

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DOA-2049 (R09/2016)

DIVISION OF EXECUTIVE BUDGET AND FINANCE
101 EAST WILSON STREET, 10TH FLOOR
P.O. BOX 7864
MADISON, WI 53707-7864
FAX: (608) 267-0372

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

<p>1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected</p>	<p>2. Date November 11, 2021</p>
<p>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) NR Chs. 8 License and Permit Procedures, 10, Game and Hunting, 12 Wildlife Damage and Nuisance Control and 19 Miscellaneous Fur, Fish, Game and Outdoor Recreation</p>	
<p>4. Subject Gray wolf harvest regulations</p>	
<p>5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEG-S</p>	<p>6. Chapter 20, Stats. Appropriations Affected 20.370(fv), Wolf depredation program</p>
<p>7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input checked="" type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget</p>	
<p>8. The Rule Will Impact the Following (Check All That Apply) <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)</p>	
<p>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0</p>	
<p>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>11. Policy Problem Addressed by the Rule In response to 2011 ACT 169, the department promulgated EmR1210 to establish harvest regulations for the administration and implementation of a wolf harvest season. Provisions of EmR1210 related to wolf harvest included establishing wolf hunting zones (Section 30, EmR1210); shooting hours (Section 11, EmR1210); reporting, registration and carcass presentation requirements (Section 28, EmR1210); and regulations regarding the use of dogs (Section 19, EmR1210). EmR1210 established that harvest quotas for wolves will be based in part on the wolf population, population trends, established population goals, ecological considerations, and wolf conflict with agricultural and land uses (Section 27 EmR1210).</p> <p>EmR1210 also established a wolf depredation program that is similar to the existing program that applies when wolves are listed as threatened or endangered and is consistent with the wildlife damage, claims and abatement program that is in place for other species (Sections 36-43 EmR1210).</p> <p>Since EmR1210 was promulgated, some sections in code which relate to wolf harvest and depredations have been moved or updated and new statutes have been put in place. This rule proposes to permanently codify provisions of EmR1210 with updates to align wolf regulations to reflect the subsequent changes in statute and code. These updates are housekeeping in nature, generally serving to update citations and relocate provisions to apply the wolf program as established by EmR1210 to the most current version of the administrative code. For example, CR 17-061 renumbered ss. NR 10.145 (7) and (8). These sections established season closure rules and harvest reporting for furbearer species and was amended by EmR1210. CR 17-061 also permanently established in code regulations for tagging and registering wolves. This rule does not include provisions from EmR1210 that were permanently promulgated by other rulemaking. This rule will adjust the opening day of the wolf harvest season from October 15 to the first Saturday in November in response to a statutory change. This rule also proposes two substantive changes that were not contained in EmR1210:</p>	

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reducing the time that an individual has to register a harvested wolf to eight hours after the animal has been recovered and issuing tags that specify a single zone within which a wolf can be harvested.

Many provisions of s. 29.185, Wis. Stats., will be duplicated in administrative code to clarify what is prohibited and because that is where people are accustomed to finding similar or identical regulatory information for other species. The following provisions are found in s. 29.185(5) and (6), Wis. Stats.: season dates, use of dogs, hunting hours, baiting regulations, regulations on traps, firearms, bows and crossbow use. Rule updates on the payments of claims for damage associated with gray wolves will be similar to new language created in s. 20.370(5)(fv), Wis. Stats..

12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.

A notice for solicitation of comments on this analysis will be posted on the department’s website in November 2021 and various interest groups may be contacted. No fiscal effects on small businesses, their associations, or local governments are anticipated..

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

A notice for solicitation of comments on this analysis will be posted on the department’s website during a 14 day period in November 2021 and various interest groups, including local governments, may be contacted.

14. Summary of Rule’s Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State’s Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

These rules, and the legislation which grants the department rule making authority, do not have a significant fiscal effect on the private sector or small businesses. Additionally, no significant costs are associated with compliance to these rules. Implementing a wolf season will have a direct positive economic impact to both the department and various small businesses. During the first three years in which the department had the authority to conduct a wolf harvest season, an average of 17,000 people per year submitted applications for a wolf license. This brought in an average of \$247,781 in annual revenue for the department. People who hunt or trap wolves may reside anywhere in the state but are likely to hunt and trap in the northern third of the state where most wolves are found. This will result in increased purchases of lodging services in those areas. Some hunters/trappers will need to be assisted by paid guides in order to have a high likelihood of success. The gear used for wolf hunting will be similar to that used for deer or furbearers and that, combined with the low number of hunters, means there will be limited new retail expenditures. Successful hunters and trappers will contribute economically through the sales of wolf pelts or, more often, the purchase of taxidermy services. These will be minor contributions overall but for an individual taxidermist, guide, or motel owner who receives extra work, the impact is worth noting.

This rulemaking will allow Wisconsin to manage wolves to population levels that are consistent with the department’s management objectives for wolves. Wolf harvest may result in fewer wolf conflicts and reduced wolf depredation on domestic animals. Under previous requirements of law, the department reimburses owners for the fair market value of domestic animals killed, or veterinary services, in wolf depredation incidents. A reduction in depredation will result in less time investigating damage, filling claims, and working with agency staff who administer the program. Individual producers who are concerned about livestock depredation are likely to view a hunting season as very important to them economically.

The department does not anticipate that there will be significant conflict in the field between people pursuing different outdoor recreational opportunities. It is possible that some wildlife watchers who seek wolves for viewing opportunities may be concerned about user conflict, however, and will be less active. They may initially spend less money travelling and pursuing these activities

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

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These proposals will contribute to providing good opportunities for hunting and trapping and maintenance of the economic activity generated by people who participate in those activities

16. Long Range Implications of Implementing the Rule

Interest in wolf harvesting opportunities is likely to decline as the wolf population is reduced closer to a population goal, resulting in less funding for depredation. However, depredation program needs may also decline and may result in some funds available for other wolf management activities.

17. Compare With Approaches Being Used by Federal Government

The US Department of Interior announced in November 2020 that gray wolf populations across the lower 48 states have recovered and no longer require the protection of the Endangered Species Act. The U.S. Fish and Wildlife Service published a final rule in the Federal Register that removed gray wolves across the lower 48 states from the list of endangered and threatened wildlife and plants. The rule went into effect on January 4, 2021.

Federal law requires the states to monitor wolf populations for at least five years to ensure the species continues to thrive. If it appears, at any time, that the gray wolf cannot sustain itself without the protections of the Endangered Species Act, the service can initiate the listing process, including emergency listing.

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

The only adjacent states that have established a wolf hunting and trapping season are Minnesota and Michigan. Neither are required to hold a season by statute.

Michigan held a single wolf hunting season in 2013. Wolves are only found in the Upper Peninsula of Michigan. Successful hunters were required to report their harvest the day of the hunt.

Beginning in 2012, Minnesota allowed hunting and trapping of wolves, but not with the assistance of dogs. Minnesota required that harvested wolves be registered by 10 p.m. the day of harvest.

Neither Minnesota nor Michigan have authorized the harvest of wolves since wolves were removed from the federal endangered species list in January 2021.

19. Contact Name

Scott Karel

20. Contact Phone Number

608-267-2452

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