

## Chapter III

### Species Regulations

#### 3.1 Elk open season, hunt periods; season limit.

Sec. 3.1. (1) The open season for taking elk shall be those days as specified below for the following hunt periods:

Hunt Period	Open Season
1	August 28 to August 31 and September 14 to September 17 and September 28 through October 1, in elk management unit "L."
2	December 8 to December 16, in elk management units "F," "G," and "X."
3	A total of five days beginning on the Wednesday closest to January 15 for four days thereafter, only in elk management unit(s) where additional harvest is deemed necessary to meet elk management objectives.

(2) The season limit shall be one elk per license.

History: Eff. Mar 31, 1989; Am. 5, 1989, Eff. Sep 1, 1989; Am. 7, 1990, Eff. Sep 1, 1990; Am. 4, 1991, Eff. Sep 1, 1991; Am. 5, 1992, Eff. Jul 1, 1992; Am. 7, 1993, Eff. Sep 1, 1993; Am. 1, 1994, Eff. Sep 1, 1994; Am. 2, 1995, Eff. Sep 1, 1995.; Am. 7, 1996, Eff. Sep 1, 1996; Am. 4, 1997, Eff. Jun 1, 1997; Am. 5, 1998, Eff. Jun 1, 1998; Am. 14, 1998, Eff. Sep 10, 1998; Am. 5, 1999, Eff. Sep 1, 1999; Am. 17, 1999, Eff. Dec 9, 1999; Am. 6, 2000, Eff. Aug 1, 2000; Am. 7, 2001, Eff. Jun 1, 2001; Am. 6, 2002, Eff. Jun 1, 2002; Am. 3, 2003, Eff. May 10, 2003; Am. 6, 2004, Eff. May 8, 2004; Am. 4, 2005, Eff. May 6, 2005; Am. 6, 2006, Eff. May 5, 2006; Am. 4, 2007, Eff. Apr 13, 2007; Am. 4, 2008, Eff. Apr 11, 2008; Am. 4, 2009, Eff. Apr 3, 2009; Am. 6, 2010, Eff. Apr 8, 2010; Am. 5, 2011, Eff. Apr 8, 2011; Am. 3, 2012, Eff. Apr 6, 2012.

#### 3.2 Elk hunting firearms and bows, exceptions.

Sec. 3.2 Those firearms, crossbows, and bows legal for the taking of deer in Michigan shall be legal to take elk, except that it shall be unlawful to use a shotgun with buckshot to take elk.

History: Eff. Mar 31, 1989; Am. 2, 2009, Eff. Mar 6, 2009, with a sunset provision regarding the use of the crossbow effective Mar 6, 2012; Am. 17, 2010, Eff. Aug 13, 2010.

#### 3.3 Repealed. Am. 5, 1989, Eff. Sep 1, 1989.

Publisher's note: The repealed section pertained to the October elk hunt, application, and selection procedures.

#### 3.4 Elk hunt, application and selection procedures; requirements; unlawful acts; ineligible persons.

Sec. 3.4 (1) Only Michigan residents who will be at least 10 years of age before or during the hunt period may apply. A person who is not a resident of Michigan shall not hunt elk in Michigan. A person shall be ineligible to receive a license for more than 1 hunt period.

History: Eff. Mar 31, 1989; Am. 5, 1989, Eff. Sep 1, 1989; Am. 5, 1992, Eff. Jul 1, 1992; Am. 1, 1994, Eff. Sep 1, 1994; Am. 2, 1995, Eff. Sep 1, 1995; Am. 4, 1997, Eff. Jun 1, 1997; Am. 5, 1998, Eff. Jun 1, 1998; Am. 10, 2003, Eff. Feb 1, 2004; Am. 2, Eff. Mar 8, 2004; Am. 16, 2006, Eff. Aug 11, 2006; Am. 4, 2007, Apr 13, 2007; Am. 3, 2012, Eff. Apr 6, 2012.

#### 3.5 Elk hunting licenses, procedures; voiding of selection; transfer of drawing success; unlawful acts.

Sec. 3.5 (1) Within 2 weeks upon notification by mail of selection in the drawing, the successful applicant shall purchase an elk hunting license at any license agent within the state or shall transfer their success in the drawing to a qualified minor hunter or a hunter of any age with an advanced illness. Failure to comply with the purchase or transfer requirements of this subsection shall result in the voiding of the applicant's selection and selection of another person to receive an elk hunting license.

(2) It shall be unlawful for a person who transfers their success in the elk lottery to a minor hunter or a hunter with an advanced illness to assist the minor hunter or hunter with an advanced illness in any manner in taking elk for a fee or other consideration or service of value, either directly or indirectly.

(3) It shall be unlawful for a person to buy or sell success in the elk license lottery, or an adult to acquire a license after being unsuccessful in the lottery, unless the person has received from a physician a written statement of advanced illness which shall be produced upon the request of a peace officer.

