

DRAFT August 26, 2025

The statement of scope for this rule, SS 030-25 was approved by the Governor on April 24, 2025, published in Register No. 833A1 on May 5, 2025, and approved by the Natural Resources Board on August 13, 2025. This rule was approved by the Governor on insert date.

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

The Wisconsin Natural Resources Board proposes an order to **repeal** NR 10.01 (2) (d), 10.07 (2) (b) 4, 10.102 (6) (b), 10.40 (3) (a) 3. (note), 11.07 (14) (a), 18.13 (2); to **renumber** NR 11.20 (8) (a), 11.14 (1), and 11.20 (8) (a); to **renumber and amend** NR 10.08 (8); to **amend** NR 10.001 (1k), (3u), (5j), and (11), 10.01 (1) (m) 1., (3) (ex) 1. c., 10.02 (9) (note), 10.04 (2), 10.07 (2m) (f) 3., 10.09 (1) (a), (c), and (d) 10.101 (1) (a), 10.13 (1) (a) 6., (b) 2., 9., 10., 11., and 18., 10.40 (3) (a) 1., 2. b., 3., (b) and (g), 11.11 (intro.), 11.14 (intro.), 12.15 (11) (b), 12.35 (4), 12.37 (4) (a) 4. a, 16.45 (6) (title) and (intro.), 17.08 (3) (c), 18.10 (3) (c), 19.11 (1) (title), and (b), (2) (a) to (e), (3) (title), (a) (intro.), (4), (5), (6), and (7), 45.06 (1) (c), and 45.09 (5); to **repeal and recreate** NR 10.07 (2) (b) 3. and 4., and 10.12 (3) (f) (title), , 11.08 (2), 11.09, 11.10, 11.16 (2) (c), 11.20 (1), 19.11 (1) (c), (3) (b); and to **create** NR 10.001 (23s), 10.01 (5), 10.08 (8) (b) and (note), 11.06 (2m), 11.14 (1m) and (3)) (a), 11.20 (1) (a), 12.35 (4) (a)-(g), 12.37 (4) (a) 6. g., 16.11 (2) (note), 16.45 (6) (h), 19.11 (1) (bm), (3) (c) to (e), (4) (c) 6., and 7., and (d) and 45.06 (1) (c) (note), relating to the 2025 Wildlife Management Housekeeping rule.

WM-06-25

Analysis Prepared by the Department of Natural Resources

1. Statute Interpreted and explanation of agency authority:

The chapter on wild animals and plants, in s. 29.014, Stats., “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. This grant of rule-making authority allows the department to make changes related to trapping and hunting regulations.

Section 23.11, Stats., grants the department jurisdiction over department lands.

Section 29.319, Stats., allows the department to regulate falconry and the taking of raptors for used in falconry.

Section 29.614. Stats., establishes that applications for a scientific collector permit shall be submitted to the department. The department may issue a permit if it determines that the applicant is a “natural person and is engaged in a bona fide program leading to increased, useful scientific knowledge.”

Section 169.25 (6) allows the department to promulgate rules to establish additional standards, limitations and requirements for scientific research licenses.

2. Statutory Authority:

Statutes that authorize the promulgation of this rule order include ss. 23.11 and 29.014, 29.319, 29.614 and 169.25 Stats.

3. Related Statutes or Rules: There are no current active related rules.

4. Plain Language Analysis:

Commonly referred to as the wildlife management housekeeping rule, these rule changes are proposed to correct inconsistencies, update outdated language, align rules with statutes, revise scientific and common name spellings, provide clarification when appropriate, and make other minor revisions. All the policies in this rule are consistent with past board policies of regulating fish and game harvest. The changes proposed in this rule will have a minimal impact on the activities of hunters, trappers and individuals seeking scientific collector permits and scientific research licenses. These rules are proposed primarily to maintain consistency with recently revised statutes or to update cross-references. Specifically, these rules make the following changes:

SECTION 1 clarifies that the definition of “afield” covers trapping along with waterways and marshes. It also allows for jawed traps to be used for trapping that are not manufactured with steel.

SECTION 2 inserts a definition of “shotgun” back into administrative code.

SECTION 3 updates the reference to the correct migratory game bird hunting zone in the falconry season structure.

SECTIONS 4 AND 7 delete the harvest season for Hungarian partridge and instead makes them an unprotected species with no season date or bag limit.

SECTION 5 inserts the correct citation to the December antlerless holiday hunt.

SECTION 6 clarifies the procedures and policies the department follows to close the season.

SECTION 7 updates the correct department contact information.

SECTIONS 8 AND 9 rewords two sections of code so that they better grammatically fit the introductory clause.

SECTION 10 clarifies what is meant by a trail, roadway, or campsite when determining where bear bait placement is restricted.

SECTIONS 11 AND 12 clarifies that the department may require collars from harvested animals to be returned to the department within 30 days of harvesting the animal.

SECTION 13 clarifies what is meant by a “dennd bear.” It also updates code to reflect the fact that airguns are now legal to use to hunt and that the restriction of not being able to use a 10 gauge shotgun while hunting only applies to migratory birds and not other game birds like turkeys. Finally, it updates the definition of “muzzleloader” in administrative code to match the definition in statute.

SECTION 14 deletes a restriction on possession of a firearm while accompanying an individual with an educational permit for bear observation.

SECTION 15 clarifies where open water waterfowl hunting restrictions are in place.

SECTION 16 allows for jawed traps to be used for trapping that are not manufactured with steel. This section also clarifies that the prohibition on site exposed bait applies to nuisance wildlife control

operators.

SECTIONS 17 -19 simplify the requirements for applying for the 9-day disabled deer hunt. Updates include how to submit the application and what information is needed on the application.

SECTION 20 reestablishes a closed area on the Horicon Marsh in administrative code that was inadvertently left out of a previous rulemaking.

SECTION 21 removes a department closed area around Old World Wisconsin. This property is not leased by the department and therefore not eligible to be closed in administrative code.

SECTIONS 22, 25, 27 AND 29 amend the boundaries of closed areas to reflect the correct property lines.

SECTION 23 corrects the citation to which waterfowl seasons starts the closure on the closed area on Oakridge Lake in St. Croix County.

SECTION 24 allows muzzleloader deer hunting in a certain waterfowl closed area that already allows firearm deer hunting during the nine-day gun deer season.

SECTION 25 establishes in code closures around the Navarino and Brillion nature centers. These properties have both previously been posted closed through the use of signs. However, department policy is to establish long-term closures in administrative code rather than through the use of signs.

SECTION 27 moves the Kettle Moraine State Forest – Pike Lake Unit closed area under the correct county heading.

SECTION 30 clarifies that bows and crossbows may be used to harvest a bear with a bear damage shooting permit which is consistent with existing department policy.

SECTION 30-33 applies the same definition of “uncooperative” to enrollees in the Wildlife Damage Abatement and Claims Program regardless of whether they receive abatement or claims assistance.

SECTION 34 creates a note that acknowledges that the possession of large felines such as cougars has been restricted by recent federal legislation.

SECTIONS 35 AND 36 clarifies that the department must be notified of any alteration of a deer farm fence boundary, not just the expansion or replacement of the fence.

SECTION 37 deletes a reference in code to Class B bear licenses which are no longer issued by the department.

SECTIONS 38 AND 39 update administrative code references to the take and rehabilitation of Peregrine Falcons used in falconry so they are consistent with statutory language.

SECTIONS 40-48 clarify the application requirements for scientific collector permits and scientific research licenses and align language to be consistent with statutes. These sections also more clearly articulate the review process for permit applications and make it easier for applicants to understand how to be successful with their applications.

SECTION 49 restores previous administrative rule language that clarified where dogs must be kept on a

leash on department properties.

SECTION 50 creates a note that references the spring leash law requirement for dogs on all department properties.

SECTION 51 clarifies that the prohibition on target shooting on department properties applies to all southern state forests and not just the two currently listed in administrative code. This is not a change in policy since each of the southern state forests are found in counties that also prohibit target shooting on department properties within their boundary.

5. 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.

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

and at Public Hearing on the Statement of Scope: The Department held a preliminary public hearing on the statement of scope on Monday, July 7th at 2 p.m. virtually through Teams. No members of the public attended the hearing. Additionally, no members of the public submitted written comments regarding the scope statement.

7. Comparison with Similar Rules in Adjacent States: These rule change proposals do not represent significant policy changes and do not differ significantly from surrounding states. All surrounding states have regulations and rules in place for the management and recreational use of wild game and furbearer species that are established based on needs that are unique to that state's resources and public desires. Also, all of Wisconsin's neighboring states have established management units for the purpose of managing deer populations.

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

The definition of "shotgun" was removed from administrative code in 2020 by CR 19-146 as part of a greater weapon and ammunition simplification effort. Since that time, it has become unclear whether or not a pistol that shoots a shot shell would be considered a shotgun and therefore legal to use when harvesting certain species like game birds. The department felt it would be beneficial to bring the definition back in administrative code to provide better clarification for law enforcement staff and hunters.

The department currently collars animals for scientific purposes. Animals that are collared are legal to harvest. These collars are expensive to purchase and are able to be reused. There is no current administrative code language requiring individuals who harvest a collared animal to require them to return the collar to the department.

State statute gives the department the ability to close hunting seasons early if harvest quotas are likely to be exceeded. However, current administrative code only details the procedure for the department to close the wolf, bobcat, fisher or otter season early. This rule creates a uniform early closure procedure for all limited quota species. This procedure is consistent with the process created in s. 29.185 (5), Stats., to close a wolf harvesting zone.

Current rules prohibit the harvest of a bear that is denned. However, this prohibition does not define what a bear den is and it is not always obvious to the public what constitutes a bear den. This rulemaking creates a plain language definition of den.

