

STATEMENT OF SCOPE

Department of Natural Resources

Rule No.: WM-05-25

Relating to: Beaver management

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

These will be permanent rules.

2. Detailed description of the objective of the proposed rule:

This rule will implement changes related to beaver management and trapping regulations that have emerged from updates to the department's beaver management plan. Some of the objectives from this plan may include changing beaver management zone boundaries, revisiting the types and sizes of traps allowed to harvest beaver and altering available beaver control options.

Additional rule changes may be pursued which are reasonably related to those discussed here.

These rules may also include additional updates such as correcting cross-reference citations, updating road names on maps, changes needed in order to update application forms or revisions which are necessary for consistency with recently enacted legislation.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Current rule establishes four beaver management zones. This rule may add more zones and adjust the boundaries of the current zones.

Additionally, current rules establish the types of traps allowed to harvest beaver. This rule may allow the use of new traps that are new and that trappers are currently not allowed to use during open beaver trapping season or for nuisance beaver management.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

The chapter on wild animals and plants, in s. 29.014, "rule making for this chapter," establishes that the department shall maintain open and closed seasons for fish and game and any limits, rest days and conditions for taking fish and game.

Additionally, s. 29.192 (3) grants the Department the ability to "limit the maximum harvest of bobcats and beaver in any area." The department may also establish a permit system for beaver.

Finally, s. 29.885 grants the department the authority to remove any wild animal that is causing damage or a nuisance.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

80 hours.

6. List with description of all entities that may be affected by the proposed rule:

Beaver trappers and landowners that experience damage from beaver are the primary groups who will be affected by this rulemaking.

Wisconsin's six Ojibwe tribes, which reserved hunting, fishing and gathering rights in territory ceded to the United States in the 1837 and 1842 Treaties, and the Great Lakes Indian Fish & Wildlife Commission, which provides off-reservation resource management and regulatory assistance to the Ojibwe Tribes, have an interest in how the department manages and regulates beaver.

A variety of organizations including federal agencies and local government have expressed an interest in beaver management. It is likely that these same organizations will have a renewed interest in this topic.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

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.

Federal agencies also partner with the state in implementing wildlife damage and abatement programs. These rules are consistent with any federal regulations that guide wildlife damage management.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have an economic impact on small businesses):

These rules, and the legislation which grants the department rulemaking authority, will have no effect on the private sector or small businesses. These rules are applicable to individual sportspeople and impose no compliance or reporting requirements for small businesses.

9. Anticipated number, month and locations of public hearings:

The department anticipates holding one public hearing in the month of January 2026.

The department will hold the hearing virtually to allow for as many people to attend as possible. Comments may be provided by mail, phone and email as well as in-person.

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Signed by:

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Steven Little, Deputy Secretary

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Date Submitted