

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

SUBJECT: Request approval of Wildlife Management's 2016 spring meeting agenda

FOR: January 2016 Board meeting

TO BE PRESENTED BY: Scott Loomans, Wildlife Regulation Policy Specialist

SUMMARY:

The department is requesting Natural Resources Board approval to hold public meetings on wildlife related questions for the 2016 spring hearing/meeting agenda. These questions will be a mix of two advisory questions to gauge public opinion and two that will be for actual rule proposals, if the board also approves the related scope statement. These meetings will be held jointly with the Conservation Congress on the second Monday in April.

Question 1. A rule proposal to allow the overnight placement of tree stands on department managed lands north of State Highway 64.

Question 2. A rule proposal to establish that the legal hours for taking game be referred to as "shooting hours" rather than "hunting hours."

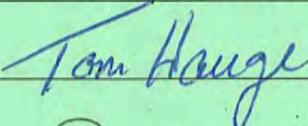
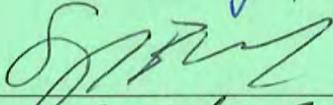
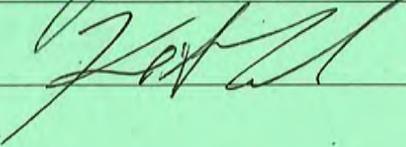
Question 3. An advisory question seeking input on preferences for first-come-first-served, over-the-counter sales of antlerless deer hunting permits that are limited in number versus issuing permits through random drawings.

Question 4. An advisory question seeking input on beaver trapping season preferences.

RECOMMENDATION: Approval of Wildlife Management's 2016 spring meeting agenda

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

- | | |
|---|------------------------------|
| <input checked="" type="checkbox"/> Background memo | <input type="checkbox"/> N/A |
| <input type="checkbox"/> N/A | <input type="checkbox"/> N/A |

Approved by	Signature	Date
Tom Hauge, Bureau Director		1/5/16
Sanjay Olson, Administrator		1-7-16
 Cathy Stepp, Secretary		1-11-16

cc: Board Liaison – AD/8

DATE: December 8, 2015

TO: Natural Resources Board

FROM: Secretary Cathy Stepp

SUBJECT: Approval of Wildlife Management's 2016 spring meeting agenda of advisory questions

I am requesting Natural Resources Board approval to hold public meetings on wildlife related questions for the 2016 spring hearing/meeting agenda. These questions will be a mix of two advisory questions to gauge public opinion and two that will be for actual rule proposals if the board also approves the related scope statement. These meetings will be held jointly with the Conservation Congress on Monday April 11.

Background:

Annually the department submits proposals and advisory questions on a variety of subjects including hunting, trapping, wildlife management and the management of department lands. The statewide April spring fish & wildlife hearings/meetings are the traditional vehicle for citizen input. The origins of these questions and proposals are most often: 1) department staff specialists from the bureaus of law enforcement, wildlife management, endangered resources and customer service and licensing, 2) publicly supported Conservation Congress advisory questions from prior years that were forwarded by the congress' executive council or; 3) advisory questions suggested by the natural resources board.

Two of the 2016 spring hearing questions would be to gather input on actual rule proposals. Typically, the department promulgates spring hearing rules on an every-other-year cycle so that we don't get in a situation of modifying rules that are already being modified by the previous year's proposal but not fully promulgated. However, one change would require only modest changes of terminology in Ch. NR 10 and the other modifies Ch. NR 45 which is not typically the subject of spring hearing rules, and so the department is proposing an exception to the every-other-year rules cycle.

The department will hold hearings on a spring hearing rules package again in 2017 and subsequent odd-numbered years.

Summary of Agenda Items:

The following questions would be the subject of voting at the 2016 spring fish & wildlife meetings held jointly with the Conservation Congress on April 11.

Question 1. A rule proposal to allow the overnight placement of tree stands on department managed lands north of State Highway 64.

Question 2. A rule proposal to establish that the legal hours for taking game be referred to as "shooting hours" rather than "hunting hours."

Question 3. An advisory question seeking input on preferences for first-come-first-served, over-the-counter sales of deer hunting permits that are limited in number versus issuing permits through random drawings.



Question 4. An advisory question seeking input on beaver trapping season preferences.

The results of voting on these questions will be used by the department to provide information on rule proposals and in the development of future policies and recommendations.

Proposed 2016 Spring Hearing Questions:

Question 1. Allowing the overnight placement of portable stands and blinds on department owned and managed lands north of State Hwy. 64.