Administrative code prohibits baiting for bears within 50 yards of any trail, road or campsite. The department has interpreted that this prohibition applies to marked, established trails used by the public and not to unmarked game trails or random trails on public lands that are not maintained, managed or operated by the owner or manager of those lands for the primary purpose of public travel. These public trails, like other special use areas, would generally be designated on maps available to the public, or on signs placed on the property or by access points to the trails. The department also historically interpreted that this prohibition also applies to any type of road open to the public for operation of a vehicle, including logging roads on public or private lands where the public is allowed to operate a vehicle. This rule updates administrative code so it is consistent with this existing department policy.

In 2020, CR 19-146 created a uniform standard that no person may use a shotgun larger than 10 gauge for hunting game birds since that is the federal requirement to hunt migratory birds. However, gauges larger than 10 are sometimes used for hunting certain game birds, such as turkeys. This rulemaking specifies that the 10-gauge restriction applies only to hunting migratory birds.

2023 Wisconsin Act 115 requires DNR to allow the use of an airgun for hunting during any hunting season that is open for hunting an animal with a firearm

2023 Wisconsin Act 116 created a definition of “muzzle-loading firearm.” This act was enacted at the same time that department published CR 23-025, which also created a different definition of “muzzleloader.” This rule updates the definition in administrative code so that it matches the statutory definition.

Under captive wildlife rules, cougars were allowed to be possessed under the authority of a captive wild animal farm license. However, The Big Cat Public Safety Act was enacted by the U.S. Congress on December 20, 2022. This act ended the private ownership of big cats as pets and prohibits exhibitors from allowing public contact with big cats, including cubs. It also placed new restrictions on the commerce, breeding, possession, and use of certain big cat species.

The ability for the department to issue Class B bear licenses was removed by 2015 Wisconsin Act 55.

State statute grants the department the ability to issue scientific collector’s permits and scientific research licenses. The process for how the applications are evaluated by the department has been unclear for applicants. These changes codify longstanding interpretations and policies to provide more clear information for applicants. Additionally, the current rules require updates to align with statutory language. Clarifications made in this rulemaking include outlining when an application may be denied by the department, when a license may be revoked, and establishing valid dates for each license issued.

CR 23-060, which went into effect in 2023, simplified administrative rule language regarding the pets allowed on department properties. However, the new language gave the impression that all dogs, even dogs used for hunting, must be kept on an 8-foot leash and under control at all times. This is inconsistent with other administrative code provisions and state statute. To avoid confusion, this rulemaking returns the previously used language, which listed the specific property types and areas of properties where dogs must be leashed.

Section 169.01 (30m), Stats., limits the definition of “rehabilitate” to “wild animals.” Section 169.01 (37),

Stats., defines “wild animal” to mean any animal of a wild nature that is normally found in the wild and that is not a domestic animal. As a result of these definitions, a specimen that is not a “wild animal” cannot receive care from a licensed wildlife rehabilitator. This is confirmed in s. NR 19.72 (4) (note), which provides that birds held under a falconry permit are private property and thus do not meet the definition of “wild animal” and cannot receive care from a licensed wildlife rehabilitator. Section NR 18.13 (2) stated that diseased or injured raptors held under a falconry permit may be transported to the nearest, qualified rehabilitation facility.

Section NR 18.10 (3) (c) authorized the take of passage (first year migratory) Peregrine Falcons for falconry. Peregrine Falcons are listed as a state endangered species. Section 29.604, Stats., prohibits the take of listed species and does not make an exception for falconry.

9. 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 to these rules

10. Effect on Small Business (initial regulatory flexibility analysis): These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses, and no design standards are contained in the rule.

11. Agency Contact Person: Scott Karel, 101 South Webster Str., PO BOX 7921, Madison, WI 53707-7921. (608) 206-2022, scottr.karel@wisconsin.gov.

12. Place where comments are to be submitted and deadline for submission:
Written comments may be submitted at the public hearings, by regular mail, or email to:

Scott Karel
Department of Natural Resources
P.O. Box 7921
Madison, WI 53707
Scottr.karel@wisconsin.gov
608-206-0222
608-267-7857 (fax)

Comments may be submitted to the department contact person listed above or to DNRAAdministrativeRulesComments@wisconsin.gov until the deadline given in the upcoming notice of public hearing. The notice of public hearing and deadline for submitting comments will be published in the Wisconsin Administrative Register and on the department’s website, at <https://dnr.wisconsin.gov/calendar/>. Comments may also be submitted through the Wisconsin Administrative Rules Website at <https://docs.legis.wisconsin.gov/code/chr/active>.

RULE TEXT

SECTION 1. NR 10.001 (1k), (3u), (5j), and (11) are amended to read:

NR 10.001 (1k) “Afield” means an area where hunting or trapping can legally occur, such as fields, forests, marshes, waterways, or similar areas.

(3u) “Body gripping trap” means a trap that is designed to allow the animal’s head, neck or torso to enter the trap opening and be held by compression of the jaws around the head, neck or torso when the trap is sprung and which is not a cage trap, enclosed trigger trap, snare, cable restraint or ~~steel~~ jawed trap.

(5j) “Cage or box trap” means a trap that is not used as a water set or in conjunction with a ~~steel~~ jawed trap, an enclosed trigger trap or body gripping trap, and that is designed to allow an animal to enter the trap enclosure, be captured and remain alive inside the cage or box type enclosure until it can be released unharmed or reduced to possession by the operator of the trap.

(11) “Harvest authorization” means an approval that authorizes the hunter or trapper to harvest one animal of the type identified, subject to any zone, unit, time period, and other restrictions conditioned upon the authorization, and includes a bonus deer hunting permit. Each harvest authorization is identified by a unique harvest authorization number.

SECTION 2. NR 10.001 (23s) is created to read:

NR 10.001 (23s) “Shotgun” means a weapon, firearm or airgun, designed or redesigned, made or remade, and intended to be fired from the shoulder. The weapon may fire through a smooth bore either a number of projectiles or a single projectile for each pull of the trigger.

SECTION 3. NR 10.01 (1) (m) 1. is amended to read:

NR 10.01 (1) (m) *Falconry special season*. Any person possessing a valid falconry permit and hunting license shall be restricted to the following migratory game bird seasons and bag limits:

Kind of Animal	Locality	Open season (all dates inclusive)	Daily Bag Limit
1. All species of wild ducks, mergansers, and coots.	Northern zone as established in s. NR 10.32.	Concurrent with the open youth waterfowl hunt in par. (n) and open northern zone regular duck season in pars. (d), (e), or (f). Reopening on the second Friday in January and	3 in aggregate with those species listed under subd. 2.

		continuing to not exceed 45 days.	
	Southern zone as established in s. NR 10.32.	Concurrent with the open youth waterfowl hunt in par. (n) and open northern zone regular duck season in par. (d), (e), or (f). Reopening on the second Friday in January and continuing to not exceed 45 days.	3 in aggregate with those species listed under subd. 2.
	Mississippi River <u>Open water zone</u> as established in s. NR 10.31. <u>NR 10.32.</u>	Concurrent with the open youth waterfowl hunt in par. (n) and open northern zone regular duck season in par. (d), (e), or (f). Reopening on the first or second Friday in January and continuing to not exceed 45 days.	3 in aggregate with those species listed under subd. 2.

SECTION 4. NR 10.01 (2) (d) is repealed.

SECTION 5. NR 10.01 (3) (ex) 1. c. is amended to read:

NR 10.01 (3) (ex) 1. c. The department may modify the archery and crossbow season dates so that those seasons continue through January 31 in a farmland zone unit where it has also modified the season dates as established under subd. ~~2-4.~~b.

SECTION 6. NR 10.01 (5) is created to read:

NR 10.01 (5) SEASON CLOSURE. The secretary of the department may close a season established in this section early in all or part of the state, upon a finding by the department based on harvest registration data of an animal in a specific area of the state, that hunters or trappers are likely to take more than the quota set for that animal for the open season in that area. The department shall do all of the following to notice a closure:

(a) A hunting and trapping season closure shall become effective 24 hours after posting a notice on the department's website, announcement on its telephone registration or harvest reporting system if applicable, and issuance of a press release.

(b) The department may consider all of the following factors in closing a hunting or trapping season:

1. The reported harvest relative to the harvest quota.
2. The rapidity at which the quota is being approached.
3. The anticipated harvest in the coming days.
4. Other relevant information including potential biological implications, license wait times and disease concerns.

SECTION 7. NR 10.02 (9) (note) and 10.04 (2) are amended to read:

NR 10.02 (9) Note: The department's conservation program for the timber rattlesnake, under s. 29.039 (1), Stats., includes a department response and ~~assistance element~~ assistance for occupants or owners of land; or other persons; requesting assistance because of the presence of rattlesnakes. In addition, upon complaint, the department may, under s. 29.885, Stats., investigate and authorize removal, relocation or destruction if the species constitutes a nuisance. Requests for assistance, or complaints, should be directed to the Bureau of ~~Endangered Resources~~ Natural Heritage Conservation, Department of Natural Resources, P.O. Box 7921, Madison, WI 53707, telephone ~~1-888-74SNAKE~~ 608-267-0866.

NR 10.04 (2) Chukar partridge, gray (Hungarian) partridge, coturnix quail, English sparrows, Eurasian collared doves, and starlings.

SECTION 8. NR 10.07 (2) (b) 3. is repealed and recreated to read:

NR 10.07 (2) (b) 3. For the purpose of hunting game, two ounces or less of scent may be used or deposited in any manner. If more than two ounces are used, the scent shall be removed daily at the end of shooting hours established in s. NR 10.06 (5) if the scent it is placed or deposited in a location that is accessible for consumption by deer or elk.

SECTION 9. NR 10.07 (2) (b) 4. is repealed.

SECTION 10. NR 10.07 (2m) (f) 3. is amended to read:

NR 10.07 (2m) (f) 3. Is located within 50 yards of any trail, road or campsite ~~used~~ established and at least occasionally maintained for use by the public and is publicized by signage or inclusion on maps available to the public, such as a County, State or Federal Forest map, or within 100 yards from a roadway, as defined in s. 340.01 (54), Stats., having a posted speed limit of 45 miles per hour or more.