History: Eff. Mar 31, 1989; Am. 1, 1994, Eff. Sep 1, 1994; Am. 2, 1995, Eff. Sep 1, 1995; Am. 4, 1997, Eff. Jun 1, 1997; Am. 10, 2003, Eff. Feb 1, 2004.

### **3.6 Elk hunting, requirements; unlawful acts.**

Sec. 3.6 (1) The director shall issue a kill tag as part of the elk hunting license. It shall be unlawful for any person to hunt under the authority of an elk hunting license unless the licensee carries on their person the unused kill tag issued with their elk license.

(2) (a) A person who kills an elk shall immediately validate the kill tag by notching out the appropriate areas of the kill tag and shall immediately attach the kill tag to the antler, lower jaw, or gambrel of the elk in a secure and permanent manner.

(b) A person who kills an elk shall clearly mark the kill site and other locations as instructed at the half-day training session.

(3) Within 24 hours of killing an elk and before removing any elk from the area open to elk hunting, a licensee shall take the animal to the official checking station where a confirming seal or seals shall be attached by the department and an examination will be made for such biological or other information as may be desired. The carcass need not be entire, but all parts must be readily identifiable and presented for sealing.

(4) Within 2 weeks of killing an elk, a licensee shall take the head of the animal to a department management unit or field office for submission to the department.

(5) It shall be unlawful to possess or transport an elk or parts of an elk without a kill tag and confirming seal attached. A confirming seal shall remain attached to the elk until the conditions in section 3.103(2) are met. A person, corporation, or common carrier shall not receive for transportation or have in possession at the initial billing station the carcass or dead body of an elk more than 48 hours after the closing time when the taking of elk is authorized by law.

(6) It shall be unlawful to take an elk over bait. For the purposes of this section, "bait" means a substance composed of grain, fruit, vegetables, or other food placed to lure or entice elk. This does not apply to standing farm crops under normal agricultural practices or other natural growing grains, fruits, or vegetables.

(7) It shall be unlawful for a hunter with an antlerless-only license to take or possess an elk with antlers. It shall be unlawful for a person to take more than 1 elk in an elk hunting season.

History: Eff. Mar 31, 1989; Am. 17, 1989, Eff. Sep 1, 1989; Am. 7, 1990, Eff. Sep 1, 1990; Am. 19, 1993, Eff. Sep 10, 1993; Am. 1, 1994, Eff. Sep 1, 1994; Am. 4, 1997, Eff. Jun 1, 1997; Am. 14, 1998, Eff. Sep 10, 1998; Am. 17, 1999, Eff. Dec 9, 1999; Am. 6, 2000, Eff. Aug 1, 2000; Am. 4, 2007, Eff. Apr 13, 2007.

### **3.7 Repealed. Am. 4, 1991, Eff. Sep 1, 1991.**

Publisher's note: The repealed section pertained to October elk license quotas.

### **3.8 Elk license quota, hunters restricted to assigned management unit, exception.**

Sec. 3.8. (1) The license quotas for elk hunt period 1, as specified in Section 3.1(1), shall be elk management unit L, 30 any elk licenses and 70 antlerless elk licenses.

(2) The license quotas for elk hunt period 2, as specified in section, 3.1(1) shall be:

(a) Elk management unit F, 10 any elk licenses and 30 antlerless elk licenses.

(b) Elk management unit G, 20 any elk licenses and 40 antlerless elk licenses.

(3) The license quota for elk hunt period 3, as specified in section 3.1(1), shall be no more than 40. The director, in consultation with and concurrence of the chair or vice chair of the natural resources

commission, may determine the number and type of license available and the elk management units, as described in chapter XII, open during this season.

(4) An elk hunter shall hunt in their assigned season and elk management unit except elk hunters assigned to hunt in elk management units F or G may hunt in elk management unit X.

History: Eff. Mar 31, 1989; Am. 17, 1989, Eff. Sep 1, 1989; Am. 7, 1990, Eff. Sep 1, 1990; Am. 4, 1991, Eff. Sep 1, 1991; Am. 5, 1992, Eff. Jul 1, 1992; Am. 7, 1993, Eff. Sep 1, 1993; Am. 1, 1994, Eff. Sep 1, 1994; Am. 2, 1995, Eff. Sep 1, 1995; Am. 7, 1996, Eff. Sep 1, 1996; Am. 4, 1997, Eff. Jun 1, 1997; Am. 5, 1998, Eff. Jun 1, 1998; Am. 14, 1998, Eff. Sep 10, 1998; Am. 17, 1999, Eff. Dec 9, 1999; Am. 6, 2000, Eff. Aug 1, 2000; Am. 15, 2005, Eff. Jul 8, 2005; Am. 11, 2006, Eff. Jul 7, 2006; Am. 14, 2007, Eff. Jul 13, 2007; Am. 4, 2008, Eff. Apr 11, 2008; Am. 4, 2009, Eff. Apr 3, 2009; Am. 6, 2010, Eff. Apr 8, 2010; Am. 5, 2011, Eff. Apr 8, 2011; Am. 3, 2012, Eff. Apr 6, 2012.

