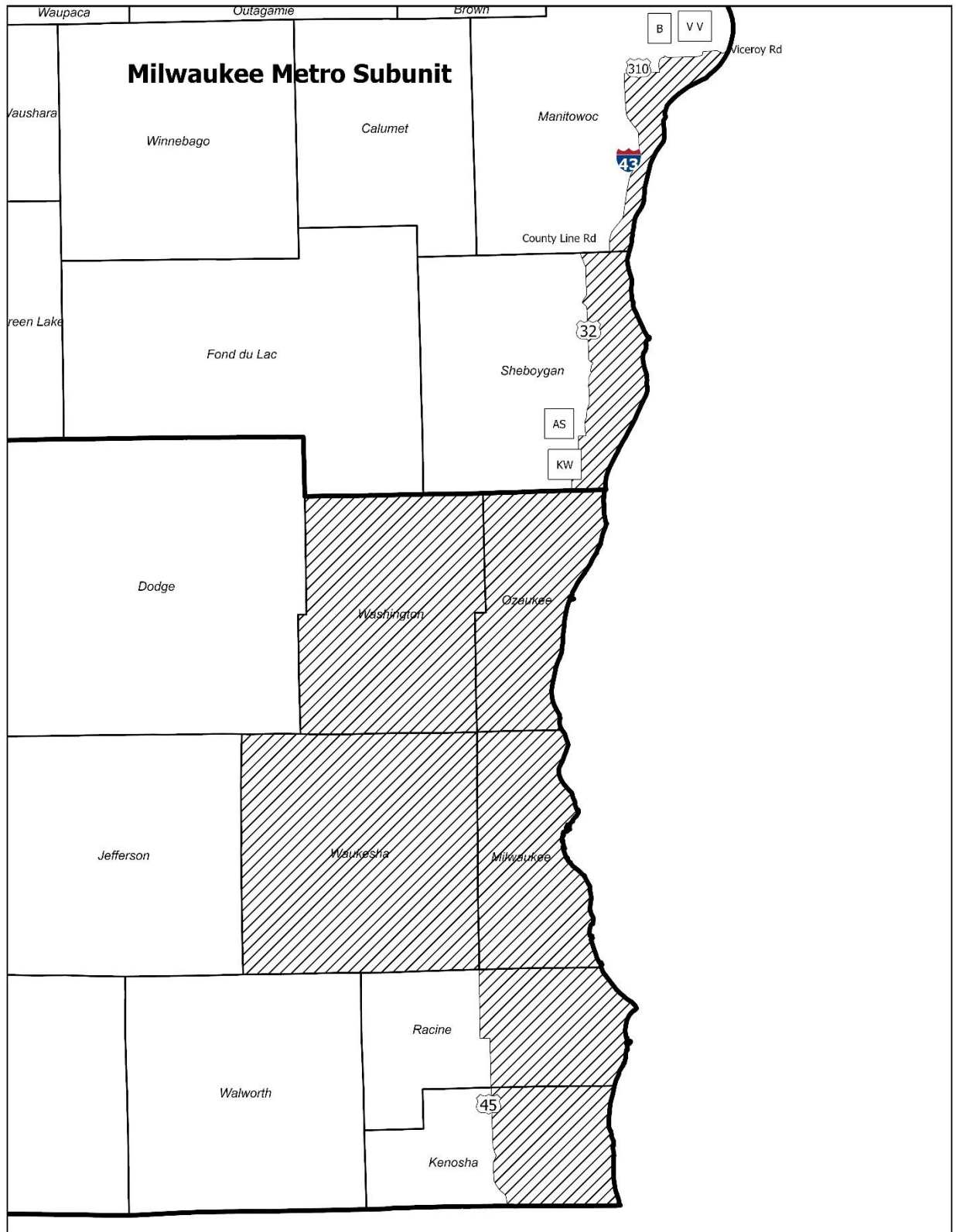
**SECTION 2. NR 10.28 (1), (2) (c) and (h), and (4) are repealed and recreated to read:**