Currently the overnight, unattended placement of tree stands and ground blinds for hunting is not allowed on department managed lands. This regulation was established to prevent the “staking out” or making advance claims to hunting locations in favor of a first-come-first served practice. However the overnight placement of stands is allowed on many other public lands which are not managed by DNR and may also be practical on department lands.

This proposal would allow the overnight placement of tree stands on DNR managed lands north of State Hwy. 64. Some hunters will appreciate the convenience of not having to carry and place a tree stand or blind for each hunt, especially for an aging demographic of hunters. Others may favor a philosophy of trying to reduce competition on public lands.

Hearing attendees are being asked if they would prefer to allow overnight placement of stands and blinds only for the firearm deer seasons, which includes muzzleloader season, or for a longer period beginning on September 1 and continuing through January 31. Another option could be to limit these rules to a three year trial period which would allow the department to evaluate new rules before making them permanent.

The proposal would require that all unattended tree stands be marked with the owner’s department customer identification number or name and address. It would be illegal to cause damage to a tree, but careful pruning of limbs less than 1 inch in diameter would not be considered causing damage to the tree the stand is placed in. This would not permit cutting trees, brush and other vegetation for shooting lanes.

This proposal would clarify that any person may use a stand that is not occupied and being used by the owner and that stand placement does not reserve a location for exclusive use by any individual. However, the owner of the blind or stand would retain the authority to remove and relocate their stand at any time. It would be illegal to relocate a blind or stand that was lawfully placed by another.

The department would survey hunter’s opinions and evaluate concerns once people have experience with a new rule.

Do you favor allowing the unattended, overnight placement of portable stands and blinds on department owned and managed lands located north of State Hwy. 64 beginning on September 1 and continuing through January 31?

YES _____ NO _____

Do you favor allowing the unattended, overnight placement of portable stands and blinds on department owned and managed lands located north of State Hwy. 64 but limiting stand placement to only the firearm and muzzleloader deer seasons?

YES _____ NO _____

Do you favor a three year trial period for these rules? If implemented, the department would monitor hunter use and concerns during the 2016 to 2018 hunting seasons. If the results are positive, the rule would remain in effect. If the results are negative, the rule could be suspended beginning in 2019.

YES _____ NO _____

Question 2. A rule proposal to establish that the legal hours for taking game be referred to as "shooting hours" rather than "hunting hours."

Hunting for most birds and game animals is restricted to daylight hours. These restrictions may be in place for a variety of reasons related to the safe use of firearms and bows, allowing birds to return to roost sites without hunting pressure, or simply a traditional notion that certain types of hunting should be done in daylight. "Hunting" is defined in statute and includes shooting or shooting at any wild animal. Also included under the definition of hunting is pursuing, taking, capturing or killing or attempting to capture or kill any wild animal.

Under current law, a person may remain in a deer stand after the close of hunting hours, such as to avoid spooking a nearby deer, so long as they are no longer hunting. Some members of the public are concerned however, that merely remaining in the field would cause a law enforcement officer to determine that the person is actually hunting.

The proposal would establish that "shooting" outside of legal hours for taking game is illegal, rather than "hunting" under current rules. This may provide assurance that certain other activities, which do not result in taking or attempting to take game, are not illegal and would not result in law enforcement issuing a citation. This might also provide assurances that it is legal to recover game which was shot legally during daylight but not retrieved until after dark. However, this would make it more difficult to enforce restrictions on the times of day when game may be taken because late hunters would not be in violation of the law until they actually shot at an animal.

Do you favor changing hunting regulations so that "shooting" outside of established times is illegal, rather than the current prohibition of "hunting" outside of established times?

YES _____ NO _____

Question 3. Preferences for issuing antlerless deer hunting permits that are limited in number by the method of first-come-first-served, over-the-counter sales versus issuing permits by taking applications and holding random drawings.

In part because antlerless deer harvest opportunities have been relatively limited in certain units, some hunters have asked the department about alternate methods to distribute permits. This question will gauge hunter preferences for two methods currently used for issuing permits.

Permits to hunt species such as bear, turkey, sharp-tailed grouse, and bobcat are currently issued through a random drawing. For these species, there is also a preference system which awards a point for each year that the applicant is unsuccessful in the drawing and applicants with the highest number of points have the highest preference in each year's drawing. There may be a number of advantages to this method of permit issuance including: 1) it assures that the people who have waited the longest for an opportunity to hunt have the highest preference for permits, 2) applicants do not have to wait in lines or take time off work to purchase licenses immediately when they go on sale and, 3) some people perceive that this is the fairest way to issue permits.

