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Joint Committee on Finance

Paper #461

Elk Reintroduction from Outside Wisconsin (DNR -- Fish, Wildlife, and Recreation)

[LFB 2013-15 Budget Summary: Page 333, #7]

CURRENT LAW

Currently, under s. 95.20 of the statutes, the Department of Agriculture, Trade and Consumer Protection (DATCP) may prohibit or regulate the importing of animals into Wisconsin or the movement of animals within Wisconsin if DATCP has reasonable grounds to believe that regulation or prohibition is necessary to prevent the introduction or spread of a disease in this state that threatens the health of animals or of humans. Further, s. 95.55(6) provides DATCP with the authority to promulgate rules concerning testing animals, including farm-raised deer and elk, for diseases such as tuberculosis and chronic wasting disease (CWD).

GOVERNOR

Specify that DNR may import and move elk and introduce the elk into Ashland, Bayfield, Jackson, Price, or Sawyer County if all of the following apply: (a) the elk are taken from the wild and not raised on a farm; (b) the purpose of importing or moving the elk is to protect, develop, or manage wildlife resources in this state; (c) the Department determines that the applicable requirements related to chronic wasting disease under s. 95.20 and 95.55(6) of the statutes are met to the fullest extent possible and practical with wild and free-roaming elk; (d) the Department tests each elk for tuberculosis and brucellosis before importing or moving the elk in accordance with the applicable disease testing requirements of DATCP; and (e) the Department does not seek a reduction of road access to public lands in connection with importing, moving or introducing the elk.

DISCUSSION POINTS

1. Twenty-five elk were initially introduced near Clam Lake in 1995. These 25 elk came from a Michigan herd which was founded with seven elk. Over the 2012 calving period (late May through late June), the herd grew from an estimated 154 animals to approximately 177. DNR estimates the elk herd that survived the winter of 2012-2013 is approximately 160 animals. Under 2001 Act 109, DNR was provided the authority to establish an elk hunting season. A limited bull-elk season will be considered when population levels reach at least 200. DNR indicates that elk populations within the Clam Lake herd are not expected to reach sufficient levels to support a very limited hunting season until at least fall, 2014. Fees for the elk hunting licenses are currently set at \$49 for residents and \$251 for non-residents (including the issuing fee and \$2 wildlife damage surcharge), with a \$10 processing (application) fee. The processing fee was increased from \$3 to \$10 by 2009 Act 28, with \$7 (plus any elk hunting license revenues) to be deposited in a separate continuing appropriation in the fish and wildlife account for elk management related-purposes, and the remainder deposited to the general balance of the fish and wildlife account.

2. In December, 2012, the Natural Resources Board approved the 2012 Clam Lake and Black River Elk Management Plan Amendment. The plan recommends importing 275 wild elk over a three to five-year period with a different genetic background than the founding herd to expand the existing Clam Lake herd and establish a second elk herd in the Black River State Forest in Jackson County, northeast of La Crosse. According to the plan, 200 elk would be released on the Clam Lake elk herd range and a minimum of 75 would be released to establish the Black River elk herd. The plan also recommends expanding the existing Clam Lake elk herd range by 508 square miles, bringing the total Clam Lake elk range to over 1,500 square miles.

3. Under s. 95.20 of the statutes, DATCP is responsible for regulating the importing of animals into Wisconsin or the movement of animals within Wisconsin that may threaten the health of animals or humans, and under s. 95.55(6) has the authority to promulgate rules concerning testing animals, including farm-raised deer and elk, for diseases such as tuberculosis and chronic wasting disease (CWD). For example, for CWD, in addition to veterinary certification and other requirements, the rules require animals to have been enrolled in the CWD herd status program under ATCP 10.53 for at least five years. Under the bill, before DNR could import wild elk into Wisconsin, DNR would be required to test each elk for tuberculosis and brucellosis in accordance with the applicable disease testing requirements of DATCP. In addition, notwithstanding s. 95.20 and 95.55(6) of the statutes, DNR would be permitted to import wild elk if DNR "determines that the applicable requirements related to chronic wasting disease under s. 95.20 and 95.55(6) of the statutes are met to the fullest extent possible and practical with wild and free-roaming elk". According to the elk management plan approved by the Natural Resources Board in December, 2012, disease testing and quarantine procedures would be followed to ensure that the imported wild elk would be as free as possible from disease. The management plan also notes that over 1,800 samples have been collected since 2002 from wild deer in the deer management units that make up the existing Clam Lake elk herd range, and CWD has not been detected. In addition, as a precautionary measure, the Department collected samples during the 2012 gun deer season (and plans to collect samples during the 2013 season) for CWD testing in the deer management units that make up the majority of the existing Clam lake elk herd range and the proposed expanded Clam Lake range as well as the proposed Black River elk herd range. Prior to any importation of elk as

recommended by the plan, the risk posed by CWD to elk would be assessed. In the event that CWD is detected in either the existing or proposed Clam Lake elk herd range or the proposed Black River elk herd range, prior to importation of elk, the prevalence, geographic extent, specific location, and other risk factors for elk would be assessed, and an evaluation made as to whether to proceed with or cancel importation plans. However, there is currently no CWD test that can be performed among live animals, and therefore no method of providing complete assurance that the elk being imported do not have CWD. To provide an increased level of oversight, an alternative could be to require DATCP to determine that the applicable requirements related to chronic wasting disease under s. 95.20 and 95.55(6) of the statutes have been met "to the fullest extent possible and practical with wild and free-roaming elk" prior to importation of the elk, rather than DNR making this determination (Alternative 2).

