

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis

Original Updated Corrected

2. Administrative Rule Chapter, Title and Number

Ch. NR 1 Natural Resources Board Policies, NR 8 License and Permit Procedures, NR 10 Game and Hunting, NR 11 Closed Areas, NR 15 Game Refuges, NR 12 Wildlife Damage and Nuisance Control, NR 13 Chippewa Treaty Rights Participants, NR 19 Miscellaneous Fur, Fish, Game and Outdoor Recreation, and NR 45 Use of Department Properties.

3. Subject

Deer management, hunting, and implementation of the 2012 White-tailed Deer Trustee's Report, Board Orders WM-11-13 and WM-24-13 (E).

4. Fund Sources Affected

GPR FED PRO PRS SEG SEG-S

5. Chapter 20, Stats. Appropriations Affected

20.370 (Lv), (Hs), (Hx) and (Fq).

6. Fiscal Effect of Implementing the Rule

<input type="checkbox"/> No Fiscal Effect	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs
<input checked="" type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input checked="" type="checkbox"/> Could Absorb Within Agency's Budget
		<input type="checkbox"/> Decrease Cost

7. 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)

8. Would Implementation and Compliance Costs Be Greater Than \$20 million?

Yes No

9. Policy Problem Addressed by the Rule

There was dissatisfaction with various aspects of white-tailed deer management and hunting in Wisconsin following the 2009 season. Gubernatorial candidate Scott Walker made a promise to appoint a "Deer Trustee" to review programs. In October of 2011 Dr. James C. Kroll entered into a contract with the State of Wisconsin to conduct an independent, objective and scientifically-based review of Wisconsin's deer management practices. The White-tailed Deer Trustee's report was released to the public in July, 2012.

The objective of the process that resulted in these rules is to integrate the work of the Deer Trustees and the publicly driven action teams into the policies and procedures to enhance deer research, management and hunting in Wisconsin.

10. 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.

The department solicited comments on the fiscal and economic impacts of these rules during a specific comment period from October 7 through October 21, 2013, at 35 administrative rules hearings held between October 22 and October 31, through written comments on the rule and a survey which was available to the public on the department's website from October 14 through November 8.

Deer population, harvest, and habitat management affect many entities in this state. A broad description of affected industries includes agriculture, forestry, tourism, and retail. Governments may be impacted by these rules because many have programs to manage nuisance deer locally. Many non-profit groups are focused on natural resource conservation, wildlife resources, or deer in particular, and may be affected by these rules.

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

Affected entities are likely to base their evaluations of economic impact on their opinions of whether-or-not the rules will result in deer population increases, stabilization, or decreases. For instance, agriculture and forest-products interests may benefit from low deer populations and resulting low levels of crop and tree damage. The tourism and retail industries may benefit from high deer populations that result in greater enthusiasm and participation in deer hunting. This rule package is designed to balance competing interests with a different approach than current rules.

It is important to note that the department is statutorily prohibited from utilizing management tools or regulations that had previously been implemented at times when deer populations were 20% or more above established overwinter population goals and not likely to be reduced to goal under standard season frameworks and regulations. Notably, this includes regulations that require a hunter to first harvest an antlerless deer before harvesting a buck. The department also lacks rulemaking authority for certain deer hunting early season frameworks except when a finding of emergency is made under s. 227.24 Stats. These changes to the department's regulatory authority are a result of 2011 ACT 50 and they are not considered as part of an economic analysis prepared for these rules. While deer may have significant positive or negative impacts to different entities, removal of these harvest regulations likely changes the department's ability to manage deer populations in farmland regions. A result is that any economic impact of rule changes the department currently has statutory authority to establish is minimized, especially in farmland regions.

Prior to drafting rule language the department anticipated, in its scope statements for permanent and emergency rules, that the proposal could have a moderate level of economic impact, as described in 2011 Executive Order 50. Upon completion of the public involvement and rule drafting process, the department has revised its estimate and anticipates that these rules will have no or a minimal economic impact locally or statewide.

11. Identify the local governmental units that participated in the development of this EIA.

During a comment period beginning in September the department solicited comments from local governments using an email distribution list and through posting on a website.

12. 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)

- Economic Impacts -

The department anticipates that there will be no implementation and compliance costs for the affected entities. These rules will not establish reporting or compliance requirements or other regulations for small business.