### **3.9 Taking of elk marked with visible ear tag identification.**

(1) A department or federal employee may kill an elk that bears visible ear tag identification, if the animal is confirmed by a department or federal employee to have been outside of the perimeter of a registered cervidae livestock operation for more than 48 hours.

(2) Elk of either sex that bear visible ear tag identification may be taken by hunting statewide by a person with a valid hunting license, with the exception of an apprentice license, except for elk with radio collars, in compliance with all other laws and rules for the taking of game.

(3) Any animal taken under this section must be submitted for registration and disease testing in a manner specified by the department.

History: Am. 9, May 11, 2007, Eff. May 11, 2007.

### **3.100 Taking of deer; prohibited firearms, "bait" and "baiting" defined, conditions for baiting established in certain area; unlawful acts.**

Sec. 3.100 (1) A person shall not use a rimfire firearm .22 caliber or smaller for the taking of deer.

(2) A person shall not pursue, capture, shoot, kill, chase, follow, harass, or harm a deer while the deer is swimming in a pond, lake, stream, or other body of water.

(3) For the purposes of this section, "bait" means a substance composed of grains, minerals, salt, fruits, vegetables, hay, or any other food materials, whether natural or manufactured, which may lure, entice or attract deer. "Bait" does not include the establishment and maintenance of plantings for wildlife, foods found scattered solely as the result of normal agricultural planting or harvesting practices, foods available to deer through normal agricultural practices of livestock feeding if the area is occupied by livestock actively consuming the feed on a daily basis, or standing farm crops under normal agricultural practices. For the purposes of this section, "baiting" means to place, deposit, tend, distribute, or scatter bait to aid in the taking of a deer.

(4) It shall be unlawful for a person to make use of bait to aid in the taking of a deer within Alcona, Alpena, Montmorency, and Oscoda counties, and within the townships of Oscoda, Plainfield, Wilber, Au Sable, and Baldwin in Iosco county.

(5) In remaining portions of Michigan not described in subsection (4), a person may engage in baiting only if all of the following conditions apply:

(a) The baiting occurs only from October 1 to January 1.

(b) The bait material may be of any food type.

(c) The bait is scattered directly on the ground by any means, including mechanical spin-cast feeders, provided that the spin-cast feeder does not distribute on the ground more than the maximum volume allowed as described in subdivision (d) of this subsection. "Scattered" means that the bait is dispersed or thrown over a minimum of a 10-foot by 10-foot or equivalent area so that individual pieces of bait are separated and not placed in piles. The purpose of scattering is to mimic natural feeding conditions.

(d) The volume of bait used at any 1 point in time shall not exceed 2 gallons at any 1 hunting site.

(e) Subsection (5) shall be rescinded on June 9, 2014.

(6) It shall be unlawful for a person to make use of bait to aid in the taking of a deer if the bait and baiting does not meet all of the conditions specified in subsection (5) unless specifically authorized in the minimum quantity and for the minimum time required under the conditions of a permit issued pursuant to chapter V for a scientific research project or for the control of deer by a governmental agency.

History: Eff. Mar 31, 1989; Am. 23, 1989, Eff. Sep 1, 1990; Am. 4, 1990, Eff. Sep 1, 1990; Am. 2, 1993, Eff. Sep 1, 1993; Am. 19, 1993, Eff. Sep 10, 1993; Am. 3, 1994, Eff. Sep 1, 1994; Am. 2, 1998, Eff. May 15, 1998; Am. 15, 1998, Eff. Sep 10, 1998; Am. 1, 1999, Eff. Apr 1, 1999; Am. 3, 1999, Eff. May 1, 1999; Am. 11, 1999, Eff. Jul 8, 1999; Am. 9, 2000, Eff. Jun 9, 2000; Interim Order 3, 2001, Eff. Oct 1, 2001; Am. 8, 2002, Eff. Jun 8, 2002; Am. 2, 2003, Eff. Apr 12, 2003; Am. 8, 2008, Eff. Jun 6, 2008; Am. Interim Order 1, 2008, Eff. Aug 26, 2008; Am. 15, 2008, Eff. Oct 10, 2008; Am. 10, 2011, Eff. Jun 10, 2011; Am. 16, 2011, Eff. Nov 10, 2011.

### **3.100a Deer and elk feeding; prohibitions and conditions; words and phrases.**

Sec 3.100a (1) A person shall not engage in deer and elk feeding within deer management unit 487.