4. The plan states that wild Kentucky elk are currently a potential source for importation because of their anticipated high levels of genetic diversity and herd health. The Department indicates that the number imported is likely to be approximately 150 elk, rather than the 275 elk recommended in the plan, and that these elk would likely be imported over a three-year period. Of the 150, DNR indicates it is likely 75 would be released in the Clam Lake herd range and 75 released to establish the Black River herd. DNR estimates that importing 150 elk over a three-year period would cost approximately \$450,000 rather than the \$480,000 to \$560,000 initially estimated for the importation of 275 elk over a three to five-year period. In addition, as part of an elk reintroduction exchange, DNR may also consider trading other game animals of which the state has a surplus. According to the Department, \$450,000 has been pledged from partner groups including the Ho-Chunk Nation (\$100,000 from a federal grant), Rocky Mountain Elk Foundation (\$300,000 written pledge), and the Jackson County Wildlife Fund (\$50,000 written pledge). Should actual costs exceed \$450,000, DNR indicates that all three current pledge partners have indicated to the Department that they may be willing to provide additional funding for the elk importation costs.

5. DNR spent approximately \$280,000 in fiscal year 2010-11 and approximately \$290,000 in fiscal year 2011-12 for elk management and spent approximately \$210,000 in fiscal year 2012-13 through April, primarily from the fish and wildlife account of the conservation fund, although approximately \$92,000 annually is appropriated from tribal gaming revenues. Expenses included salary, fringe benefits, and related supplies for 1.25 FTE including 1.0 wildlife biologist, and a portion of the costs of a big game ecologist, and some additional LTE costs and supplies. Once the additional elk arrive in Wisconsin, and the new Black River elk herd is established, the Department anticipates that additional personnel may be needed to monitor and manage the new herd. The plan indicates that the current Jackson/Clark County wildlife biologist position would then dedicate 40% of their time to elk management. In addition, the plan states that the Ho-Chunk Nation, Division of Natural Resources has agreed to help with monitoring of the Black River herd, and that the Department anticipates graduate students from UW-Stevens Point would monitor the Black River elk herd after initial release as part of University projects. Eventually, DNR indicates that a full-time project position and additional limited-term employees may be necessary and would cost approximately \$80,000 per year. The cost of a project position and LTEs could be funded from elk hunting application and license revenue once an elk hunt is established. While very few licenses would be available, DNR anticipates applications of perhaps 40,000 annually, which would generate approximately \$390,000 annually in net revenue (after deducting the issuing fee) with \$280,000 of that funding available specifically for elk management and the remaining \$110,000

deposited in the fish and wildlife account. Although it is uncertain whether an elk hunting season will occur in 2014, the \$280,000 estimate for elk management funding could be included as base-level funding for 2014-15 (Alternative 2b).

In addition, s. 29.182(4)(e) of the statutes requires that the Rocky Mountain Elk Foundation be provided with one elk harvest license each year for the first five years that elk hunting licenses are issued. The license is required to be raffled, and the Foundation is required to utilize the proceeds from the raffle to promote elk management, to promote the reintroduction of elk, or to further elk research. DNR estimates the raffle of the single elk harvest license could generate as much as \$100,000 annually for the Foundation.

ALTERNATIVES

1. Adopt the Governor's recommendation to specify that DNR may import and move elk and introduce the elk into Ashland, Bayfield, Jackson, Price, or Sawyer County if all of the following apply: (a) the elk are taken from the wild and not raised on a farm; (b) the purpose of importing or moving the elk is to protect, develop, or manage wildlife resources in this state; (c) the Department determines that the applicable requirements related to chronic wasting disease under s. 95.20 and 95.55(6) of the statutes are met to the fullest extent possible and practical with wild and free-roaming elk; (d) the Department tests each elk for tuberculosis and brucellosis before importing or moving the elk in accordance with the applicable disease testing requirements of the Department of Agriculture, Trade and Consumer Protection (DATCP); and (e) DNR does not seek a reduction of road access to public lands in connection with importing, moving or introducing the elk.

2. Adopt the Governor's recommendation as modified by one or both of the following:

a. Specify that DATCP must determine that the applicable requirements related to chronic wasting disease under s. 95.20 and 95.55(6) of the statutes are met to the fullest extent possible and practical with wild and free-roaming elk before DNR is permitted to import and move elk;

b. Provide \$280,000 SEG in 2014-15 from elk hunting license and application fees expected to be available for elk management purposes once a hunting season is established.

ALT 2b	Change to Bill
	Funding
SEG	\$280,000

3. Delete provision. DATCP would continue to be responsible for regulating the importing of animals into Wisconsin or the movement of animals within Wisconsin and DNR would not be provided with any specific exemptions from current law regulations.

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