

Notice of Hearing

The Department of Natural Resources announces that it will hold a joint public hearing on emergency rule WM-15-22 (E), and permanent rule WM-16-22. Both rules revise NR 10 and are related to establishing the 2023-2024 migratory bird season framework and regulations. In accordance with s. 227.17, Wis. Stats., the DNR is seeking public comment and feedback on WM-15-22 (E) and WM-16-22 at the time and virtual location shown below.

Hearing Information

Date: September 11, 2023

Time: 10:00 a.m.

Virtual Location Link: [Click here to join the meeting](#)

Rule Information:

This rule provides that the department secretary may set migratory season dates and bag limits consistent with the requirements established by the U.S. fish and wildlife service by use of an order. The selections will be made from a suite of pre-identified options that align with potential federal allowances. The State of Wisconsin must comply with federal allowances in the establishment of migratory bird hunting seasons and conditions. Federal allowances are not made available to states until the same year that the regulations must be implemented. Normal rule-making procedures do not allow the promulgation of permanent rules prior to when the seasons should be open so historically the season frameworks were established on a yearly basis through the use of an emergency rule.

This rule adjusts and simplifies the open water restrictions on all approved inland open water hunting lakes. In 2011 the Department identified several inland lakes that would be open to open water hunting. At that time, the minimum distance from shore where hunters can be without having to adhere to concealment regulations was set to “greater than 1000 feet” as a precaution until the Department had some time to review how this opportunity was utilized. With these regulations having been in place more than a decade, the Department feels that the 1000-foot restriction can be reduced to 500 feet, a distance which would align the definition of open water hunting for both the inland lakes and the Great Lakes.

This rule will also continue the clarification of the duck zone boundary for the Open Water Zone—another item which was initially implemented by the 2022 emergency rule. Specifically, this rule will update the definition of the Open Water Zone boundary as, “waters greater than 500 feet from the mainland shore of Green Bay and Lake Michigan; for the purposes of the Open Water Zone, mainland shore includes all adjacent rooted vegetation, adjacent floating cattail and Long Tail and Little Tail points.”

This rule waives the state Canada Goose Hunting Permit for youth hunters during the youth waterfowl hunt.

This rule also adjusts the crow season dates. Previously, the crow season began on the Saturday nearest September 15 and continued until the Thursday before the opening of the gun deer season in

November. The season would then reopen in January and then close on March 20th for a 124-day season. This rule would set a single continuous crow season that would begin on the same day the gun deer season opens and last for 124 days.

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 11, 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 DNRAAdministrativeRulesComments@wisconsin.gov

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

Initial Regulatory Flexibility Analysis: No effects on small businesses, their associations, or local governments are anticipated. The department does not anticipate any fiscal impacts as a result of these rules. Following is the department's preliminary analysis.

Economic Impact

Because the hunting season framework proposed in this rule will be very similar to those in place during previous seasons, no economic impacts are anticipated. We do not anticipate that these rules will result in changes in the activities of migratory bird hunters, their expenditures, and the related economic activity. These rules are applicable to individual hunters and impose no compliance or

reporting requirements for small business, nor are any design or operational standards contained in the rule.

Fiscal Impact

The department anticipates no fiscal impact resulting from these rules. The department currently annually conducts a number of activities related to migratory bird hunting such as managing department lands, selling licenses, providing law enforcement services, and surveys and related research. The department will continue to conduct the same activities under the season framework proposed in this rule and does not anticipate any new or reduced expenditures.

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