#### **Deer and elk feeding prohibited except for recreational viewing and supplemental feeding, conditions for baiting and feeding in certain areas.**

(2) In remaining portions of Michigan not described in subsection (1), a person shall not engage in deer and elk feeding except for recreational viewing and supplemental feeding conducted as prescribed in this section. In the event chronic wasting disease (CWD) is documented within Michigan or within 50 miles of Michigan's border with another state or Canadian province, the director shall issue an interim order banning the use of bait and banning the feeding of deer and elk within the peninsula containing CWD or adjacent to the adjoining state or province with CWD.

#### **Recreational viewing in areas not closed to feeding, conditions.**

(3) In remaining portions of Michigan not described in subsection (1), a person may engage in deer and elk feeding for recreational viewing only if all of the following conditions are met:

(a) The feed is placed not more than 100 yards from a residence of the person and upon land owned or possessed by that person.

(b) The feed is placed, scattered, or dispersed at least 100 yards from any area accessible to cattle, goats, sheep, new world camelids, bison, swine, horses, or captive cervidae and no more than 100 yards from a residence.

(c) The feed is scattered directly on the ground by any means, including mechanical spin-cast feeders, provided that the spin-cast feeder does not distribute on the ground more than the maximum volume allowed as described in subdivision (d) of this subsection.

(d) The volume of feed placed, scattered, or distributed does not exceed 2 gallons per residence at any 1 point in time.

(e) The feed placed, scattered, or distributed may be of any food type.

(f) Subsection (3) shall be rescinded on June 9, 2014.

#### **Deer or elk feeding on property under a person's ownership or lease, prohibited conduct, "person" defined.**

(4) A person shall not allow deer or elk feeding on property under their ownership or control in violation of this section. For the purposes of this subsection, "person" means an individual, partnership, corporation, association, or other non-governmental legal entity except if the property is leased it shall mean the individual, partnership, corporation, association, or other non-governmental legal entity with control or authority over the property except it shall not include the owner of lands enrolled under the provisions of

Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.51101 to 324.51120.

**Meaning of words and phrases.**

(5) For the purposes of this section:

(a) "Deer and elk feeding" shall have the same meaning as defined by section 40102 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.40102.

(b) "Feed" shall have the same meaning as defined by section 40102 of the Natural Resources and Environmental Protection Act, Act No. 1994 PA 451, MCL 324.40102.

(c) "New world camelids" means animals belonging to the genus llama and vicuna of the family camelidae of the order artiodactyla including, but not limited to, the llama, alpaca, vicuna, and guanaco.

(d) "Residence" shall have the same meaning as defined by section 40103 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.40103.

**Supplemental feeding of deer, counties listed, conditions.**

(6) A person may engage in the supplemental feeding of deer in Ontonagon, Houghton, Keweenaw, Baraga, Alger, Luce, Gogebic, and those portions of Marquette and Chippewa counties north of the T43N-T44N boundary line if all of the following conditions are met:

(a) The placement of feed shall not begin prior to the Monday following January 1 and shall not extend beyond May 15 unless otherwise specified in the supplemental deer feeding permit.

(b) All conditions in section 3.100a (9) of this order are met.

(7) A person may engage in the supplemental feeding of deer in Iron, Dickinson, Delta, Menominee, and that portion of Marquette county south of T43N-44N boundary line if all the following apply:

(a) The average snow accumulation reported by the Crystal falls and Escanaba department field offices reaches 48 inches by the Monday nearest January 15.

(b) The placement of feed shall not begin prior to the Monday following January 15 and shall not extend beyond May 15 unless otherwise specified in the supplemental deer feeding permit.

(c) All conditions in section 3.100a (9) of this order are met.

(8) A person may engage in the supplemental feeding of deer in Schoolcraft, Mackinac and that portion of Chippewa county south of T43N-44N boundary line if all the following apply:

(a) The average snow accumulation reported by the Manistique and Naubinway department field offices reaches 60 inches by the Monday nearest January 15.

(b) The placement of feed shall not begin prior to the Monday following January 15 and shall not extend beyond May 15 unless otherwise specified in the supplemental deer feeding permit.

(c) All conditions in section 3.100a (9) of this order are met.

(9) The following conditions must be met to engage in the supplemental feeding of deer in areas noted in section 3.100a (6) to (8) of this order:

(a) Prior to placing any feed, the person first acquires permission of the respective public land administrator and private property owner and a supplemental deer feeding permit issued by a department

wildlife biologist. A person engaged in supplemental deer feeding shall possess a copy of the supplemental deer feeding permit and shall produce the permit upon the request of a conservation officer.

(b) The supplemental deer feeding is conducted in compliance with all of the following criteria:

(i) All feed shall be placed  $\frac{1}{4}$  mile or more from the nearest paved public highway unless otherwise specified in the supplemental deer feeding permit.

(ii) All feed shall be placed at least 1 mile from cattle, goats, sheep, new world camelids, bison, swine, horses, or captive cervidae unless otherwise specified in the supplemental deer feeding permit.

