

**Wisconsin Department of Natural Resources
Natural Resources Board Agenda Item**

SUBJECT:

Request adoption of Board Order WM-18-20, proposed rules affecting chapters NR 10 & 45 related to the 2021 Wildlife Management spring hearing rule related to hunting, trapping, and target shooting.

FOR: January 2022 Board meeting

PRESENTER'S NAME AND TITLE: Scott Karel, Wildlife Policy Specialist

SUMMARY:

These rule changes were included in the 2021 Wildlife Management Spring Hearing rules package and questionnaire. This rule package will modify regulations for hunting, trapping, and target shooting found in Ch's. NR 10 Game and Hunting and 45 Miscellaneous Fur, Fish, Game and Outdoor Recreation.

Specifically, these rules:

1. Allow falconry to take place on the Richard Bong State Recreation Area after the 2 p.m. closure.
2. Increase the time that cable restraints are allowed during regulated trapping seasons.
3. Return to a three-zone framework for mink and muskrats.
4. Allow the department to regulate target shooting on department properties in Columbia County.
5. Extend the date of the gray and fox squirrel seasons.

RECOMMENDATION: That the Board adopt WM-18-20.

LIST OF ATTACHED MATERIALS (check all that are applicable):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Background Memo | <input type="checkbox"/> Attachments to background memo |
| <input checked="" type="checkbox"/> Fiscal estimate and economic impact analysis (EIA) form | <input checked="" type="checkbox"/> Board order/rule |
| <input checked="" type="checkbox"/> Response summary | <input type="checkbox"/> (insert document name) |

Approved by	Signature	Date
Eric Lobner, Bureau Director	<small>DocuSigned by:</small> <i>Eric Lobner</i>	12/14/2021 6:20 PM CST
Keith Warnke, Division Administrator	<small>DocuSigned by:</small> <i>Keith Warnke</i>	12/20/2021 10:08 AM CST
Preston D. Cole, Secretary	<small>DocuSigned by:</small> <i>Todd Ambs</i>	12/22/2021 12:53 PM CST

cc: Board Liaison - AD/8

DS
WR

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Program attorney – LS/8

by Todd Ambs

Department rule officer – LS/8

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CORRESPONDENCE/MEMORANDUM

DATE: December 13, 2021

TO: All Members of the Natural Resources Board

FROM: Preston D. Cole, Secretary

SUBJECT: Background memo on Board Order WM-18-20, relating to the 2021 Wildlife Management spring hearing rule.

1. Subject of Proposed Rule:

The proposed rule addresses trapping restrictions, season frameworks, and uses allowed on certain department properties.

2. Background:

Annually, the department submits rule change proposals relating to hunting, trapping, and wildlife management. The statewide April spring fish and wildlife hearings are the traditional vehicle for citizen input. The origins of these rule change proposals are primarily from department staff specialists in the relevant bureaus and Conservation Congress advisory questions from prior years. Initiating the process promulgates rules recommended by the Conservation Congress fulfills a role the board and congress established in s. 15.34 Stats. All these proposals were reviewed by department staff prior to inclusion as proposals in this rule order. For details on each of the proposed rule changes, please refer to the attached spring hearing questions proposal (Appendix 2).

3. Summary of the rule.

These rule changes were included on the 2021 Wildlife Management Spring Hearing rules package and questionnaire. This rule package will modify regulations for hunting, trapping, and target shooting found in Ch's. NR 10 Game and Hunting and 45 Miscellaneous Fur, Fish, Game and Outdoor Recreation.

Specifically, these rules;

1. Allow falconry to take place on the Richard Bong State Recreation Area after the 2 p.m. closure.
2. Increase the time that cable restraints are allowed during regulated trapping seasons.
3. Return to a three-zone framework for mink and muskrats.
4. Allow the department to regulate target shooting on department properties in Columbia County.
5. Extend the date of the gray and fox squirrel seasons.