SECTION 11. NR 10.08 (8) is renumbered to NR 10.08 (a) and amended to read:

NR 10.08 (8) RESEARCH. (a) Harvest samples. The department may require that any part of an animal shall be collected, sampled, or submitted to the department for research purposes. No person may fail to comply with any collection, sampling, or submission procedure required by the department.

SECTION 12. NR 10.08 (8) (b) and (note) is created to read:

NR 10.08 (8) (b) *Telemetry Devices.* A person who harvests an animal that has an attached or implanted radio telemetry device shall return the device to the department or the entity identified on the animal within 30 days of harvesting the animal.

(Note) Department owned devices may be returned to any department service center in person or by mail.

SECTION 13. NR 10.09 (1) (a), (c), and (d) 10.101 (1) (a) are amended to read:

NR 10.09 (1) (a) Hunt with any means other than a rifle, shotgun, handgun, airgun, bow and arrow, crossbow, or falconry.

(c) Hunt a ~~game~~ migratory bird with or while in possession of a shotgun larger than 10 gauge.

(d) Hunt a deer during a muzzleloader-only hunt, such as described in s. NR 10.01 (3) (es), with any ~~gun~~ firearm other than a muzzle-loading firearm as defined in s. 29.001 (59), Stats.

[Note to LRB] Remove the note following s. NR 10.09 (d) related to the 2023 Wis. Act 116 changes, which are resolved by this amendment.

NR 10.101 (1) (a) *Dennded bear*. Hunt or shoot a bear in a den. For the purposes of this paragraph, a den is defined as a sheltered space above or below ground, which may have been excavated or improved to provide an animal with an area of relative safety and warmth away from predators. Dens may show signs of repeat use and are often used to hibernate.

SECTION 14. NR 10.102 (6) (b) is repealed.

SECTION 15. NR 10.12 (3) (f) (title) is repealed and recreated to read:

NR 10.12 (3) (f) *Shoreline and marshes on all bodies of water*. If any of the following apply:

SECTION 16. NR 10.13 (1) (a) 6., (b) 2., 9., 10., 11., and 18. are amended to read

NR 10.13 (1) (a) 6. ‘Trap, snare, and cable restraint use.’ Set, place, operate or possess while trapping, any trap other than a ~~steel~~ jawed trap, enclosed trigger trap, cage or box trap, body gripping trap, colony trap, snare or cable restraint for the purpose of taking, capturing, or killing furbearing animals. Cage or box traps shall be constructed so that after an animal has been captured, no additional animals may enter the trap until the captured animal is removed and the trap is reset

NR 10.13 (1) (b) 2. ‘Bait or scent.’ Set out or place any bait or scent for attracting furbearing animals during the closed season, except for individuals conducting nuisance wildlife control work. ~~During the open season, no~~ No person may use sight exposed bait consisting of feathers, animal flesh, fur, hide or entrails within 25 feet of any trap, snare or cable restraint, except for enclosed trigger traps or cage traps as defined in s. NR 10.001 (5j) and (9c).

9. ~~‘Steel jawed~~ Jawed traps.’ Set, place or operate any ~~steel~~ jaw trap with a spread width of more than 8 inches measured from the two outside points of the jaw which are farthest apart but not diagonal, except that the maximum spread width is 7 inches during the period beginning the ~~first Saturday in~~

~~November~~ Saturday nearest October 17 and continuing through November 30 for sets that are not water sets.

10. 'Toothed traps.' Set, place, or operate any ~~steel~~-jawed trap with teeth unless it is located completely underwater at all times.

11. 'Minimum waterset.' Except when the muskrat or mink season is open, set, place or operate any waterset smaller than 5 1/2 inches jaw spread for ~~steel~~ jaw traps or less than or equal to 60 square inches measured from the maximum outside points on the width and height of the jaws of a trap that has not been set, for body-gripping type traps.

18. 'Foot-activated cable restraint specifications.' Set, place or operate any cable restraint which is designed and placed so that it can only be activated by an animal's foot except for bobcat from December 1 to January 31 and fox and coyote from December 1 to February 15, dates inclusive, provided the foot activated cable restraint conforms to the following specifications:

SECTION 17. NR 10.40 (3) (a) 1., 2. b., and 3., are amended to read:

NR 10.40 (3) (a) 1. All applications to conduct a special gun deer hunt shall be on department forms and be submitted ~~to the designated department office for the county within which the hunt will be conducted~~ through the department website by the date established by the department ~~on the form~~.

2. b. ~~A legal description~~ The county, township name, landowner, and acreage of the lands on which the hunt is to be conducted.

3. The applicant shall provide a final list of the names, ~~addresses and Class A or C permit numbers and customer identification numbers~~, of all participating hunters ~~and the names of their designated assistants~~ to the department by September ~~1~~ 15.

SECTION 18. NR 10.40 (3) (a) 3. (note) is repealed.

SECTION 19. NR 10.40 (3) (b) and (g) are amended to read:

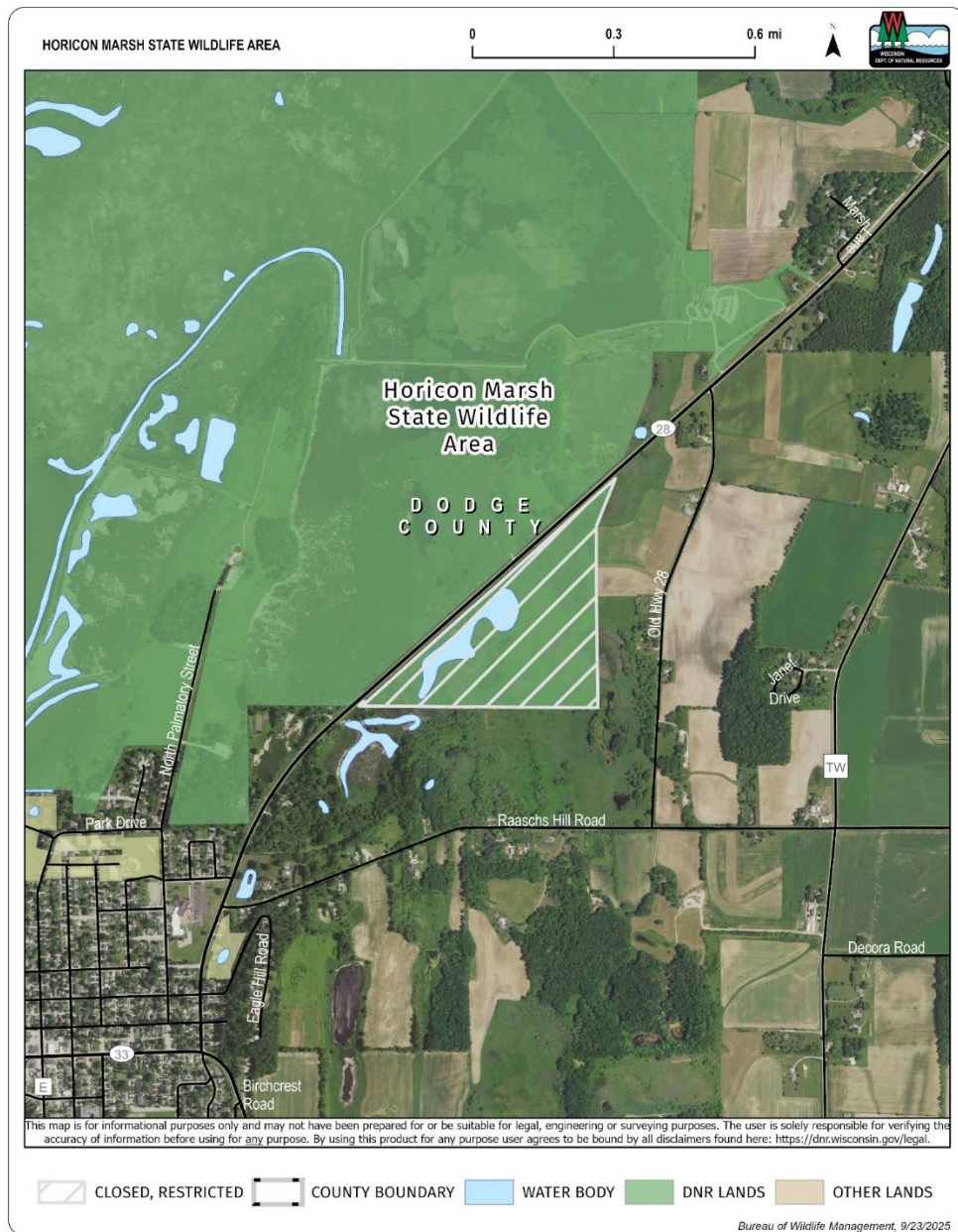
NR 10.40 (3) (b) *Participation limits.* ~~No person may participate in more than one special gun deer hunt in the same calendar year and all~~ All participants must possess a valid gun deer license and

either a valid Class A permit, valid Class B permit which authorizes hunting from a vehicle that is issued for more than one year, or valid Class C permit issued pursuant to s. 29.193 (2), Stats., that was issued on or after August 9, 1989.

(g) *Authorizations to assistant.* ~~The designated~~ An assistant of the special gun deer hunt participant may use a firearm while retrieving a deer shot by a participant, provided the assistant possesses a current, valid deer hunting license.