The state's economy as a whole will continue to benefit from the presence of a well managed deer herd. The management tools established in these rules will ensure that continued opportunities for good hunting and wildlife-based recreation are available well into the future. Like previous rules, a significant purpose for establishing deer population management objectives, managing antlerless deer harvest levels, and focusing hunting activities through programs such as the Deer Management Assistance Program, landowner permits in CWD zones, and the Agricultural Damage Abatement and Assistance program is to maintain a deer herd that is in balance with the needs of industries such as agriculture, forestry, and others as well as with the desires of hunters. In certain urban and agricultural regions the department estimates that deer herds are already increasing under current rules. While increasing deer herds may have negative impacts on industries such as agriculture, the impacts are currently occurring and are in part a result of a lack of hunting access in certain areas and less authority under statutes to implement certain harvest regulations. Increasing deer

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

herds in certain areas following implementation of these rules cannot necessarily be attributed to these rules and is a primary reason for a finding of no or a minimal economic impact.

Health concerns for Wisconsin deer include diseases such as bovine tuberculosis, hemorrhagic disease, and chronic wasting disease (CWD). Of particular interest in Wisconsin is that CWD was first detected in the state on February 28, 2002. The department's goal has been to minimize the negative impact of CWD on deer and elk populations and the state's economy, hunters, landowners and others. The available evidence indicates that CWD has the potential for significant, negative impacts on the future of deer hunting and the related economic benefits of white-tailed deer in Wisconsin. The proposals contained in these rules are not likely to result in a reduction in the rate of infection in deer or geographic location of infected animals. However, the department continues to have the ability to implement strategies recommended in its CWD management plan which could result in reduced deer numbers in affected areas and could help control disease spread. Those include an additional firearm hunting opportunity following the traditional 9-day firearm season, the option to issue landowner permits allowing deer harvest by landowners and their agents following the end of regular seasons, and the option to adopt population objectives and antlerless permit levels that could decrease the density of the deer herd. Under the proposal, the department will continue to provide a free antlerless deer permit which can be used in a CWD-affected county designated by the department. While additional harvest permits will need to be purchased for a fee, part of that fee is earmarked for CWD testing of hunter harvested deer. Continuing to provide low cost CWD testing for hunters may be an important feature to keep hunters interested in harvesting and utilizing their deer. Considering these factors, the department estimates that these rules are unlikely to have a significant impact on the management of CWD. Deer herd monitoring indicates that the prevalence and distribution of the disease has been increasing under current rules - the proposed rules are not likely to have an impact on this trend.

Conflict has occurred between farmers (traditional crop farmers, Christmas tree farmers, orchard growers, cranberry growers, and many other agriculturalists) who are trying to protect their crops and a public who wants abundant deer for viewing and hunting. With the population above state management objectives in certain areas under current rules, deer will likely continue to create agricultural problems. Deer damage complaints outnumber the other three program eligible species combined. Corn, soybeans, sweet corn and hay account for the majority of acreage damaged by deer. The creation of a Deer Management Assistance Program provides another opportunity for management of deer in specific areas which may assist in reducing agricultural damage. Overall, however, the department does not anticipate significant impacts to agriculture specifically from these rule proposals. Additional analysis of the Agricultural Damage and Nuisance Abatement program is found below under the section on fiscal impacts to the department.

White-tailed deer range throughout the state, adapting to every habitat type in Wisconsin. Their ability to live in close proximity to people has allowed deer to flourish in environments with significant human development, thus the agriculture damage they cause is no longer restricted to traditional rural areas. Additionally, damage is not restricted to agricultural products. Again, the department does not anticipate significant impacts from these proposals. Where hunting access is available in proximity to urban areas, the Deer Management Assistance Program may provide additional opportunities for hunters to act as deer managers.

Forest landowners may be economically impacted by white-tailed deer, depending upon their goals and objectives for the land. Economic impacts of deer on forest vegetation focus primarily on the foraging of plants, although antler rubbing on high value forest crops such as Christmas trees can have significant economic impacts as well. There is evidence found in research documenting site specific examples of deer impacts on forest vegetation. The effects of deer on desirable forest vegetation for a specific site can be detrimental and can create economic losses. However, a cumulative approach to assessing the impact of deer on forest landowners and desirable vegetation has not been done. Research to increase our understanding of forest habitat and white-tailed deer, in response to a recommendation of the Deer Trustee's

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

report, is ongoing. The department's estimate that these rules will have no or a minimal effect on the forest products industry is based on estimates that these rules will not result in significant increases of deer population density. These rules maintain existing methods of controlling deer populations including a flexible system for the issuance of antlerless deer harvest permits and a Wildlife Damage Abatement and Claims Program for which certain forest products producers are eligible. Additionally, owners of industrial forest may benefit from the services that will be available through the Deer Management Assistance Program.