Public Input:

All of the department's proposals were supported statewide. The complete text of each question that was the subject of the April 8 hearing is attached as Appendix 1. The results of input on each

proposal, the department's recommendation, and the results of consideration by the Conservation Congress at its annual convention are summarized in Appendix 2.

In addition to the online and in-person input, the department received only three written comments during the official comment period. Two individuals wrote in opposition to Wildlife Management rule questions number four with another individual opposing question five.

Modifications after Hearings:

After reviewing the public input and further discussing the rule proposals, the Wildlife Management program chose not to make any edits to the proposed rule.

4. How does this proposal affect existing policy?

All of the policies in this proposed rule are consistent with past board policies of regulating fish and game harvest for conservation purposes. The annual Spring Hearings, held virtually in 2021, serve as the traditional route for gaining public input on DNR rule proposals, as well as Wisconsin Conservation Congress and Natural Resources Board advisory questions that may become rule proposals in the future.

5. Has Board dealt with these issues before?

The statement of scope for this rule, SS 028-21, was approved by the Governor on February 26, 2021, published in Register No. 783A2 on March 8, 2021 and approved by the Natural Resources Board on April 14, 2021. The board approved the proposed questions at its February 24, 2021 meeting.

6. Who will be impacted by the proposed rule? How?

Hunters and trappers are the principal groups that will be affected by this rulemaking. These rules, and the legislation which grants the department rule-making authority, do not have a significant economic impact on the private sector or small businesses. These rules impose no compliance or reporting requirements for small business, nor are any design or operational standards contained in the rule.

7. Soliciting public input on economic impact synopsis

The department has determined that these rules will have no economic impact locally or statewide. The department posted a notice soliciting comments on this analysis on its website from August 13th through August 27th. No comments were received. A copy of the economic and fiscal impact analysis is attached as part of this agenda item.

8. Small Business Analysis

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. These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small business, nor are any design or operational standards contained in the rule. Therefore, under s. 227.19 (3m) Stats., a final regulatory flexibility analysis is not required.

Drafter: Scott Karel

Appendix 1. 2021 Spring Hearing Questions.

WILDLIFE MANAGEMENT PROPOSED RULE CHANGES

1. Allow falconry to take place on the Richard Bong State Recreation Area after the 2 p.m. closure.

Falconry is a unique sport that has a low or no impact on other activities. Due to Bong’s popular managed pheasant hunting program (8,770 average annual pheasant hunters from 2015- 19) and high number of falconers have stopped practicing their sport during legal hunting hours due to safety concerns of the falcons used. Due to the nature of pheasant hunting, falconry birds are at a high risk of being mistaken for pheasants while partaking in their sport. This proposed change will specifically allow falconry hunting on the Bong property after the 2p.m. hunting closure to ensure a safe continuation of the sport. At this time two hunting activities are allowed after 2p.m. (waterfowl and bow deer), this proposal would add falconry as a third.

	1. <u> </u> YES
	<u> </u>
1. Do you support allowing falconry to take place on the Richard Bong State Recreation Area after 2 p.m.?	<u> </u> NO
	<u> </u>
	<u> </u> NO OPINION
	<u> </u>

2. Increase the time that cable restraints are allowed during regulated trapping seasons.

Currently, trappers cannot use cable restraints until December 1st. This proposal would allow the use of cable restraints beginning on the dryland trapping opener (Saturday nearest October 17th) for bobcat, fox and coyote. A study evaluated the use of cable restraints on dryland was conducted in Wisconsin from 2001-2002. Results of this study resulted in new regulations allowing the use of cable restraints on dryland from Dec 1st – Feb 15th for fox, coyote and bobcat. The start date of December 1st was chosen to avoid any incidents involving the new cable restraint and other hunting dogs in the months of October and November. A review of previous trap incident reports involving cable restraints has confirmed this tool is selective and doesn’t pose a threat to domestic dogs.