SECTION 20. NR 11.06 (2m) is created to read:

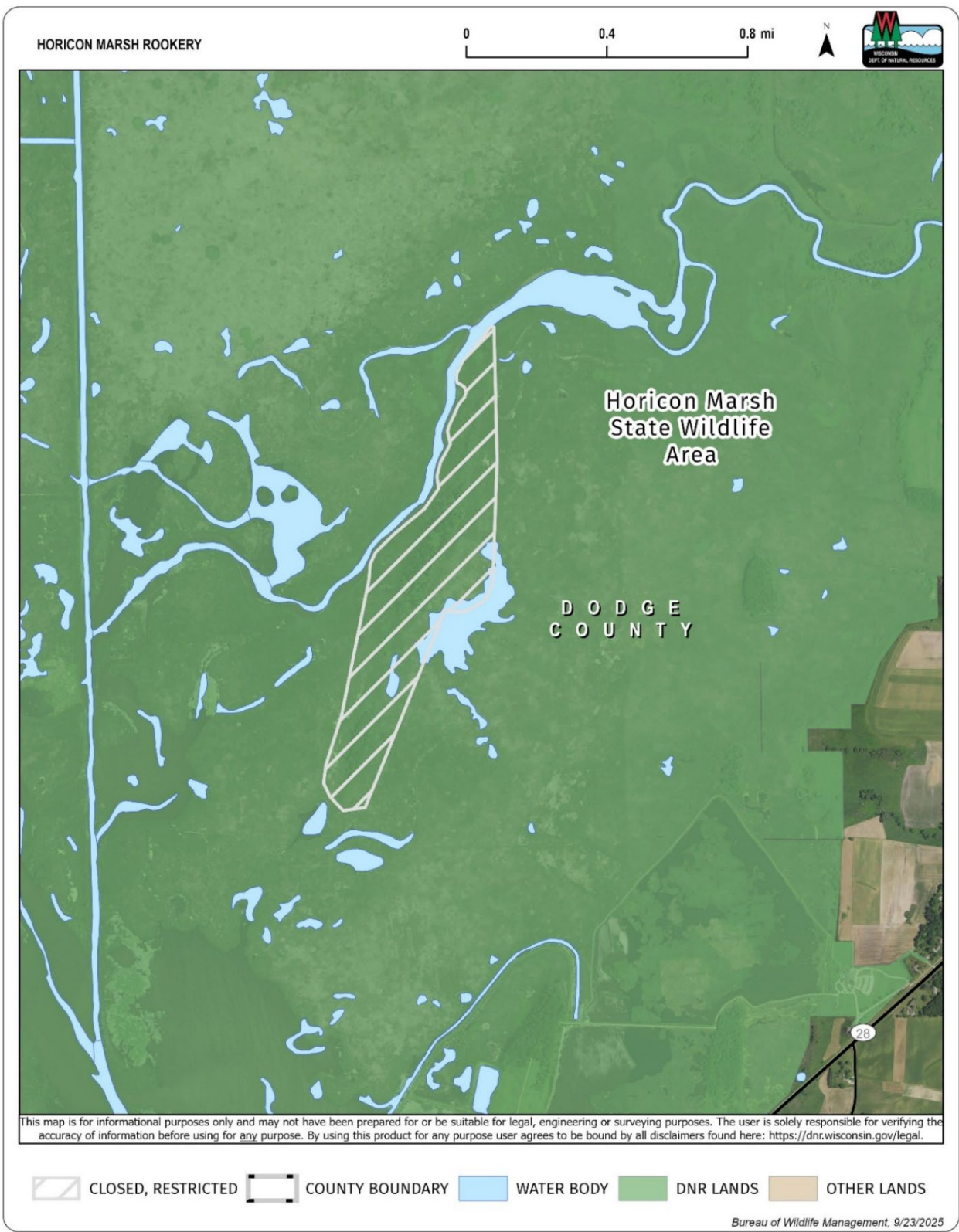
NR 11.06 (2m) DODGE COUNTY. (a) *Horicon Marsh.*



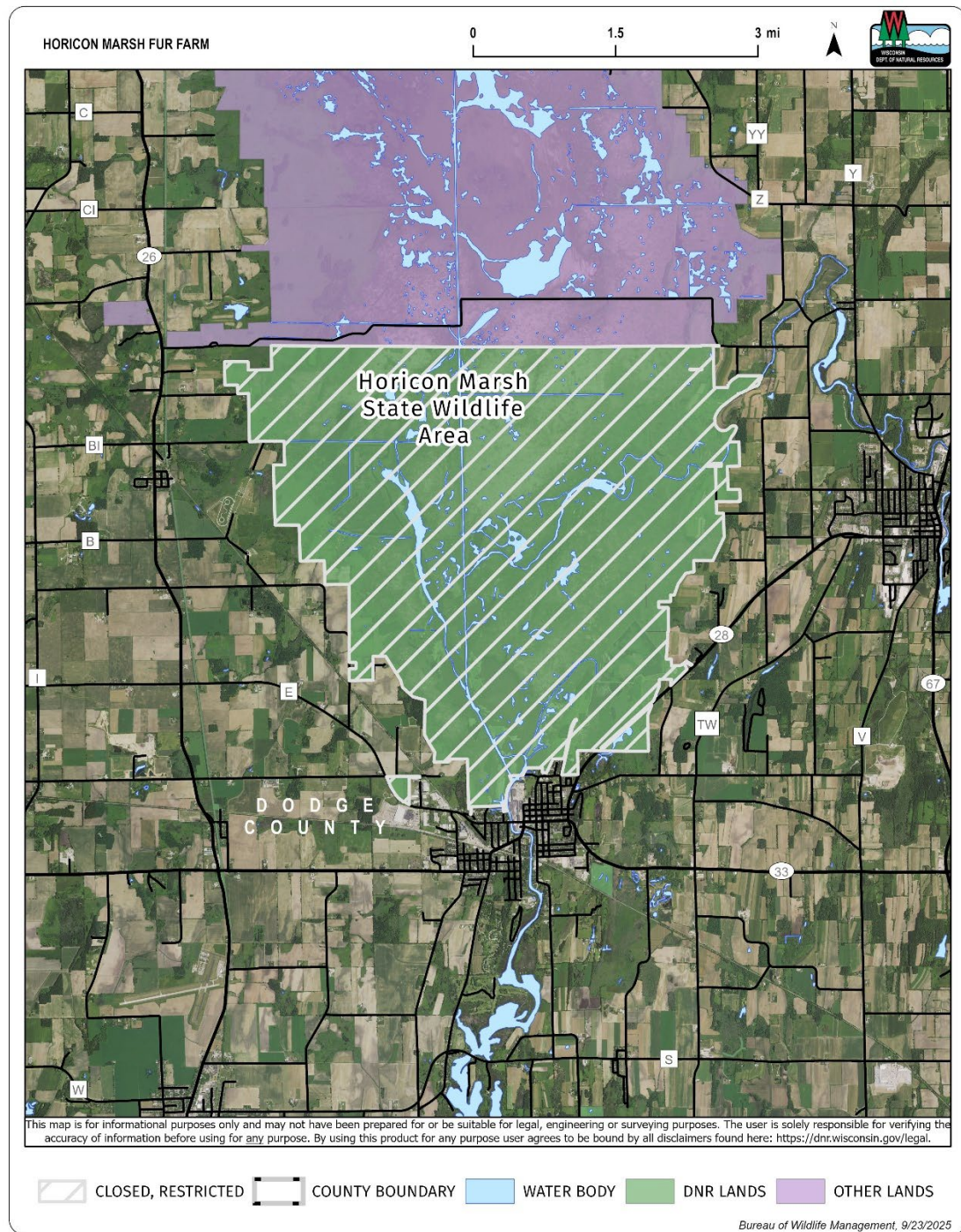
SECTION 21. NR 11.07 (14) (a) is repealed.

SECTION 22. NR 11.08 (2), 11.09, and 11.10 are repealed and recreated to read:

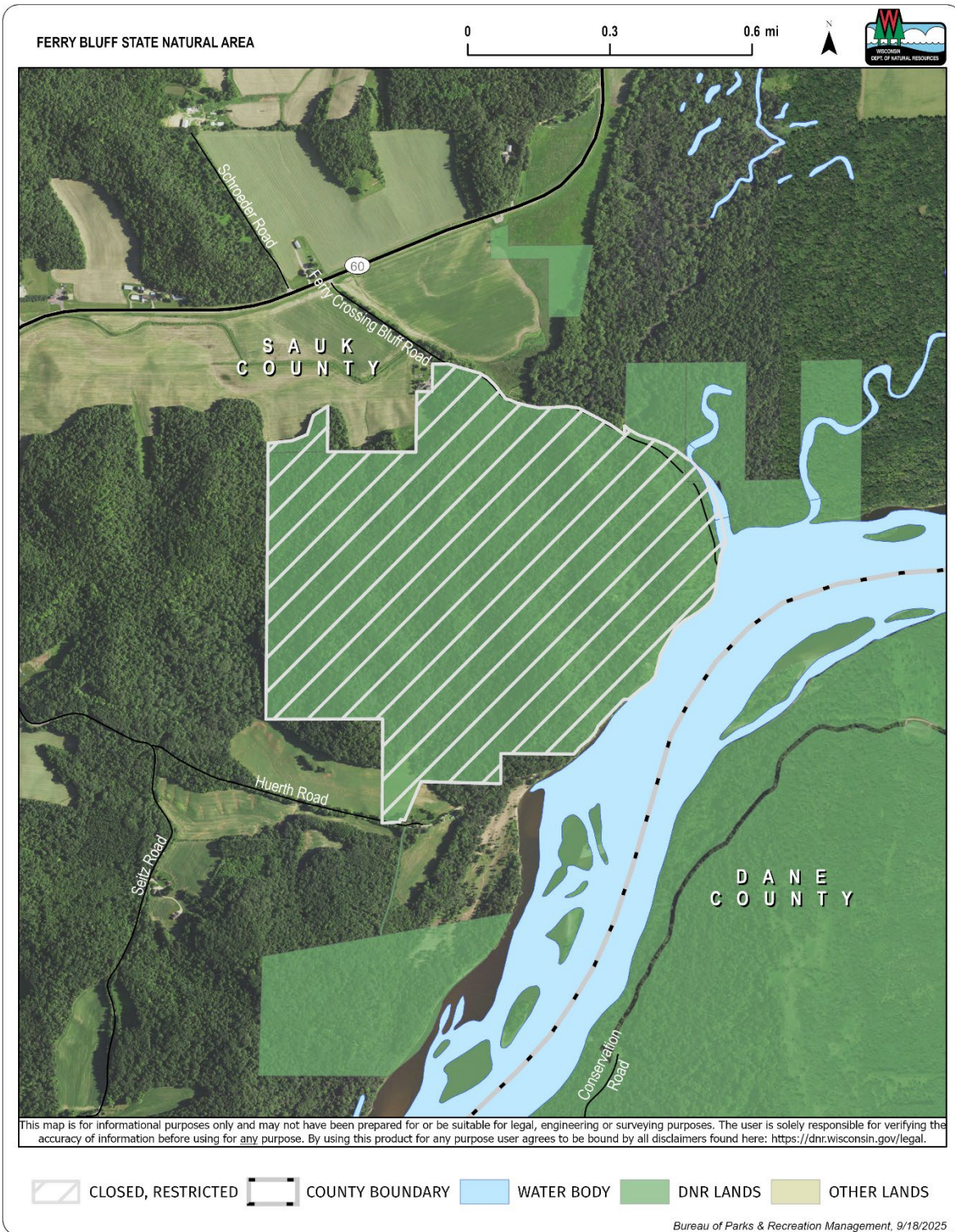
NR 11.08 (2) DODGE COUNTY. (a) *Horicon Marsh*.