Vehicle deer collisions are a factor in determining how many deer the public will accept and are a cause of millions of dollars of property damage and personal injury in this state. The total number of deer salvaged after traffic accidents or removed from roadways by contractors was 26,114 in 2011. The actual number of collisions is estimated to be greater. Significant increases in deer numbers may be expected to result in higher numbers of vehicle deer collisions, particularly considering that traffic volume is not likely to decline. A goal of these rule proposals, however, is to continue managing deer herds to be in balance with ecological and social tolerances. The department's estimate that these rules will have none or a minimal effect on the economy as a result of vehicle deer collisions is based on estimates that these rules will not result in a significant increase or decrease in deer population density.

Deer impacts on the ecological composition and function of Wisconsin's ecosystems may be occurring and may have resulting impacts on tourism, gathering wild plants, species other than deer which have economic significance, and other effects. Land use by agriculture, development, silviculture, cessation of fire, and invasive species may be having more wide-sweeping impacts compared to deer.

An outcome of these rules would be the elimination of 626 deer registration stations, most at local businesses such as convenience and sporting goods stores throughout the state. It was noted during the public review periods that taverns also commonly volunteer as registration stations. These rules will relieve businesses of implementation costs they may have voluntarily incurred as registration stations. While these rules will not have any implementation or compliance costs for former registration stations, there may be an economic impact to the businesses whose customers may not come to stores to register deer and spend money on other transactions which are incidental to registering deer. Representatives of tavern owners indicated that this is a concern that they had.

Department payments and distribution of materials to registration stations totalled approximately \$182,000 in 2012, a value of approximately \$290 on average to an individual registration station. Many stations employ extra help to register deer meaning that direct payments for services may cover costs to register deer but may not have a direct financial benefit. The value of incidental purchases made by deer hunters are likely the primary reason stations volunteer to register deer. Even without registration stations, the economic benefits of deer hunting for convenience stores and other businesses will continue to be significant. This can be seen by the heavy traffic at convenience stores as early as 4:30 a.m., before the season has opened, and the need some stores have to employ extra staff. A likely benefit to convenience stores in general is that spending activity may be distributed more equally between stores, as certain ones will not have the unique selling point of being a registration station. It may be true of taverns as well that customer visits will be distributed more evenly among area businesses. However, the department agrees that individual taverns which had previously been department registration cooperators will see a reduction in business resulting from sales incidental to deer registration. The department is considering ways to help registration stations take advantage of traditions hunters have adopted by stopping at particular businesses to register deer. The department suggests that businesses could continue to assist hunters by advertising that they can register deer electronically using a computer at their location. The department anticipates a continuing need for some in-person registration to collect biological data. Finally, the department plans to phase-in electronic registration which will provide some time for many businesses to plan for the transition. Department staff have heard both positive and negative comments from registration stations about a

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

electronic registration system. At this time, we anticipate the impacts will be minimal under the criteria established in 2011 Executive Order 50.

- Fiscal Impacts on the Department -

Mandatory, in-person registration for deer began in Wisconsin in 1953. A subset of the 626 stations (~110) collect age- and sex-structure data from 20-30,000 deer annually during the traditional 9-day gun season. In-person registration provides accurate counts of annual harvest, recruitment, adult buck mortality rates and sex ratios, deer health assessments, buck antler characteristics, and allows for the collection of biological samples that are used to determine the age structure of the population and for CWD monitoring.

Eliminating or reducing in-person registration of deer will result in savings of approximately \$180,000 in supplies and services for maintaining registration stations each year for the department. The department's expenditure authority will not change, allowing a shift of financial resources and staff time to other purposes such as implementation of the Deer Trustee Report recommendation to establish a Deer Management Assistance Program. Based upon a budget analysis for FY13 (through 6/11/13) on all expenditures department wide for the activity codes WMAP (Registration of Deer, Bear, and Turkey) and WMUB (Deer Registration/CWD Sampling), in-person registration costs totaled \$674,042.30. Electronic registration costs may be half the amount of in-person during the initial year, and less than \$50,000 in future years. This total includes the following expenditures (estimates of potential savings do not include CWD zone expenditures because the department will continue to place an emphasis on contacting hunters and collecting samples in CWD areas):

- Permanent labor & fringe - (\$125,158)
- Permanent labor allocables - (\$21,353)
- LTE labor & fringe - (\$22,767)
- LTE labor allocables - (\$327)
- Total supplies & services - mileage, station materials, station payments, aging materials, and stipends (\$182,056)

- CWD registration and sampling expense - (\$322,381)
- CWD permanent labor & fringe*
- CWD LTE labor & fringe*
- Total supplies & services* - CWD carcass tags, bonus buck tags, rent, mileage, electric bills, cell phone bills, CWD samples, and stipends

The department evaluated the following benefits and drawbacks to eliminating in person registration of deer. The benefit of increased convenience to deer hunters was seen as a significant improvement.