**NR 10.28 (1) STATEWIDE DEER MANAGEMENT UNITS.**

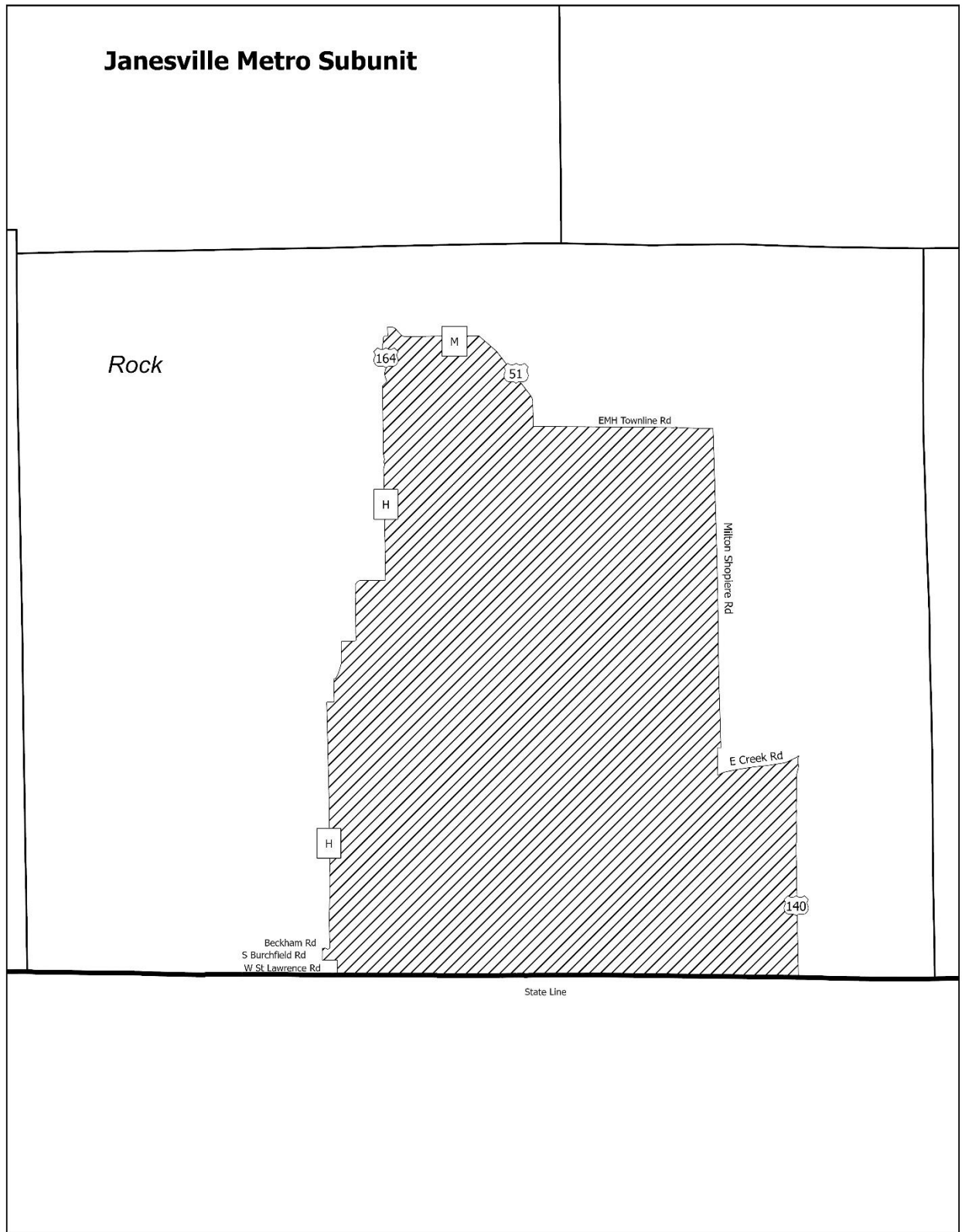
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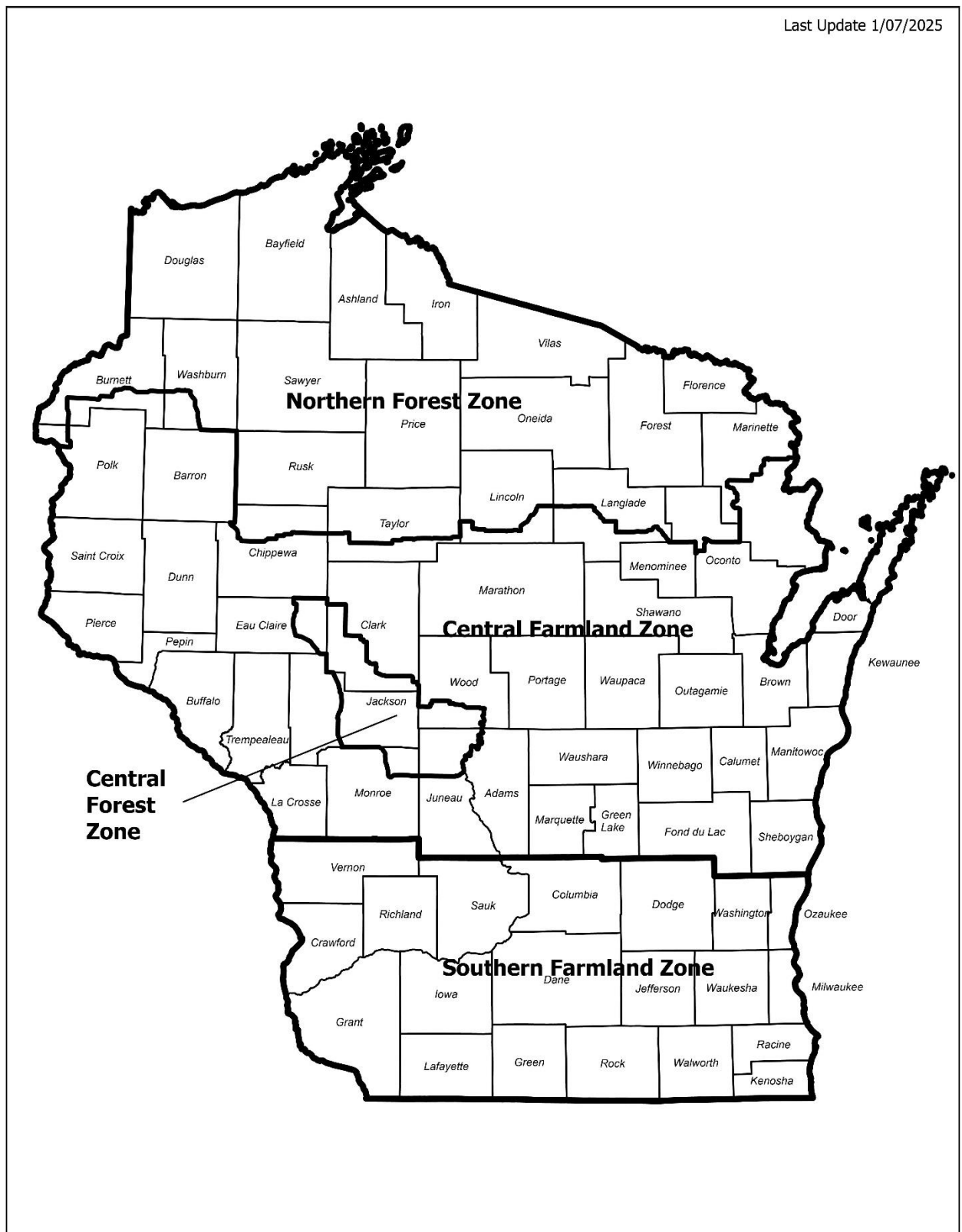
(2) (c) *Milwaukee area.*



(h) *Rock area.*



(4) DEER MANAGEMENT ZONES.



**SECTION 2. EFFECTIVE DATE.** This rule takes effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s. 227.22 (2) (intro.), Stats.

**SECTION 3. BOARD ADOPTION.** This rule was approved and adopted by the State of Wisconsin Natural Resources Board on February 26, 2025.

Dated at Madison, Wisconsin \_\_\_\_\_.

STATE OF Wisconsin DNR

DEPARTMENT OF NATURAL RESOURCES

BY \_\_\_\_\_

Steven Little, Deputy Secretary