(iii) All feed shall be placed at least 1 mile from wheat fields, potato fields, commercial fruit orchards, commercial plantings of nursery stock or Christmas trees, unless otherwise specified in the supplemental deer feeding permit.

(iv) The feed shall consist solely of grains, second cut alfalfa and clover, and pelletized food materials containing no animal protein which is scattered or dispersed directly upon the ground to a depth which shall not exceed 3 inches.

(c) A person issued a supplemental deer feeding permit shall agree to assist the department in the collection of deer tissue samples for disease surveillance.

(d) A person issued a supplemental deer feeding permit shall report by May 30 the quantity and type of feed used, dates and duration of feeding, and other information as may be specified in the supplemental feeding permit. The department shall report to the commission the number of permits issued, quantity of feed used, and other relevant supplemental deer feeding information.

(e) Failure to comply with all provisions of a supplemental deer feeding permit shall make the permittee ineligible for any future supplemental deer feeding permits.

History: Eff. Oct 1, 1999; Am. 14, 1999; Am. 9, 2000, Eff. Jun 9, 2000; Am. 12, 2001, Eff. Sep 1, 2001; Am. 8, 2002, Eff. Jun 8, 2002; Am. 3, 2006, Eff. Jul 7, 2006; Am. Interim Order 1, 2008, Eff. Aug 26, 2008; Am. 15, 2008, Eff. Oct 10, 2008; Am. 20, 2009, Eff. Dec. 3, 2009; Am. 14, 2010, Eff. Aug. 12, 2010; Am. 10, 2011, Eff. Jun 10, 2011.

Compilers Note: MCL 324.4011a, as added by Act 66 of 1999, was repealed by Act 191 of 2004, Eff. Dec 31, 2004; it was subsequently amended by Act 199 of 2009, Eff. Dec 29, 2009, with a sunset provision effective January 1, 2016.

### **3.100b Prohibition on possession of free-ranging deer carcasses or parts thereof; reporting requirements; movement of deer carcasses or parts thereof.**

Sec. 3.100b (1) A person shall not remove the carcass or parts of the carcass of a free-ranging deer from the CWD surveillance zone defined in section 12.900 of this order, other than deboned meat, antlers, antlers attached to a skull cap cleaned of all brain and muscle tissue, and hides, until a negative test for CWD is documented by the department for that carcass.

(2) The carcass or parts thereof of a hunter-harvested deer, other than deboned meat, antlers, antlers attached to a skull cap cleaned of brain and muscle tissue, and hides, shall not be possessed outside the CWD surveillance zone defined in section 12.900 of this order if originating from a free-ranging deer from the CWD surveillance zone, until a negative test for CWD is documented by the department for that carcass.

History: Am. 12, 2003, Eff. Jul 12, 2003; Am. Interim Order 2, 2008, Eff. Aug 29, 2008; Am. Interim Order 5 of 2008, Eff. Sep 15, 2008; Am. 16, 2008, Eff. Oct 10, 2008.

### **3.100c Repealed. Am. 3, 2006, Eff. Jul 7, 2006.**

Compiler's Note: This repealed section has been incorporated into 3.100a and pertained to supplemental deer feeding in the Upper Peninsula.

### **3.101 Deer hunting open seasons; type of deer that may be taken; carrying of firearms; season limit.**

Sec. 3.101. (1) The open firearm deer season shall be from November 15 to November 30.

(2) The open muzzle-loading and black-powder firearms deer season in zone 1 shall be a total of 10 days from the first Friday in December to nine days thereafter. The open muzzle-loading and black-powder firearms deer season in zone 2 shall be a total of 10 days from the second Friday in December to nine days thereafter. The open muzzle-loading and black-powder firearms deer season in zone 3 shall be a total of 17 days from the first Friday in December to 16 days thereafter.

(3) Subject to section 43510, subsections (2) and (3), of part 435, as amended, hunting and fishing licensing, natural resources and environmental protection act, 1994 PA 451, as amended, MCL 324.43510, a person hunting deer with a muzzleloading firearm during the muzzle-loading and black-powder firearms season shall only possess or carry afield, or take a deer with a muzzle-loading rifle, muzzle-loading shotgun, or black-powder pistol, loaded with black-powder or a commercially manufactured black-powder substitute, or a crossbow.

(4) The open bow and arrow season shall be from October 1 through November 14 and from December 1 through January 1.

(5) Subject to section 43510, subsections (2) and (3), of part 435, as amended, hunting and fishing licensing, natural resources and environmental protection act, 1994 PA 451, as amended, MCL 324.43510, during the open bow and arrow season, a person hunting deer with a bow and arrow or a crossbow shall not possess or carry afield a pistol, revolver, or any other firearm unless the person is properly licensed to hunt deer with a firearm and is hunting in an area open to firearm deer hunting.