Pros:

- Significant reduction in staff time and costs
- Increase in customer convenience
- Immediate collection and tabulation of harvest data

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

Cons:

- Alternative methods (potentially less accurate) of collecting age data would have to be considered
- CWD samples would become difficult to collect
- Economic impact to registration stations (loss of revenue from payments and business)
- The face-to-face interaction between DNR staff and hunters and the social aspect of hunting would be lost
- Potential enforcement issues
- Potential loss in public trust of population estimates

The department currently administers an Wildlife Damage Abatement and Claims Program which reimburses participating farmers for damage caused by certain wildlife species, including deer. These rules do not impact the organization of the program or rules for participation. The program is currently funded in part from the sales of bonus antlerless deer permits. It is likely that bonus antlerless deer permit sales will increase under this proposal, resulting in an increase in available funding to reimburse farmers for damage and for the costs of abatement measures. Under the proposal, the department will charge a fee of \$12.00 for antlerless permits issued in a CWD management zone which are free under current rule. While \$5.00 of the cost of those permits is now statutorily earmarked for CWD management, the remaining \$7.00 is earmarked for the damage program. Another possible opportunity for increased funding exists in units which are designated herd control under current rules, antlerless deer permits are free except for a \$2.00 issuance fee. Under the proposal, one free antlerless deer permit for farmland units would still be included with the purchase of a deer hunting license, but additional permits would cost \$12.00 and the revenue is earmarked for the damage and abatement program. Charging a fee for additional antlerless permits may result in hunters obtaining fewer antlerless permits and harvesting fewer deer overall, potentially offsetting economic benefits to farmers of increased damage program funding. However, decreased antlerless harvest is not an assured outcome. Hunters may be more motivated to utilize permits they have spent money on versus free permits. When statutes were changed to allow the sales of additional turkey hunting permits for \$10.00 each to residents, versus issuing them for free, demand for extra turkey hunting permits remained very high. Under these proposed rules, the department anticipates continuing to generate enough revenue to reimburse farmers for the full amount of damage allowed under the program. The department anticipates that it will not need to prorate the amount paid for claims at current or a slightly increased level of agricultural damage claims.

In the past, changes in the issuance of hunting licenses and permits have resulted in fiscal impacts from the expenses of revising automated license system programming. However, the department's current contract already contains many options for the issuance of \$12.00 bonus permits and free permits with the issuance of archery and firearm deer licenses. Implementation of these rules will require name changes and updates to descriptions of the allowable use of tags, but may not require extensive or expensive programming to create new license types. Additionally, these rule revisions may occur concurrently or will be phased in with a new contract for administration of an automated licensing system and can be included in the initial construction of a new system without additional expense.

These proposed rules will establish that bonus deer hunting permits are valid either on lands which are open to public hunting or on private lands not open to public hunting, but not both. This will be more restrictive than current rules on where bonus permits may be used. A result of this restriction is that many hunters will need to purchase more permits in order to be able to hunt antlerless deer where in locations they have previously hunted than under current rules. While this could result in an increase in the number of bonus permits sold, it is also likely that hunters will limit the locations of their hunting activity to one type of land only. The impact of this proposal on bonus permit sales is undetermined at this time but is not likely to be significant or significantly impact the wildlife damage abatement and claims program or funding for CWD testing which are partially funded with this revenue.

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

The fiscal impact to the department of these proposed rules is expected to be an effect that can be absorbed under the department's current budget. These rules will result in savings of staff time with reduced duties to set up registration stations, keep them supplied through the season, collect registration stubs, and enter data. These savings in staff time will be offset by new emphasis on consulting with owners of private and public land through the newly established Deer Management Assistance Program. The level of offset will be a result of the level of landowner and manager interest and will vary as the program becomes established and cannot be anticipated at this time. The department's Bureau of Law Enforcement has established a flexible system of conservation and environmental law enforcement and already places a significant emphasis on the most popular activities like deer hunting. Deer hunting and deer herd management has historically been a significant source of segregated funds for department management, licensing, and enforcement activities and will continue to be a significant expenditure under these proposed rules.