NR 11.09 **Horicon Marsh Fur Farm.** A state fur farm to be known as the Horicon marsh fur farm is established on all of the state-owned land on the Horicon marsh wildlife area in Dodge County. No person may hunt or trap any furbearing animals on such area unless authorized by a valid department permit. Any violation of the permit shall be deemed to be a violation of this section



NR 11.10 **Ferry bluff state natural area (December 1-March 31)**. A wildlife refuge is established in the following area. No person may enter upon such area from December 1 through March 31 except for the retrieval of legally killed or crippled game.



SECTION 23. NR 11.11 (intro.) is amended to read:

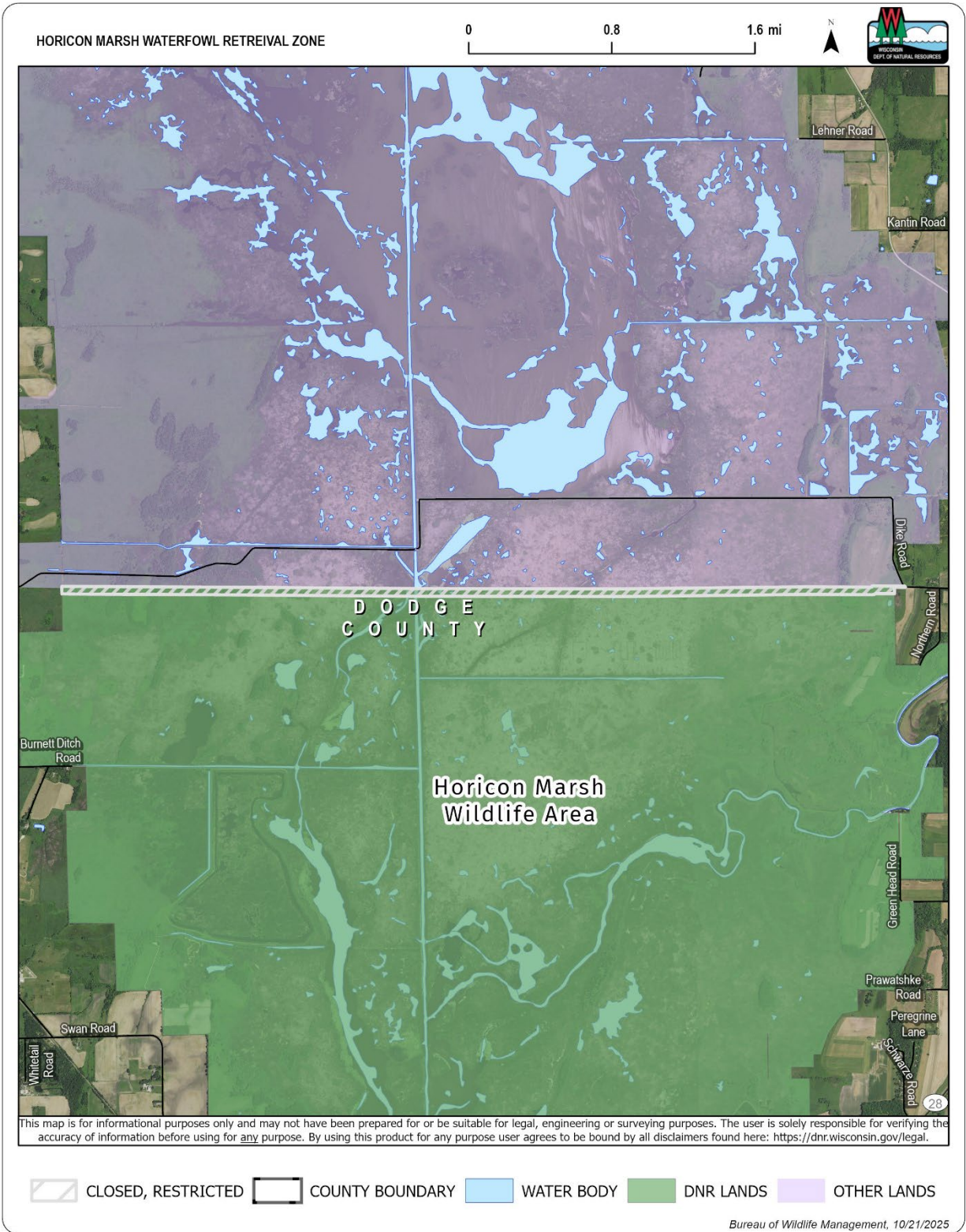
NR 11.11 Waterfowl closed area; trapping and deer hunting permitted. A closed area is established in the following areas posted with department signs. Trapping of furbearing mammals is permitted during established seasons. No person may hunt any species of wild animal beginning on the first day of the open season for waterfowl established in s. NR 10.01 (1)(b) and ~~(g)(h)~~ and ending on the first Saturday in December, except that deer may be hunted during periods established in s. NR 10.01 (3) (e), (em), (ep), and (es). Legally killed or crippled game may be retrieved.

SECTION 24. NR 11.14 (intro.) is amended to read:

NR 11.14 Waterfowl closed area; retrieving permitted. A waterfowl closed area is established in the following areas. No person may hunt or trap any species of wild animal in such areas during the open seasons for waterfowl established in s. NR 10.01 (1), except that deer may be hunted during the periods established in s. NR 10.01 (3) (e) and (es). Legally killed or crippled waterfowl may be retrieved by dog or hand.

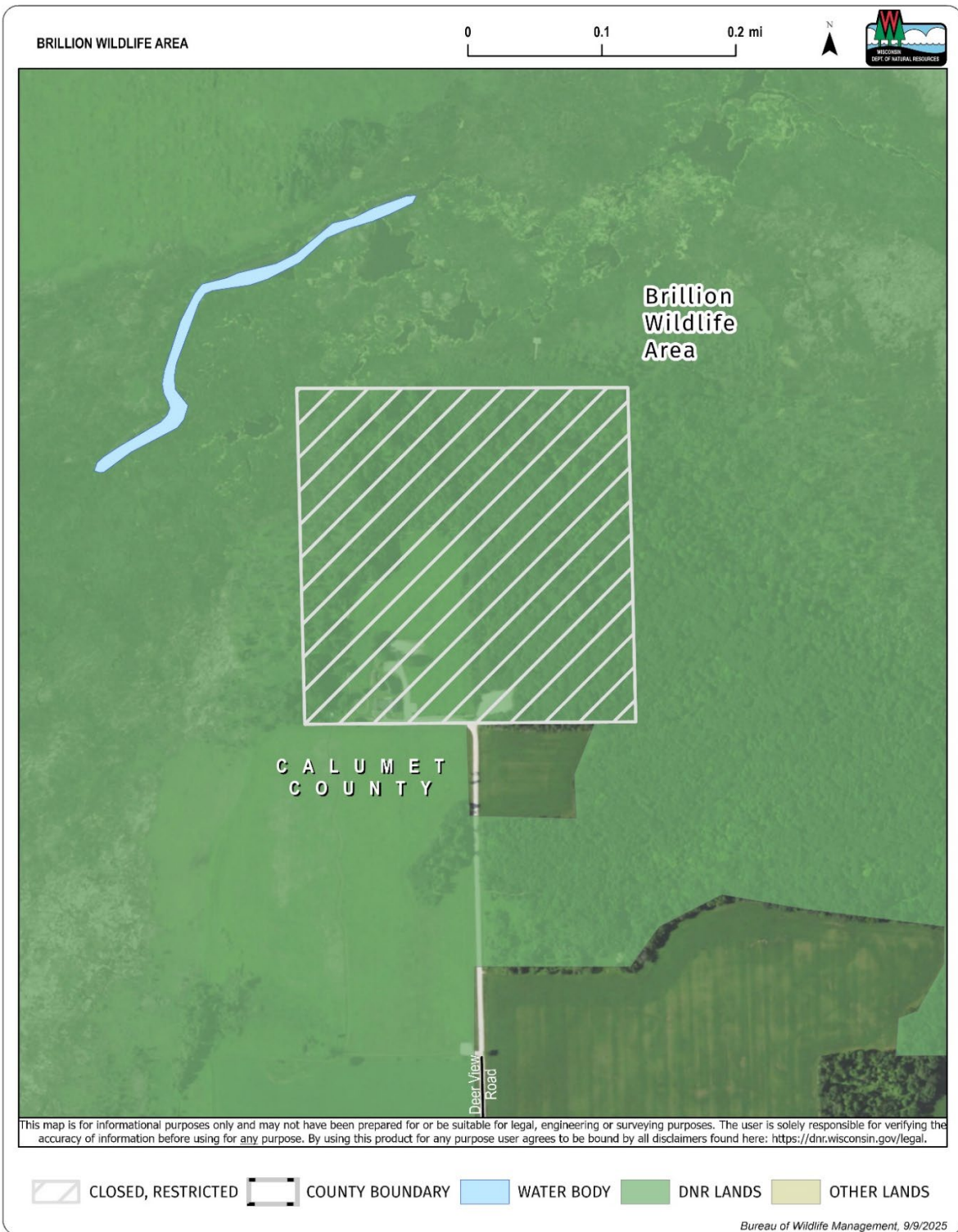
SECTION 25. NR 11.14 (1) is repealed and recreated to read:

NR 11.14 (2) Dodge County. (a) *Horicon Marsh*.