	2. <u> </u> YES
	<u> </u>
2. Do you support allowing cable restraints to be used for trapping beginning on the Saturday nearest October 17th?	<u> </u> NO
	<u> </u>
	<u> </u> NO OPINION
	<u> </u>

3. Return to a three-zone framework for mink and muskrats.

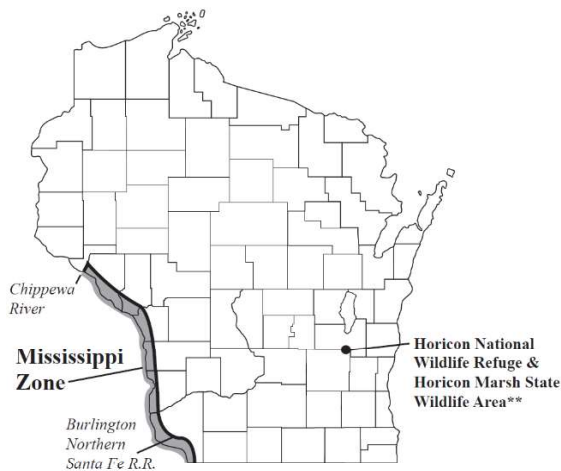
In 2014, as part of a larger rule simplification effort, the department switched to a one zone, one opening day format for managing muskrat and mink. This resulted in earlier opening dates in the central and southern zones and a uniform end date (beginning on the Saturday nearest October 25 and continuing through the Sunday nearest March 7). Prior to this simplification, the department had managed mink and muskrats through multiple harvest zones. At one time, the muskrat and mink season framework included

a north zone, central zone and south zone all having progressively later starting dates. Additionally, there were at least two local zones with later closing dates. There is a segment of the trapping community requesting a return to a three-zone (plus Mississippi) system and extend the spring season.

Below is the suggested framework change:

- 1) To return to three zones (plus Mississippi Zone).
- 2) The south zone should open on the Saturday on, or the first Saturday following November 1, and should close on March 15.
- 3) The Central zone should open on the Saturday on, or the first Saturday following October 25, and should close on March 22.
- 4) The Northern zone should open on the Saturday on, or the first Saturday following October 18, and should close on April 15.
- 5) Maintain current Mississippi zone including start and close dates (beginning on the second Monday in November or the day after the close of the duck season in the Mississippi River Zone, whichever occurs first, and ending on the Sunday nearest March 15).

Current Zones



Proposed Zones



3. **Do you support returning to a three-zone framework for mink and muskrats as described above?**

3. **YES**

NO

NO OPINION

4. **Allow the department to regulate target shooting on department properties in Columbia County**

Currently target shooting is unregulated on DNR owned lands unless these lands are in counties listed ch. NR 45.09(5), Wis. Adm. Code. Prior to the opening of a public shooting range at the Mud Lake Wildlife Area in 2018, problems existed regarding target shooting on state lands in Columbia County, including littering and bullets ricocheting into inhabited areas. Local support was resistant to closing properties until a public range could be built. The state secured funding for a public range and the range has been open to the public since 2018. However, even after the opening of the new range, vandalism and littering is still

taking place from individuals target shooting on nearby state lands. Closing the remainder of state-owned properties to target shooting would funnel those activities to the public range.

4. Do you favor adding Columbia County to the list of counties covered under ch. NR 45.09(5), Wis. Adm. Code and restrict target shooting on DNR owned lands?

4. YES

NO

NO OPINION

5. Extend the date of the gray and fox squirrel seasons.

Currently, hunting season for gray and fox squirrels opens on the second Saturday of September and closes on January 31st. This regulation change would keep the original start date of the second Saturday in September but extend the season to be open through the last day of February. This proposal would potentially simplify the closing dates for small mammal hunting by synchronizing the season closure date of squirrels with the that of cottontail rabbits.

