

Notice of Hearing

The Department of Natural Resources announces that it will hold a public hearing on a permanent rule WM-03-21 revising chs. NR 8, 10, 12 and 19, relating gray wolf harvest regulations. In accordance with s. 227.17, Wis. Stats., the DNR is seeking public comment and feedback on WM-03-21 at the time and place shown below.

Hearing Information

Date: September 12, 2023

Time: 4:00 p.m.

[Click here to join the meeting](#)

Rule Information:

Using a regular rulemaking process, this rule proposal will achieve two primary objectives. First, it will codify provisions of an emergency rule, EmR 1210 which went into effect on August 18, 2012. Non-statutory provisions of 2011 ACT 169 state that this emergency rule remains in effect until a permanent rule takes effect. Second, it will implement recommendations from and update regulatory text in consideration of a new wolf management plan.

In response to 2011 ACT 169, the department promulgated an emergency rule, EmR1210, to establish harvest regulations for the administration and implementation of a wolf harvest season. Provisions of the emergency rule related to wolf harvest included establishing wolf hunting zones (Section 30); shooting hours (Section 11); reporting, registration, and carcass presentation requirements (Section 28); and regulations regarding the use of dogs (Section 19). The emergency rule 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). The emergency rule 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).

Since the emergency rule was promulgated, some sections in code which relate to wolf harvest and depredations have been moved or updated and relevant statutes have amended or newly created. This rule proposes to permanently codify provisions of EmR1210 with updates that 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. This rule also updates terminology as needed to enhance consistency across statutes, other provisions of administrative code, and practice. This rule does not include provisions from EmR1210 that were permanently promulgated by other rulemaking.

As examples of the alignment that these rules will achieve, s. NR 10.145 (7) and (8) established season closure rules and harvest reporting for furbearer species and were amended by EmR1210 to include provisions related to wolves. However, CR 17-061 subsequently renumbered these provisions. This rule adjusts the placement of these provisions accordingly. CR 17-061 also permanently established in code regulations for tagging and registering wolves, making the need to still address these in this rulemaking unnecessary. 2015 ACT 285 adjusted the opening day of the wolf harvest season from October 15 to the first Saturday in November, which in turn necessitates an identical adjustment in this rule.

In 2023 the department will finalize a new wolf management plan. These rules propose additional updates to implement recommendations from with this new plan. These updates are generally consistent with policies established in the emergency rule with a few exceptions. For example, this rule will provide that the department may issue wolf harvest tags that are specific to a certain zone or zones instead of tags that are valid in any open zone statewide as was done in previous harvest seasons. This rule will reduce the time a successful hunter or trapper must register their harvest from 5 p.m. the day after harvest to within eight hours after the wolf has been recovered. This rule will provide protections for wolf dens and create a dog training season for wolves which is open only when a zone is open to wolf harvest. This rule will create an enhanced reimbursement rate for producers that have multiple confirmed livestock depredation events within the same grazing season. This rule will also update wolf management and harvesting zones, using a six-zone structure with updated boundaries to fulfill both purposes.

This rule additionally updates regulatory text in consideration of the new wolf management plan. These updates are generally consistent with policies established in the emergency rule but account for the development of management metrics, objectives and guidelines in the new plan. One example of this includes the factors which the department may use to set and allocate among the zones a wolf harvest quota and license numbers. Some of the factors that were previously enumerated in the emergency rule are now fully captured and considered in the new plan so it is unnecessary for them to be individually listed in administrative code.

Certain 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.

Accessibility

For the hearing or visually impaired, non-English speakers, or those with other personal circumstances which might make communication at the meeting/hearing difficult, DNR will, to the maximum extent possible and with reasonable advance notice, provide aids including an interpreter, or a non-English, large-print, or recorded version of hearing documents. To access these resources, please contact the email address or phone number listed below as soon as possible.

Appearances at the Hearing and Submittal of Written Comments

The public has the opportunity to testify at the hearing. Registration will take place at the hearing by completing a Hearing Appearance form, which is available [here](#). Pre-registration is strongly encouraged if you plan to provide spoken comments during the hearing. To pre-register, please download and complete the fillable [Hearing Appearance form](#) and send it to scottr.karel@wisconsin.gov

Comments on the proposed rule must be received on or before September 15, 2023. Written comments may be submitted by U.S. mail, E-mail, or through the internet and will have the same weight and effect as oral statements presented at the public hearing. **Written comments and any questions on the proposed rules should be submitted to:**

Department of Natural Resources
Attn: Scott Karel
P.O. Box 7921
101 S. Webster Street,
Madison, WI 53707-7921
or DNRAdministrativeRulesComments@wisconsin.gov

The rule may be reviewed and comments made at:
<http://docs.legis.wisconsin.gov/code/chr/hearings>.

Initial Regulatory Flexibility Analysis: These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses, and no design or operational standards are contained in the rule. Because this rule does not add any regulatory requirements for small businesses, the proposed rules will not have an economic impact on a substantial number of small businesses under s. 227.24(3m), Stats.

Agency Small Business Regulatory Coordinator:

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