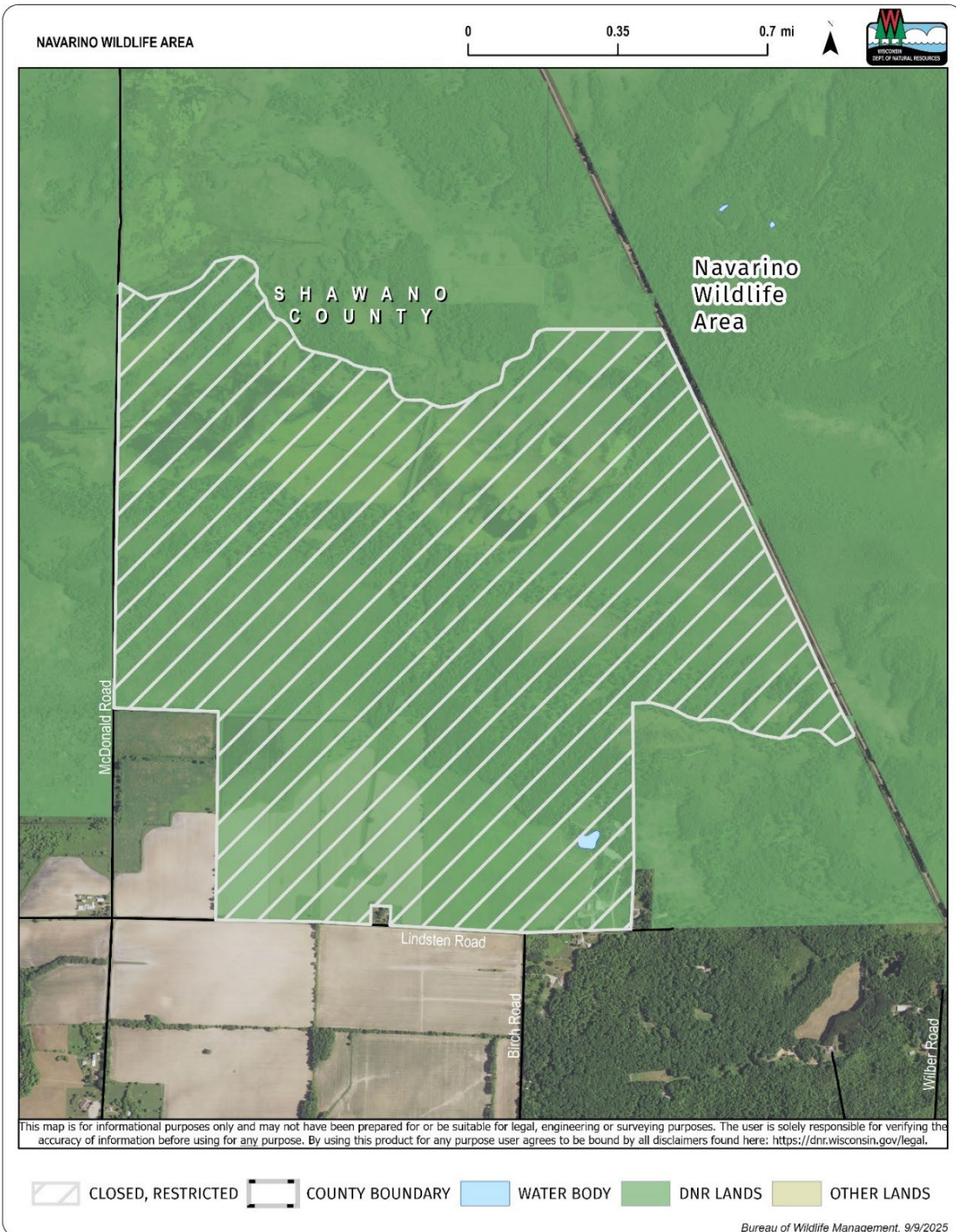


SECTION 26. NR 11.14 (1m) and (3) (a) are created to read:

NR 11.14 (1m) CALUMET COUNTY. (a) *Brillion Wildlife Area*.

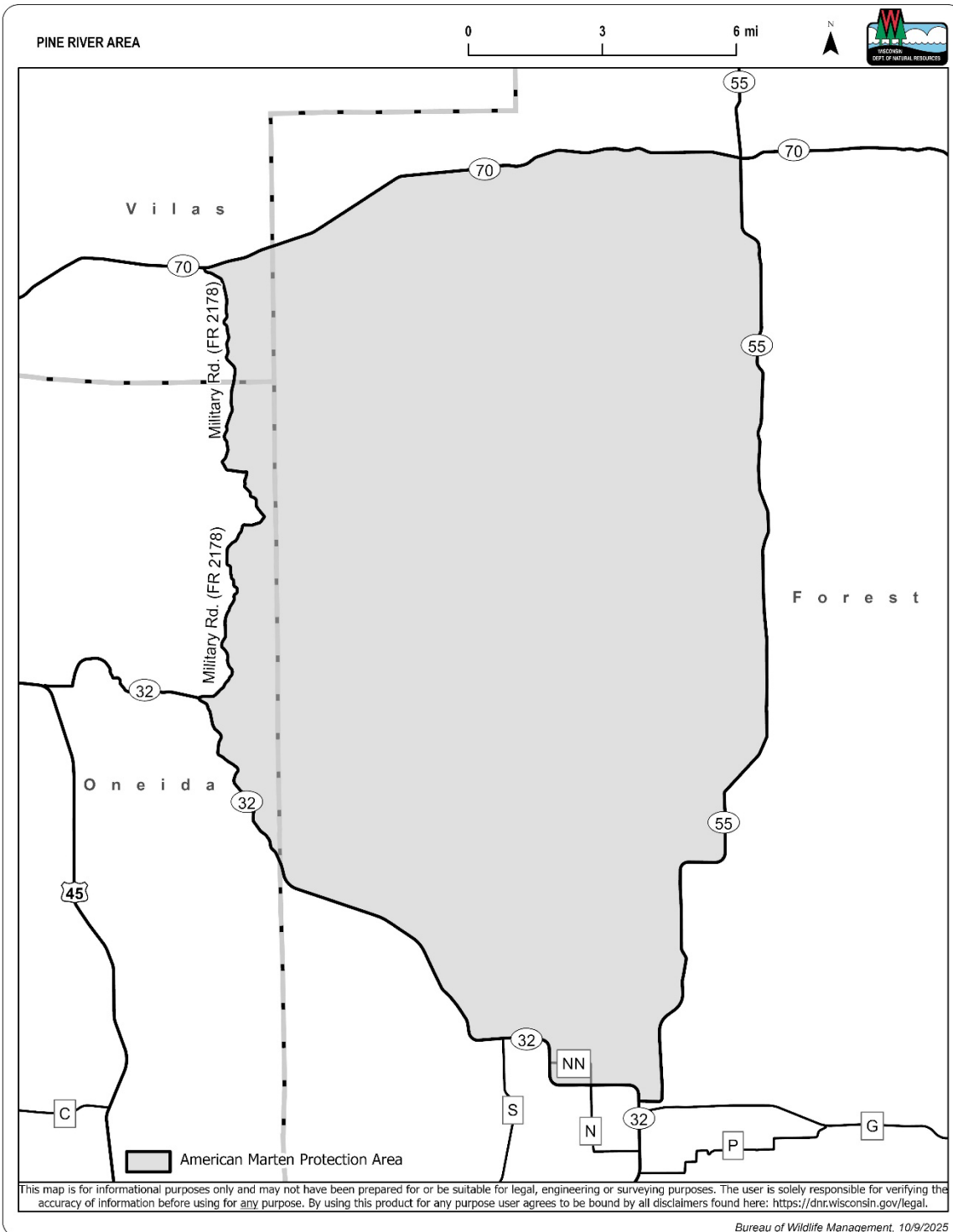


(3) SHAWANO COUNTY. (a) *Navarino*.