(6) The late antlerless firearm deer season shall be from the first Monday following the third Saturday in December through January 1 upon privately owned lands within Alcona, Allegan, Antrim, Alpena, Barry, Bay, Berrien, Branch, Calhoun, Cass, Clinton, Eaton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Isabella, Jackson, Kalamazoo, Kent, Lapeer, Lenawee, Livingston, Macomb, Mecosta, Midland, Monroe, Montcalm, Montmorency, Muskegon, Oakland, Oceana, Oscoda, Ottawa, Presque Isle, St. Clair, St. Joseph, Saginaw, Sanilac, Shiawassee, Tuscola, Van Buren, Washtenaw, and Wayne counties, and upon privately-owned lands within that portion of Newaygo county south of M-20, that portion of Charlevoix county within deer management unit 015, that portion of Arenac county within zone 3, and that portion of Arenac county east of M-65 within zone 2. Only a person possessing a valid antlerless deer license issued for the deer management unit in which they are hunting may take a deer during this season.

(7) The deer management assistance firearm hunt period shall be from the first Monday following the third Saturday in December through January 1 upon lands owned by federal, state, county, or local units of government, non-profit organizations, and other urban or suburban properties in zone 3. Only those areas with a wildlife division approved deer population management plan will be considered for issuance of these special deer management assistance permits. Only a person possessing a valid deer management assistance permit issued for this hunt period may take a deer with a firearm or a crossbow during this season.

(8) The season limit shall be 1 deer per firearm deer license, 1 deer per bow and arrow deer license, 1 deer per tag issued with a combination deer license, plus 1 deer per antlerless deer license.

(9) A person shall not purchase more than one firearm deer license or more than one bow and arrow deer license per calendar year.

(10) Except as provided by sections 3.101a, 3.101c and 3.101d, the kind of deer which may be taken during the respective open seasons for each combination of season and deer license type shall be as follows:

<u>Type of license</u>	<u>Season in which used</u>	<u>Kind of deer that may be taken</u>
------------------------	-----------------------------	---------------------------------------

Bow and arrow deer license	Bow and arrow only seasons	Antlerless or antlered deer, except if a person takes 2 antlered deer all seasons combined, one of the antlered deer must have at least 1 antler with 4 or more antler points 1 or more inches in length
Firearm deer license	Firearm deer season, muzzle-loading and black-powder firearms only season	Antlered deer, except if a person takes 2 antlered deer all seasons combined, one of the antlered deer must have at least 1 antler with 4 or more antler points 1 or more inches in length, or antlerless deer in deer management unit 487
	Youth and 100% disabled veteran firearm deer hunting days	Antlerless or antlered deer
Combination deer license – Regular	Bow and arrow only seasons	Antlerless or antlered deer
	Firearm deer season or muzzle-loading and black-powder firearms only season	Antlered deer, or antlerless deer in deer management unit 487
	Youth and 100% disabled veteran firearm deer hunting days	Antlerless or antlered deer
Combination deer license – Restricted	Bow and arrow only seasons	Antlerless deer or a deer which has at least 1 antler with 4 or more antler points 1 or more inches in length
	Firearm deer season or muzzle-loading and black-powder firearms only season	A deer which has at least 1 antler with 4 or more antler points 1 or more inches in length, or antlerless deer in deer management unit 487
	Youth and 100% disabled veteran firearm deer hunting days	Antlerless deer or a deer which has at least 1 antler with 4 or more antler points 1 or more inches in length

(10) The early antlerless firearm deer season shall be a 5-day hunt starting on the third Thursday in September upon privately owned lands within Alcona, Alpena, Antrim, Iosco, Montmorency, Oceana, Oscoda, and Presque Isle counties and upon privately owned lands within zone 3, and upon privately owned lands within those portions of Bay, Isabella, Mecosta, Midland, and Muskegon counties within zone 2, and upon privately owned lands within that portion of Arenac county east of M-65 within zone 2 and that portion of Charlevoix county within deer management unit 015. Only a person possessing a valid private land antlerless deer license issued for the deer management unit in which they are hunting may take a deer during this season.

History: Eff. Mar 31, 1989; Am. 2, 1989, Eff. Sep 1, 1989; Am. 18, 1989, Eff. Sep 1, 1989; Am. 24, 1989, Eff. Dec 15, 1989; Am. 4, 1990, Eff. Sep 1, 1990; Am. 6, 1991, Eff. Sep 1, 1991; Am. 19, 1993, Eff. Sep 10, 1993; Am. 3, 1994, Eff. Sep 1, 1994; Am. 3, 1997, Eff. Jun 1, 1997; Am. 6, 1998, Eff. May 15, 1998.; Am. 15, 1998, Eff. Sep 10, 1998; Am. 15, 1998, Eff. Sep 10, 1998; Am. 8, 1999, Eff. Sep 1, 1999; Am. 2, 2000, Eff. Jan 14, 2000; Am. 7, 2000, Eff. Sep 1, 2000; Am. 6, 2001, Eff. Jun 1, 2001; Am. 8, 2002, Eff. Jun 8, 2002; Am. 8, 2003, Eff. Jun 7, 2003; Am. 7, 2004, Eff. Jun 5, 2004; Am. 2, 2005, Eff. Mar 11, 2005; Am. 5, 2005, Eff. May 6, 2005; Am. 17, 2006, Eff. Oct 6, 2006; Am. 13, 2007, Eff. Jul 13, 2007; Am. 1, 2008, Eff. Jan 11,