5. Do you support extending the closing date of the gray and fox squirrel seasons to the last day in February?

5. YES

NO

NO OPINION

Appendix 2 – Summary of April 2021 Spring Hearing Results

2021 Total Participants: 12,642

Question Number	Question Description	Yes	No	No Opinion	Statewide Approval	County Approval (Yes/No/Tie)	Local Approval (Yes / No)
1	Allow falconry to take place on the Richard Bong State Recreation Area after the 2 p.m. closure.	5,237	1,405	3,045	Yes	72 / 0 / 0	Kenosha: Yes: 210 No: 64
2	Increase time cable restraints are allowed during trapping seasons	4,383	3,022	2,267	Yes	69 / 2 / 1	
3	Return to a three-zone framework for mink and muskrats	4,123	1,392	4,134	Yes	59 / 10 / 3	
4	Allow DNR to regulate target shooting on DNR lands in Columbia County	4,893	2,044	2,697	Yes	67 / 2 / 3	Columbia Yes: 488 No: 169
5	Extend the date of the gray and fox squirrel seasons	6,402	2,039	1,190	Yes	68 / 4 / 0	

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

1. Type of Estimate and Analysis <input type="checkbox"/> Original <input checked="" type="checkbox"/> Updated <input type="checkbox"/> Corrected	2. Date November 12, 2021
3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) NR Ch. 10, Game and Hunting Ch. 45, Use of Department Properties	
4. Subject The 2021 Wildlife Management spring hearing rule related to hunting, trapping, and target shooting.	
5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	6. Chapter 20, Stats. Appropriations Affected None
7. Fiscal Effect of Implementing the Rule <input checked="" type="checkbox"/> No Fiscal Effect <input 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	
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)	
9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$0	
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	
11. Policy Problem Addressed by the Rule Annually, the department submits rule change proposals relating to hunting, trapping and wildlife management. The statewide April Spring Fish and Wildlife hearings are the traditional vehicle for citizen input. Specifically, individual sections of this rule proposal will: <ol style="list-style-type: none"> 1. Extend the date of the gray and fox squirrel seasons. 2. Increase the time that cable restraints are allowed during regulated trapping seasons. 3. Return to a three-zone framework for mink and muskrats. 4. Allow falconry to take place on the Richard Bong State Recreation Area after the 2 p.m. closure. 5. Allow the department to regulate target shooting on department properties in Columbia County. 	
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 was posted on the department's website in August 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 was posted on the department's website during a 14 day period in August 2021. No local governments submitted comments on this EIA.	
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 fiscal effect on the private sector or small businesses. These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small business, nor are any design or operational standards contained in the rule.	

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ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

These rules are not expected to significantly affect currently available outdoor opportunities and no impacts to the economic activities of hunters, trappers, or outdoor recreation enthusiasts are expected.

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

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

The long range implications of this rule proposal will be the same as the short term impacts. 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.

17. Compare With Approaches Being Used by Federal Government

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.

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

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.

19. Contact Name

Scott Karel

20. Contact Phone Number

608-267-2452

This document can be made available in alternate formats to individuals with disabilities upon request.

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

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ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes No
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The statement of scope for this rule, SS 028-21 was approved by the Governor on February 26, 2021 published in Register No. 783A2 on March 8, 2021, and approved by the Natural Resources Board on April 14, 2021. This rule was approved by the Governor on insert date.

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

The Wisconsin Natural Resources Board proposes an order to **amend** NR 10.01 (3) (a) 1., 10.13 (1) (b) 15., 10.24 (6) (d) and 45.09 (5) (intro) ; to **repeal and recreate** NR 10.01 (4) (a) and (d); and to **create** NR 10.39 relating to the 2021 Wildlife Management spring hearing rule related to hunting, trapping, and target shooting.

WM-18-20

Analysis Prepared by the Department of Natural Resources

1. Statute Interpreted: In promulgating this rule, s. 29.014, Stats., has been interpreted as providing the department the authority to establish seasons and bag limits while ensuring public hunting and recreational opportunities.

In addition, s. 23.11 & 23.09(2)(d), Stats., grants the department the authority to regulate outdoor recreational use on state lands.

2. Statutory Authority: Statutes that authorize the promulgation of this rule order include ss. 29.014, 23.11, and 23.09(2)(d), Stats.

3. 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.