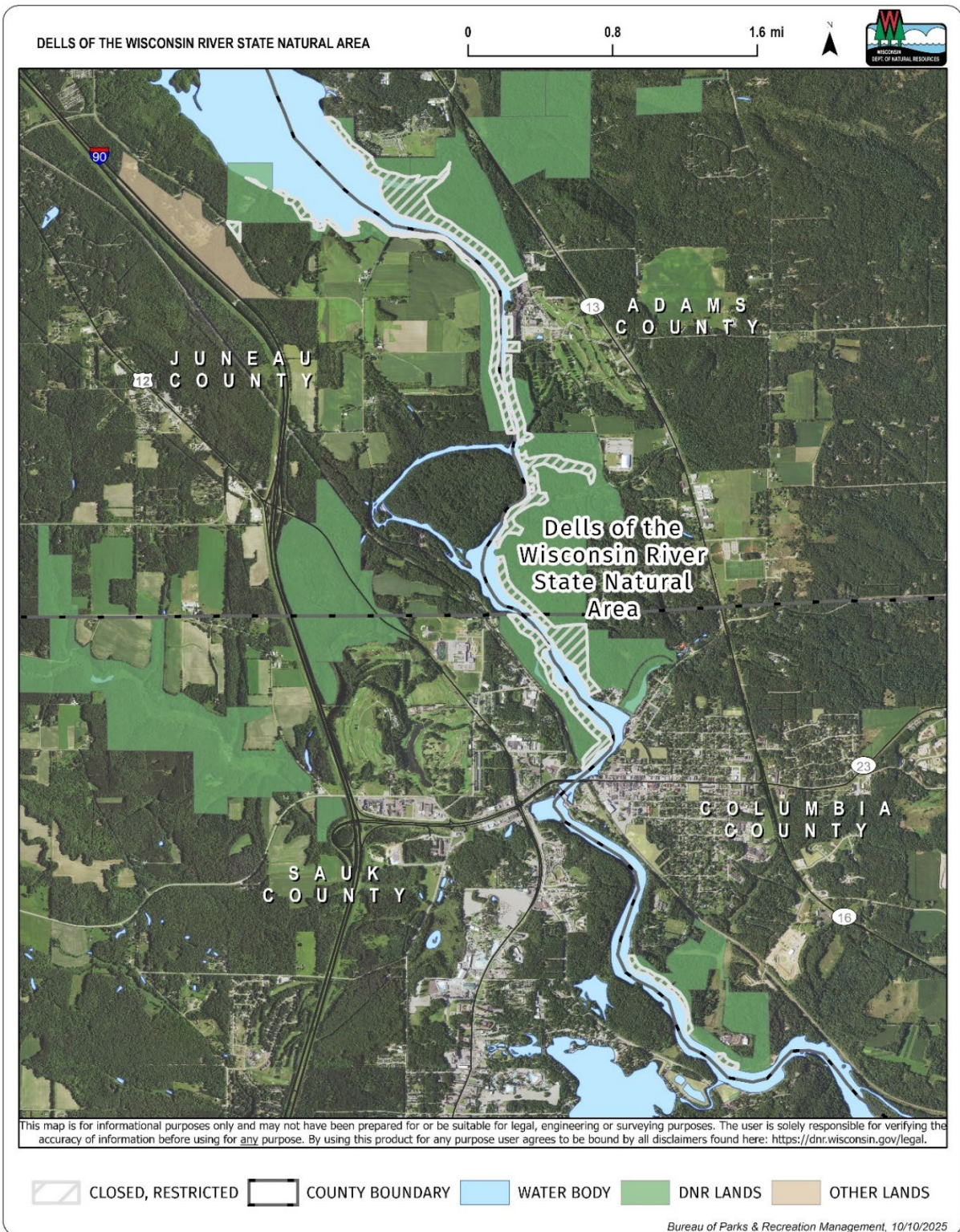


SECTION 27. NR 11.16 (2) (c) and 11.20 (1) are repealed and recreated to read:

NR 11.16 (2) (c) *Pine River Area (Forest, Oneida, and Vilas Counties).*



NR 11.20 (1) ADAMS, JUNEAU, COLUMBIA, AND SAUK COUNTIES. (a) *Dells of the Wisconsin River State Natural Area.*



SECTION 28. NR 11.20 (8) (a) is renumbered NR 11.20 (7) (c).

SECTION 29. NR 11.23 (1) (a) is repealed and recreated to read:



SECTION 30. NR 12.15 (11) (b) and NR 12.25 (4) are amended to read:

NR 12.15 (11) (b) *Bear damage shooting permits.* Participants shall possess a current Class A hunting license or any valid license authorizing hunting with a firearm, bow, or crossbow when engaged in bear damage shooting permit activities, such as hunting or baiting.

NR 12.35 (4) The county shall, as a condition of providing abatement assistance, require full cooperation and assistance of the enrollee in operating, maintaining and applying all abatement measures in accordance with any design specifications and deadlines set by the county. ~~An enrollee who engages in abusive or threatening language shall also be considered uncooperative.~~ Uncooperative enrollees shall be ineligible for program abatement assistance for the remainder of the calendar year in which they were uncooperative and the following calendar year. Upon determining an enrollee is uncooperative and ineligible for further program assistance, the county or its agent shall notify the enrollee in writing that the enrollee's program participation is terminated. A county or its agent may deem an enrollee uncooperative if any of the following applies:

SECTION 31. NR 12.35 (4) (a)-(g) area created to read:

- a. The enrollee fails to implement and maintain required abatement measures.
- b. The enrollee fails to comply with reporting requirements.
- c. The enrollee fails to properly operate and maintain abatement equipment.
- d. The enrollee uses abusive or threatening language towards the county or its agent.
- e. The enrollee fails to make a reasonable effort to respond to requests for hunting access.
- f. The enrollee fails to comply with any other WDACP requirements
- g. The enrollee violates any program or shooting permit terms and conditions.

SECTION 32. NR 12.37 (4) (a) 4. a, is amended to read:

a. If a claimant has been issued a deer shooting permit under s. NR 12.16, the claimant has complied with the terms and conditions of the permit and the deer harvest objectives in s. NR 12.16 (2).

SECTION 33. NR 12.37 (4) (a) 6. g, is created to read:

g. The enrollee violates any program or shooting permit terms and conditions.

SECTION 34. NR 16.11 (2) (note) is created to read:

NR 16.11 (2) Note: As of December 20, 2022, the possession of cougars is heavily restricted federally due to the passage of the Big Cat Public Safety Act.

SECTION 35. NR 16.45 (6) (title) and (intro.) are amended to read:

NR 16.45 (6) NOTICE OF FENCE ~~EXPANSION OR REPLACEMENT~~ ALTERATIONS No person may enclose white-tailed deer within any fenced enclosure which has had the perimeter fence expanded, adjusted, modified or replaced after its initial fence inspection certificate has been issued without first filing a notice and description of the expansion, adjustment, modification or replacement with the department prior to enclosing any white-tailed deer within the new fence. The department shall inspect and approve the new fence before it can be used to enclose farm-raised deer that are white-tailed deer. The notice shall include the following:

SECTION 36. NR 16.45 (6) (h) is created to read:

NR 16.45 (6) (h) Description of the modifications or adjustments to be made.

SECTION 37. NR 17.08 (3) (c) is amended to read:

NR 17.08 (3) (c) *Bear dog trialing*. Except where prohibited by s. NR 45.06, an individual may use dogs to pursue wild bear without a leash from July 1 to August 31 and at times when the season for hunting bears is open in places where it is legal to hunt bear with aid of dogs provided the individual possesses a class A ~~or B~~ bear license issued under s. 29.184, Stats., and:

SECTION 38. NR 18.10 (3) (c) and is amended to read:

NR 18.10 (3) (c) A master class permittee may take and possess any species of Accipitriform, Falconiform, or Strigiform, except a bald eagle. A permittee may not take, transport or possess any endangered or threatened species listed in s. NR 27.03, except captive-reared species ~~and passage (first~~

~~year migrant) peregrine falcons (*Falco peregrinus*)~~ marked with a band provided by the fish and wildlife service.

SECTION 39. NR 18.13 (2) is repealed.

SECTION 40. NR 19.11 (title) and (1) (b) are amended to read:

NR 19.11 ~~Scientific collectors~~ **collector permits and scientific research licenses.**

(1) (b) “Bona_fide ~~research~~ program” means planned study and investigation undertaken to discover or establish facts or principles leading to increased, and useful scientific knowledge.

SECTION 41. NR 19.11 (1) (bm) is created to read:

NR 19.11 (1) (bm) “Increased scientific knowledge” means data or information which is produced through research which has not previously been undertaken or which substantially contributes to existing research or knowledge.

SECTION 42. NR 19.11 (1) (c) is repealed and recreated to read:

NR 19.11 (1) (c) “Useful scientific knowledge” means data or information which:

1. Is produced for the primary purpose of contributing to the understanding of the health, vitality, and well-being of wild animal populations and their habitats; or
2. Is produced for the primary purpose of fulfilling clearly identified learning objectives and planned outcomes connected with a formal classroom curriculum or an internship, externship, or other research opportunity for which:
 - a. The primary purpose of the research is to enhance each participating student’s knowledge of and experience in natural resources conservation or management.
 - b. Each participating student receives credit.
 - c. The permittee or licensee is acting in their official capacity as an educator at an accredited secondary or postsecondary educational institution.

SECTION 43. NR 19.11 (2) (a) to (e), (3) (title), and (a) (intro.) are amended to read:

NR 19.11 (2) (a) *Permits and licenses not required.* ~~Scientific collectors permits are~~ A scientific collector permit or scientific research license is not required for the collection of wild plants taken legally, unprotected wild animals taken legally, or wild animals obtained from licensed game farms or fish hatcheries.

(b) *Bird banding.* ~~Scientific collectors permits will be~~ A scientific research license is required for trapping and banding protected nonmigratory ~~upland game~~ birds.

(c) *Licenses.* A person is not required to possess a separate hunting, fishing or trapping license while ~~collecting~~ acting under a scientific collector permit or scientific research license.

(d) *Endangered species.* Endangered or threatened wild animals may be collected or possessed only under authority of an endangered species permits issued by the department pursuant to s. 29.604, Stats., and ch. NR 27.

(e) *Tagging of fish.* ~~Scientific collectors permits are~~ A scientific collector permit is required to capture a wild fish, attach or implant a tag to or in any part of it, and then to release it back into waters of the state, unless the department grants specific written authorization to tag fish for the purposes of a fishing contest.

(3) PERMIT AND LICENSE APPLICATIONS.

(a) *Forms.* Applications for scientific ~~collectors~~ collector permits or scientific research licenses shall be made on application forms provided by the department and include the following information:

SECTION 44. NR 19.11 (3) (b) is repealed and recreated to read:

NR 19.11 (3) (b) Narrative proposal. All applications for a scientific collector permit, or a scientific research license for the purposes of fish research shall be accompanied by a written proposal stating the following:

1. The research objectives, including how the research will lead to increased and useful scientific knowledge.

2. The research design, including:

- a. The study area.
 - b. The duration of the research.
 - c. The time and place of the research, including any collections.
 - d. Procedures and equipment to be utilized in the collection and, in the case of live wild animals, handling, sampling, processing, transport, and confinement, as applicable.
 - e. Analytical methods to be used.
3. The justifications for the use of wild animals, including the benefits anticipated to result from the research, and a statement explaining why the research is not duplicative of previous research.