2008; Am. 7, 2008, Eff. May 9, 2008; Am. 10, 2008, Eff. Jun 6, 2008; Am. 2, 2009, Eff. Mar 6, 2009, with a sunset provision regarding the use of the crossbow effective Mar 6, 2012; Am. 7, 2009, Eff. May 7, 2009; Am. 7, 2010, Eff. May 6, 2010; Am. 17, 2010, Eff. Aug 13, 2010.

### **3.101a Deer hunting in zone 1 season limit and antler restriction.**

Sec. 3.101a (1) Notwithstanding any other provisions of this order a person purchasing a firearm deer license and a bow and arrow deer license shall not take more than one antlered deer in zone 1.

(2) Notwithstanding any other provisions of this order, except section 3.101e, a person possessing a regular combination deer license shall not take an antlered deer unless the deer has at least 1 antler with 3 or more antler points each 1 or more inches in length in zone 1.

(3) A person possessing a restricted combination deer license shall not take an antlered deer unless the deer has at least 1 antler with 4 or more antler points each 1 or more inches in length.

History: Am. 10, 2008, Eff. Jun 6, 2008; Am. 7, 2010, Eff. May 6, 2010.

### **3.101b Deer hunting in deer management unit 487, antler restriction.**

Sec. 3.101b (1) Notwithstanding any other provisions of this order a person purchasing a firearm deer license or a bow and arrow deer license shall not take more than one antlered deer in dmu 487.

(2) Notwithstanding any other provisions of this order, except section 3.101e, a person possessing a regular combination deer license shall not take an antlered deer unless the deer has at least 1 antler with 3 or more antler points each 1 or more inches in length in dmu 487.

(3) A person possessing a restricted combination deer license shall not take an antlered deer unless the deer has at least 1 antler with 4 or more antler points each 1 or more inches in length in dmu 487.

History: Am. 10, 2010, Eff. July 8, 2010.

### **3.101c Deer hunting in deer management unit 117 and 135 antler restriction.**

Sec. 3.101c (1) Notwithstanding any other provisions of this order, in deer management unit 117 a person shall not take an antlered deer unless the deer has at least 1 antler with 2 or more antler points each 1 or more inches in length.

(2) A person purchasing a firearm deer license or a bow and arrow deer license, in deer management unit 135 shall not take an antlered deer unless the deer has at least 1 antler with 2 or more antler points each 1 or more inches in length.

History: Am. 9, 1999, Eff. Sep 1, 1999; Am. 6, 2001, Eff. Jun 1, 2001; Am. 4, 2002, Eff. Jun 1, 2003; Am. 5, 2004, Eff. May 8, 2004; Am. 7, 2006, Eff. May 5, 2006; Am. 10, 2010, Eff. July 8, 2010.

### **3.101d Deer hunting in deer management units 045, 115, and 122 antler restriction.**

Sec. 3.101d Notwithstanding any other provisions of this order, in deer management units 045, 115, and 122, a person shall not take an antlered deer unless the deer has at least 1 antler with 3 or more antler points each 1 or more inches in length.

History: Am. 9, 1999, Eff. Sep 1, 1999; Am. 6, 2001, Eff. Jun 1, 2001; Am. 4, 2002, Eff. Jun 1, 2003; Am. 5, 2004, Eff. May 8, 2004; Am. 7, 2006, Eff. May 5, 2006; Am. 12, 2011, Eff. Jun 10, 2011.

### **3.101e Youth and 100 percent disabled veteran firearm deer hunting days, season established, limits defined, adult requirements, hunting hours.**

Sec. 3.101e (1) The youth and 100 percent disabled veteran firearm deer hunting days shall be a 2-day hunt starting the fourth Saturday in September.

(2) The youth early antlerless firearm hunting days shall be a 4-day hunt starting on the Tuesday prior to the fourth Saturday in September within dmu 041 and dmu 486.

(3) Individuals wishing to participate in the youth and 100 percent disabled veteran firearm deer hunting days shall be eligible if one of the following applies:

(a) A youth 10 through 16 years of age at the time of their hunt.

(b) A veteran with 100 percent disability as defined by the United States department of veterans affairs may participate in the youth and 100 percent disabled veteran firearm deer hunting days. Documentation from the United States department of veteran's affairs indicating 100 percent disability shall be in the possession of a veteran participating in this hunt.