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

These proposed rules establish an additional method of managing deer harvest, particularly at the local level, through the deer management assistance program. This management authority may be important considering that the department is prevented from using previously successful, but less popular, deer management regulations under s. 29.016 Stats. The department is proposing season frameworks in these rules that are more likely to be accepted by hunters but which will still result in deer hunting opportunities and provide deer herd management opportunities.

Not implementing these rules will result in maintaining the current deer season frameworks. Maintaining the current deer season framework will not address dissatisfaction that some members of the public have expressed to the department, legislators, and governor. The establishment of a Deer Management Assistance Program is statutorily required.

14. Long Range Implications of Implementing the Rule

White-tailed deer will still be a prominent feature of Wisconsin's landscape whose presence generates economic activity from the related expenditures of hunters and other wildlife enthusiasts. Deer have historically impacted small and large businesses, and will continue to do so. However, the negative economic impacts of deer abundance on agriculture, forestry, and other industries is not expected to increase as a result of these rules.

15. Compare With Approaches Being Used by Federal Government

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 and the federal government is not involved in any large scale way with deer herd management in Wisconsin.

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

All of Wisconsin's surrounding states use hunting seasons to provide hunting opportunities and allow or encourage antlerless deer harvest and other strategies to manage white-tailed deer herds. All of the surrounding states utilize a range of hunting seasons and allow the use of archery equipment, firearms and muzzleloading firearms at certain times. The seasons proposed in this rule order do not vary in any significant way from the hunting opportunities that are available in other states.

ADMINISTRATIVE RULES

Fiscal Estimate & Economic Impact Analysis

Illinois

The Illinois archery season runs from October 1, 2013 - January 19, 2014 except that it is closed during the firearm deer season in those portions of the state that hold a firearm deer season. Illinois has two periods for firearm deer hunting, a muzzleloader season, and special CWD and antlerless-only seasons. The first firearm season in 2013 is November 22 - 24 and the second season is December 5 - 8. The muzzleloader season is Dec. 13 - 15. The special CWD and antlerless-only seasons occur on December 26 - 29 and January 17 - 19, 2014. A youth firearm deer hunt is open on October 12 - 14. All firearm hunting permits are distributed first through a tiered drawing system where residents have a higher chance of being selected for a permit than non-residents, then through a random daily drawing, and finally they are offered over-the-counter on a first-come first-served basis until the unit's quota is reached. Hunters who are eligible to purchase a hunting permit receive an either-sex permit and one bonus antlerless-only permit. There is no limit on the number of resident archery licenses that will be issued, and each resident archery license includes an antlerless-only and an either sex permit. Non-resident archery licenses also include an either sex permit and an antlerless-only permit, but are allocated through a lottery system.

Iowa

In Iowa, there are two archery seasons, two muzzleloader season, and two shotgun seasons. There is also an antlerless-only season, a youth hunt for residents, and a holiday season for non-residents. The archery season runs from October 1 - December 6 and December 23 - January 10, 2014. The muzzleloader seasons run from October 12 - 20 (residents only) and December 23 - January 10, 2014. The shotgun seasons run from December 7 - 11 and December 14 - 22. The antlerless-only season runs from January 11 - 19, 2014, the youth hunt runs from September 21 - October 6, and the holiday season runs from December 24 - January 2, 2014. When a hunter purchases an 'Any Deer License', they are entitled to harvesting either a buck or an antlerless deer statewide. Hunters also have the option to purchase an 'Antlerless-only License' which is valid for a specific zone in the state. The number of antlerless licenses available in any particular zone is determined by a quota system, and hunters are able to purchase these licenses on a first-come first-served basis until the quota is reached.

Michigan

Michigan has one firearm season, two archery seasons, and one muzzleloader season, as well as two antlerless-only seasons and a youth hunt. The firearm season runs November 15 - 30. The archery seasons run October 1 - November 14 and December 1 - January 1, 2014. Michigan's muzzleloader-only season is split into three zones with each zone's season occurring in December and lasting for either 10 or 17 days. The antlerless-only seasons run from September 21-22 and December 23 - January 1, 2014 and the youth hunt occurs on Sept 21-22. Hunters interested in harvesting an antlerless deer must purchase an antlerless license that is valid within a specific DMU for use on either public land or private land. In some DMUs, these licenses may only be purchased over the counter, whereas in other DMU's there is an application process and drawing.