Bonus permits for antlerless deer are currently issued over-the-counter on a first-come, first-served basis. Permits go on sale on a particular day and at a certain time in August. In many units, permits are abundant and do not sell out but, in certain units, permits may be more limited in number and they can sell out quickly. There may be a number of advantages to over-the-counter permit issuance including 1) there is no application deadline which can be forgotten, 2) because it is not necessary to apply in advance, a person may have more time to decide where they will hunt and, 3) drawings are not necessary statewide because many units do have enough permits available to meet demand.

Do you favor issuing antlerless deer hunting permits on a first-come, first-served basis as is currently done?

YES _____ NO _____

Do you favor issuing antlerless deer hunting permits through a random drawing, which would include an application deadline and preference categories for people who are unsuccessful in previous drawings?

YES _____ NO _____

Question 4. Beaver management and trapping season preferences.

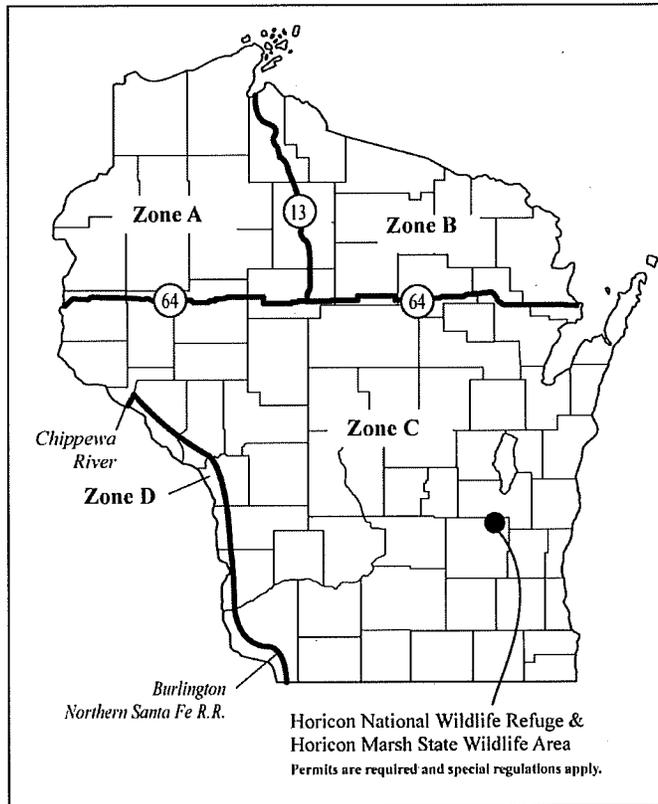
In order to address beaver management in a comprehensive manner, Wisconsin adopted a new 2015-2025 Beaver Management Plan. (search for *beaver management plan* at dnr.wi.gov). A key recommendation of the plan is to establish population management goals for each zone that would result in healthy, stable population of beavers across Wisconsin.

A long term decline in beaver populations across Beaver Management Zones A & B in the northern part of the state has been documented. A primary reason is the long harvest season which was designed to reduce the overall beaver population and to more directly affect beaver presence on priority trout waters.

The new management goals are to maintain or slightly increase beavers in these two zones, which would then require a slight reduction in harvest pressure. This could be done by closing the general season for beaver trapping earlier than current rules, while continuing to apply beaver harvest pressure on our best free-flowing cold water trout streams.

Beaver trapping seasons under current rules:

- Zone A: Saturday nearest Nov. 4 – April 30
- Zone B: Saturday nearest Nov. 4 – April 30
- Zone C: Saturday nearest Nov. 4 – March 31
- Zone D: Day after duck season – March 31



The department’s Furbearer Advisory Committee and the Beaver Management Task Force (which includes members of the public, other groups, agencies and the department), are considering potential season dates and season frameworks, but no rule proposals have been agreed upon at the time of printing this questionnaire.

The otter harvest season would be adjusted so that it is consistent with the beaver season. Beaver and otter can be trapped in the same locations, using similar methods.

If a shortened season were implemented, the department would monitor beaver populations in Zones A and B. If populations grow beyond the desired level, the season would be lengthened as soon as possible.

For Beaver Management Zone A, to address goal recommendations of the new beaver management plan, do you support the concept of shortening the general season for beaver and otter trapping by two to four weeks on non-trout waters, yet continue the current trapping season length on waters classified as trout streams?

YES _____ NO _____

For Beaver Management Zone B, to address goal recommendations of the new beaver management plan, do you support the concept of shortening the general season for beaver and otter trapping by two to four weeks on non-trout waters, yet continue the current trapping season length on waters classified as trout streams?

YES _____ NO _____