The department is generally charged with the care, protection, and supervision of state lands by s. 23.11 Stats.

Under s. 23.09(2)(d), Stats., related to conservation, the department is directed to provide an adequate and flexible system for the use of outdoor resources in this state and may promulgate such rules as are necessary. These rules are necessary to preserve public opportunities to hunt with firearms on lands that have been acquired as areas where any citizen may hunt or trap.

4. Related Statutes or Rules: There are no currently active related administrative rules.

5. Plain Language Analysis:

SECTION 1 changes the closing of the gray and fox squirrel hunting season so it ends on the same day of the cottontail rabbit season.

SECTIONS 2 AND 5 create a three-zone framework for mink and muskrats.

SECTION 3 increases the time that cable restraints are allowed during regulated tapping seasons.

SECTION 4 allows falconry to take place on the Richard Bong State Recreation Area after the 2 p.m. closure.

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SECTION 6 regulates shooting on DNR lands in Columbia County.

6. Summary of, and Comparison with, Existing or Proposed Federal Statutes and Regulations:

Federal regulations allow states to manage the wildlife resources located within their boundaries provided they do not conflict with regulations established in the Federal Register. None of these rule changes violate or conflict with the provisions established in the Federal Code of Regulations.

7. If Held, Summary of Comments Received During Preliminary Comment Period and at Public Hearing on the Statement of Scope:

No preliminary public hearing was required on the Statement of Scope for this rule.

8. 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.

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

Currently, the hunting season for gray and fox squirrels opens on the second Saturday of September and closes on January 31st. This regulation change would keep the original start date of the second Saturday in September but extend the season to be open through the last day of February. This proposal would potentially simplify the closing dates for small mammal hunting by synchronizing the season closure date of squirrels with the that of cottontail rabbits.

Falconry is a unique sport that has a low or no impact on other activities. Due to Bong's popular managed pheasant hunting program (8,770 average annual pheasant hunters from 2015- 19) and high number of falconers have stopped practicing their sport during legal hunting hours due to safety concerns for the falcons used. Due to the nature of pheasant hunting, falconry birds are at a high risk of being mistaken for pheasants while partaking in their sport. This rule will specifically allow falconry hunting on the Bong property after the 2 p.m. hunting closure to ensure a safe continuation of the sport. At this time only two hunting activities are allowed after 2 p.m. (waterfowl and bow deer); this proposal would add falconry as a third.

In 2014, as part of a larger rule simplification effort, the department switched to a one zone, one opening day format for managing muskrat and mink. This resulted in earlier opening dates in the central and southern zones and a uniform end date (beginning on the Saturday nearest October 25 and continuing through the Sunday nearest March 7). Prior to this simplification, the department had managed mink and muskrats through multiple harvest zones. At one time, the muskrat and mink season framework included a north zone, central zone and south zone, all having progressively later starting dates. Additionally, there were at least two local zones with later closing dates. A segment of the trapping community has requested a return to a three-zone (plus Mississippi) system and extend the spring season.

Currently, trappers cannot use cable restraints until December 1st. This rule would allow the use of cable restraints beginning on the dryland trapping opener (Saturday nearest October 17th) for bobcat, fox and coyote. A study evaluating the use of cable restraints on dryland was conducted in Wisconsin from 2001-2002. Results of this study prompted new regulations allowing the use of cable restraints on dryland from Dec 1st – Feb 15th for fox, coyote and bobcat. The start date of December 1st was chosen to avoid the

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potential for incidents involving the new cable restraint and other hunting dogs in the months of October and November. A subsequent review of previous trap incident reports involving cable restraints has confirmed this tool is selective and doesn't pose a threat to domestic dogs.

Target shooting is unregulated on DNR owned lands unless these lands are in counties listed s. NR 45.09(5), Wis. Adm. Code. Prior to the opening of a public shooting range at the Mud Lake Wildlife Area in 2018, problems existed regarding target shooting on state lands in Columbia County, including littering and bullets ricocheting into inhabited areas. Local support was resistant to closing properties until a public range could be built. The state secured funding for a public range and the range has been open to the public since 2018. However, even after the opening of the new range, vandalism and littering is still taking place from individuals target shooting on nearby state lands. Closing the remainder of state-owned properties to target shooting would funnel those activities to the public range.