Minnesota

Minnesota has one archery season, one firearm season that is divided into four separate zones, and one muzzleloader season. There is also a special archery season on Camp Ripley (a military base) and a youth season. The archery season runs from September 14 - December 31. The firearm season runs November 9 - 17, November 9 - 24, or November 23 - December 1 depending on the zone. The muzzleloader season runs November 30 - December 15. The special archery hunt on Camp Ripley occurs on October 26 - 27 and November 2 - 3. The youth hunt runs from October 17 - 20. Antlerless permits are distributed through a license lottery in "lottery" areas of the state. In "Hunter Choice", "Managed", or "Intensive" areas licenses are either-sex. Bonus permits for antlerless deer are available over the counter for use in managed and intensive areas.

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

17. Contact Name

Scott Loomans

18. Contact Phone Number

(608) 267-2452

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

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)

Wisconsin's deer hunting opportunities are enthusiastically enjoyed by more than 600,000 participants each year, resulting in significant economic and fiscal benefits for small business. Additionally, high deer populations impact the agriculture, forestry, and other industries in ways that may not be positive. The department anticipates that this will continue to be true after implementation of these rules. The department will continue to manage the deer herd with a goal to obtain a balance between the positive and negative impacts of white-tailed deer. Some management strategies which may have been viewed as aggressive are no longer available to the department. New management strategies proposed in this rule will be viewed by some as a more cooperative effort to manage deer herds. Improved cooperation between hunters, landowners, other stakeholders, and the department will have a beneficial impact for everyone who is affected by white-tailed deer, although the specific economic impact cannot be measured. Over all, the department anticipates none or a minimal impact on small businesses.

A minimal impact to certain small businesses could be a loss of incidental sales at taverns, convenience stores, or sporting good shops who currently volunteer to register deer for the department. A corresponding increase in sales for other area stores as that type of shopping effort is dispersed among stores that do not register deer, will negate overall impact to small businesses.

However, the department agrees that individual taverns which had previously been department registration cooperators will see a reduction in business resulting from sales incidental to deer registration. The department is considering ways to help registration stations take advantage of traditions hunters have adopted by stopping at particular businesses to register deer. The department suggests that businesses could continue to assist hunters by advertising that they can register deer electronically using a computer at their location. The department anticipates a continuing need for some in-person registration to collect biological data. Finally, the department plans to phase-in electronic registration which will provide some time for many businesses to plan for the transition. Department staff heard both positive and negative comments from registration stations about an electronic registration system. We anticipate the impacts will be minimal under the criteria established in 2011 Executive Order 50.

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

Deer Population Goals and Harvest Management Environmental Assessment, 1995.

Information related to registration of deer at private businesses such as convenience and sporting goods stores is from an analysis of department's own budget information for FY 2013.

Wisconsin's Chronic Wasting Disease Management Plan: 2010 - 2025

The 2011 Wisconsin Deer Hunting Summary records that firearm deer hunter numbers exceeded 600,000 for the first time in 1977 and have remained above that number since then. This information provides a basis for the estimate that deer hunting and related economic and fiscal benefits for small business will continue to exist after implementation of these rules.

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

USDA-APHIS-Wildlife Services Wisconsin Wildlife Damage Abatement and Claims Program - 2012 Summary Report.

Project Summary - Evaluating the interdependency between white-tailed deer and northern hardwood habitat; increasing our understanding of forest management and white-tailed deer health.

Reported Vehicle Killed Deer Removed from Wisconsin Roadways - FY 2011

DNR Spring Turkey Harvest Report - 2011. This document contains information on sales of leftover turkey permits.

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:

These rules are applicable to individual deer hunters and impose no compliance or reporting requirements for small businesses.

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

These rules are applicable to individual sportspersons and impose no compliance or reporting requirements for small businesses, and no design or operational standards are contained in the rule. Because this rule does not add any regulatory requirements for small businesses, the proposed rules will not have a significant economic impact on a substantial number of small businesses under 227.114(6) or 227.14(2g). Note that the cooperation of small businesses with the department as deer and bear registration stations has been completely voluntary.

5. Describe the Rule's Enforcement Provisions

These rules do not establish any new enforcement provisions. The department has determined that existing enforcement efforts and penalties will continue to be effective at assuring a level of compliance with hunting regulations which results in a fair distribution of resources among hunters and other deer enthusiasts, safe hunting seasons, and effective deer herd management.

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

- Yes No
-