SECTION 45. NR 19.11 (3) (c) to (e) are created to read:

NR 19.11 (3) (c) *Institutional Animal Care and Use Protocol.*

1. An application for a scientific collector permit or scientific research license shall include an approved and current Institutional Animal Care and Use Protocol specific to live wild animals that the department determines meets the following requirements:
 - a. The protocol is applicable to the proposed research that is the subject of the scientific collector permit or scientific research license application.
 - b. The protocol meets the requirements of 9 CFR 2.31, as applied to the specific live wild animals to be used and the settings in and procedures by which such animals will be handled, sampled, processed, transported, confined, and euthanized.
 - c. The principal investigator identified in the protocol shall be the same as the scientific collector permit or scientific research license applicant.
2. An Institutional Animal Care and Use Protocol submitted as part of an application for a scientific collector permit or scientific research license may be reviewed by the department's Institutional Animal Care and Use Committee. If the Committee determines that the protocol is incomplete, lacking in detail, or fails to conform with the Committee's standards for the care and use of live wild animals, the

department may request revisions or additional information as a prerequisite to completing its review of the permit or license application.

3. An applicant for a scientific collector permit or scientific research license may request approval of an Institutional Animal Care and Use Protocol by the department's Institutional Animal Care and Use Committee if the applicant is not affiliated with an entity that has an Institutional Animal Care and Use Committee of its own or in the event that the department deems the Institutional Animal Care and Use Protocol that was submitted as a part of the application to be incomplete or inadequate.

(d) *Education.* An application for a scientific collector permit or scientific research license submitted in connection with an educational opportunity as described in s. NR 19.11(1) (c)2. shall include a statement or other evidence which details the following:

1. The clear learning objectives for and planned outcomes of the research.
2. A description of how the research relates to the goals of the course curriculum, internship, externship, or other educational opportunity.

(e) *Department determination.* Prior making a final determination, the department may advise applicants regarding deficiencies or inaccuracies, including as related to the application, research design, animal care and use protocols, and learning objectives. The department may allow amendments of the application to cure deficiencies or inaccuracies prior to a final review. The department shall issue a scientific collector permit or scientific research license only if the department determines all of the requirements of this section and the following have been met:

1. The application contains all required information.
2. The applicant is involved in research that will lead to both increased and useful scientific information.
3. The research conforms to all applicable federal and state laws concerning humane treatment and welfare of animals.

4. The department determines that the proposed use of any live wild animals is justified. A proposal is justified if the department determines that the proposed use of live wild animals outweighs any risk to any individual animals or any species, ecological community, humans, and ecosystems of the state.

SECTION 46. NR 19.11 (4) is amended to read:

NR 19.11 (4) Permit and license issuance.

(a) *Issuance.* Permits and licenses shall be issued in the name of the applicant. All agents of the permittee or licensee assisting in the permitted collections ~~will~~ shall be listed on the permit. Separate copies of permits or licenses shall be signed and carried by each person named in the permit or license when that person is acting under it in the absence of the permittee or licensee.

(b) *Specimen materials.* A scientific collector permit or scientific research license will be issued for collections yielding preserved specimen materials only when such materials are to be kept in a place and manner where students and the public have access to them for scientific or educational purposes. Private collections to be kept in a manner not open to the public ~~will~~ may not be approved.

(c) *Conditions.*

1. 'Contents.' Permits ~~will~~ and licenses shall contain conditions deemed necessary by the department to protect the resources of the state and assure use of specimens taken are in compliance with ss. 29.011, 29.614, and 169.25, Stats., and other applicable state and federal laws.

2. 'Nonresidents.' Permits and licenses issued to nonresidents ~~will~~ shall set forth conditions of removal of specimens from the state.

3. 'Federal permits.'

a. Permits and licenses involving the capture, marking, collection, possession or salvage of migratory birds or parts, nests or eggs of migratory birds will not be issued under this section until the applicant possesses a permit issued by the U.S. fish and wildlife service or U.S. geological survey for that activity or the applicant supplies proof that such a permit is not required.

b. Permits and licenses under this section are not required for banding or marking capture-and-release activities authorized under a permit issued by the U.S. ~~fish and wildlife service~~ geological survey.

4. 'Size of collections.' Permits and licenses ~~will~~ shall not be issued ~~which that~~ authorize collections ~~endangering~~ that have the potential to endanger the population of animals the collection would draw from, or exceeding the number of ~~animals~~ individual specimens required to meet the permittee's or licensee's objectives.

5. 'Unprotected species.' Permits and licenses will not be issued for the collection of protected species under s. NR 10.02 if unprotected species can be used to accomplish the same purposes.

SECTION 47. NR 19.11 (4) (c) 6. and 7. and (d) are created to read:

NR 19.11 (4) (c) 6. 'Revocation.' Each permit and license shall contain a statement that the department may revoke the permit or license by written notice to the permittee or licensee if the department determines that the permittee or licensee has violated any term or condition of the permit or license or deviates from the representations made in the application.

7. 'Valid dates.' Each permit or license shall contain a clause indicating the date through which the permit or license is valid. A scientific research license expires on December 31 of the year in which the license was issued. A scientific collector permit expires on the date listed on the permit.

(d) *Denials*. In addition to other reasons provided in this section, the department may deny an application if it makes any of the following determinations:

1. The research design is unlikely to fulfill its stated objectives.
2. The research design is unlikely to meet accepted scientific standards.
3. The research is likely to result in improper handling or treatment of wild animals.
4. The research has the potential to pose a risk to animal or human health or safety.
5. The research is not justified.

SECTION 48. NR 19.11 (5), (6), and (7) are amended to read:

NR 19.11 (5) ~~PERMIT USAGE~~ PERMIT USAGE AND LICENSE CONDITIONS.

(a) *Disposition of specimens.*

1. Living unharmed specimens collected during the course of permitted or licensed activities shall be returned to the wild at the point of capture, unless otherwise provided in the permit or license.

2. Any endangered or threatened species taken unintentionally during the course of permitted or licensed activities shall be immediately released if unharmed.

3. Injured or dead wild animal specimens shall be immediately turned over to the department employee named ~~in~~ on the permit or license unless otherwise provided in the permit or license.

(b) *Notification of department.* Each permittee and licensee shall notify the department employee named in on the permit or license at least 48 hours prior to collecting of the time and place where specimens will be collected.

(c) *Marked gear.* All traps, nets and any other gear used for capturing live wild animals under terms of a permit or license shall be marked with the permit or license number, name and address of the permittee or licensee.

(d) *Trap and net tending.* All traps, nets and other capture shall be emptied by the permittee or licensee at least once each 24-hour period.

(e) *Fishing gear restrictions.*

1. 'Gill nets.' Gill nets may not be used in inland waters unless specifically authorized by a scientific collector permit.

2. 'Buoys.' All buoys and buoy staffs shall be marked and maintained as required by the department. The scientific collector permit number, name and address of the permittee shall be maintained in plain figures on the bowl of the buoy.

3. 'Sport fishing equipment.' Hook and line fishing equipment and spearing equipment may not be possessed on a boat operating under a scientific collector permit ~~without prior approval of the department~~ unless authorized by the permit.

(6) RECORDKEEPING AND ANNUAL REPORTS.

(a) *Records.* Each permittee and licensee shall keep current records, in the English language, of all collections under the permit or license. Records of collections shall be made available to the department during normal business hours, or upon 8 hours notice at other times.

(b) *Required reports.* Permittees and licensees shall supply information requested by the department and annually file a complete and accurate report on forms covering activities conducted under authority of the permit. Unless otherwise provided in the permit or license, such reports shall be filed using a report form provided by the department not later than January 10 of the year following expiration of the permit or license. A failure to submit a required report by this deadline shall result in the denial of future permit or license applications until such reports are submitted.

(c) *Content.* Annual reports by permittees and licensees shall include:

(7) DISPOSITION. Specimens collected under the authority of the scientific collector permit or scientific research license may be transferred to and possessed by an educational institution for exhibition or education purposes upon completion of the project or expiration of the permit or license.

Environmental consulting organizations may retain specimens following permit expiration provided the specimens are marked in a manner prescribed by the department. An educational institution or environmental consulting organization possessing specimens shall possess written proof of source, including the scientific collector permit or scientific research license number of the source and present that proof upon request by the department.

SECTION 49. NR 45.06 (1) (c) is amended to read:

NR 45.06 (1) (c) Except as provided for in par. (d), dogs, cats, and other pets shall be kept on a physical leash not more than 8 feet long and under control at all times in state parks, state trails under s. NR 51.73, state recreation areas, southern state forests, state natural areas, and campgrounds and designated use areas in other state forests, the Willow Flowage scenic waters area, and the Chippewa Flowage. A leash is not required in those designated use areas which are identified as areas where leashes are not required in the master plan for state forests, the Willow Flowage scenic waters area, and the Chippewa flowage.

SECTION 50. NR 45.06 (1) (c) (note) is created to read:

NR 45.06 (1) (c) Note: See s. NR 17.04 (2) (a) for leash requirements during spring nesting season.

SECTION 51. NR 45.09 (5) is amended to read:

NR 45.09 (5) No person may discharge any firearm or airgun while within the exterior boundary of state-owned lands posted with department signs in Brown, Dane, Dodge, Columbia, Fond du Lac, Jefferson, Juneau, Kenosha, La Crosse, Manitowoc, Milwaukee, Outagamie, Ozaukee, Racine, Rock, Sauk, Sheboygan, Walworth, Washington, Waukesha and Winnebago counties, or on ~~state forest lands in the Kettle Moraine or Point Beach~~ southern state forests, fish hatcheries, state parks, state recreation areas, state natural areas, from or across a state campground, picnic area or other special use area designated by the department which is not open to hunting, or on state trails established on railroad grades, except as follows:

SECTION 52. 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 53. BOARD ADOPTION. This rule was approved and adopted by the State of Wisconsin Natural Resources Board on [DATE].

Dated at Madison, Wisconsin _____.

STATE OF Wisconsin DNR

DEPARTMENT OF NATURAL RESOURCES

BY _____

For Karen Hyun, Ph.D., Secretary