10. 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.

11. 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.

12. Agency Contact Person: Scott Karel, 101 South Webster Str., PO BOX 7921, Madison, WI 53707-7921. (608) 267-2452, scottr.karel@wisconsin.gov.

13. 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
608-267-2452
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.wi.gov/calendar/hearings/>. 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 10.01 (3) (a) 1. is amended to read:

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Kind of Animal and Locality	Open season (all dates inclusive)	Limit
<p>NR 10.01 (3) (a) <i>Gray and fox squirrels</i></p> <p>1. In all counties of the state except in the parks listed in subd. 2.</p>	<p>Beginning on the Saturday nearest September 15 and continuing through January 31 <u>the last day in February.</u></p>	<p>Daily bag (total of both species) 5; possession 15</p>

SECTION 2. NR 10.01 (4) (a) and (d) are repealed and recreated to read:

Kind of Animal and Locality	Open season (all dates inclusive)	Limit
<p>NR 10.01 (4) (a) <i>Muskrat trapping.</i></p> <p>1. The Northern Zone as described in s. NR 10.39.</p> <p>2. The Central Zone as described in s. NR 10.39.</p>	<p>Beginning on October 18, if that date falls on Saturday, or on the first Saturday following October 18, whichever comes first, and continuing through April 15.</p> <p>Beginning on October 25, if that date falls on Saturday, or on the first Saturday following October 25, whichever comes first, and continuing through March 22.</p>	<p>None</p> <p>None</p>

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3. The Southern Zone as described in s. NR 10.39.	Beginning on November 1, if that date falls on Saturday, or on the first Saturday following November 1, whichever comes first, and continuing through March 15.	None
4. The Mississippi River Zone as described in s. NR 10.39.	Beginning on the second Monday in November and continuing through the Sunday nearest March 7.	None
<i>(e) Mink trapping.</i>		
1. The Northern Zone as described in s. NR 10.39.	Concurrent with the muskrat season established in par. (a) 1.	None
2. The Central Zone as described in s. NR 10.39.	Concurrent with the muskrat season established in par. (a) 2.	None
3. The Southern Zone as described in s. NR 10.39	Concurrent with the muskrat season established in par. (a) 3.	None

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4. The Mississippi River Zone as described in s. NR 10.39.	Concurrent with the muskrat season established in par. (a) 4.	None
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SECTION 3. NR 10.13 (1) (b) 15. is amended to read:

NR 10.13 (1) (b) 15. 'Cable restraints specifications.' Set, place, or operate any cable restraint, except for bobcat from ~~December 1~~ the Saturday nearest October 17 to January 31 and fox and coyotes from ~~December 1~~ the Saturday nearest October 17 to February 15, dates inclusive, provided the cable restraint conforms to the following specifications, or the specifications established in subd. 18 if the device is a foot activated cable restraint, in addition to those under subd. 13.

SECTION 4. NR 10.24 (6) (d) is amended to read:

NR 10.24 (6) (d) *Special closure*. The daily closing of shooting hours for all species is established in s. [NR 10.06](#) except during pheasant season when all shooting except for waterfowl south of state highway 142, falconry and archery deer shall end at 2:00 p.m. after the Saturday nearest October 17.

SECTION 5. NR 10.39 is created to read:

NR 10.39 Mink and Muskrat Zones.

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SECTION 6. NR 45.09 (5) (intro.) is amended to read:

NR 45.09 (5) No person may discharge any firearm or air gun while within the exterior boundary of state-owned lands posted with department signs in 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 state forests, fish hatcheries, state parks, state recreation areas, state natural areas, from or across a state campground, picnic area or

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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 7. 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 8. 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
DEPARTMENT OF NATURAL RESOURCES

BY _____

For Preston D. Cole, Secretary