(c) A resident rated by the United States department of veterans affairs as individually unemployable may participate in the youth and 100 percent disabled veteran firearm deer hunting days. Documentation from the United States department of veteran's affairs indicating this rating shall be in the possession of a veteran participating in this hunt.

(4) Individuals wishing to participate in the youth early antlerless firearm hunting days must be 10 to 16 years of age at the time of their hunt.

(5) The following rules shall apply to a person taking deer on the youth and 100 percent disabled veteran firearm deer hunting and the youth early antlerless firearm hunting days:

(a) A parent or legal guardian shall not allow a youth hunter to go afield to hunt deer unless the youth hunter is accompanied by an adult at least 18 years of age or older. Subject to section 43510, subsections (2) and (3), of Part 435, as amended, hunting and fishing licensing, natural resource and environmental protection act, 1994 PA 451, as amended, MCL 324.43510, an adult accompanying a youth firearm deer hunter shall not possess or carry a firearm, crossbow, or bow and arrow, except a veteran with 100 percent disability may possess a firearm, crossbow, or bow and arrow if hunting under the authority of section 3.101e(2b).

(b) The hunting hours shall be one-half hour before sunrise to one-half hour after sunset, local time.

(c) Except as otherwise specifically provided in this section, all regulations of state law and this order regarding the taking, possession, transportation, and storage of deer during a firearm deer season shall apply to persons participating in youth and 100 percent disabled veteran firearm deer hunting days and the youth early antlerless firearm hunting days.

(6) During the youth early antlerless firearm deer hunting days a hunter may take one antlerless deer for each antlerless deer hunting license they possess, valid for the unit in which they are hunting.

(7) During the youth and 100 percent disabled veteran firearm deer hunting days a hunter may take one deer provided they possess a firearm or combination deer hunting license or an antlerless deer hunting license valid for the unit in which they are hunting. Notwithstanding any other provisions of this order, during the youth and 100 percent disabled firearm deer hunting days a firearm or combination deer hunting license is valid for either an antlered or an antlerless deer.

History: Am. 8, 2000, Eff. Sep 1, 2000; Am. 6, 2001, Eff. Jun 1, 2001; Am. 7, 2004, Eff. Jun 5, 2004; Am. 2, 2005, Eff. Mar 11, 2005; Am. 16, 2006, Eff. Aug 11, 2006; Am. 13, 2007, Eff. Jul 13, 2007; Am. 7, 2008, Eff. May 9, 2008; Am. 2, 2009, Eff. Mar 6, 2009, with a sunset provision regarding the use of the crossbow effective Mar 6, 2012; Am. 10, 2010, Eff. July 8, 2010; Am. 17, 2010, Eff. Aug 13, 2010.

### **3.101f Permitted tagging of male antlerless deer.**

Sec. 3.101f Notwithstanding the provisions of subsection 3.101(9) regarding the kind of deer that may be taken, a person with unused kill tags valid for both an antlered and antlerless deer for the deer management unit in which they are hunting, and killing a male antlerless deer, may tag the male antlerless deer with a kill tag designated in subsection 3.101(9) for the taking of an antlered deer.

History: Am. 6, 2001, Eff. Jun 1, 2001; Am. 8, 2003, Eff. Jun 7, 2003.

### **3.101g Special firearm disabled hunter deer hunting days, season established, participation requirements, limits defined.**

(1) The special firearm deer hunt for disabled hunters shall be a total of 4 days starting the Thursday prior to the third Saturday in October and for 3 days thereafter upon privately owned lands, or public lands requiring an access permit and open to the special firearm deer hunt for disabled hunters by lottery.

(2) Individuals wishing to participate in the special firearm deer hunt for disabled hunters shall be eligible if one of the following applies:

(a) A person is in possession of a permit issued by the department to hunt from a standing vehicle.

(b) A veteran with 100 percent disability as defined by the United States department of veterans affairs. Documentation from the United States department of veterans affairs indicating 100 percent disability shall be in the possession of a veteran participating in this hunt.

(c) A resident rated by the United States department of veterans affairs as individually unemployable. Documentation from the United States department of veterans affairs indicating this rating shall be in the possession of a veteran participating in this hunt.

(d) A blind person, as defined by section 1 of Act No. 260 of the Public Acts of 1978, being section 393.351 of the Michigan Compiled Laws.

(3) Eligible individuals wishing to participate in the special firearm deer hunt for disabled hunters on public land must apply for a permit through a lottery system in accordance with instructions provided by the land manager.

(4) Except as already provided in section 40114, part 401, wildlife conservation, Act No. 451 of the Public Acts of 1994, being section 324.40114 of the Michigan Compiled Laws, authorizing the taking of a deer of either sex by persons with a permit to hunt from a standing vehicle, all regulations of state law and this order regarding the taking, possession, transportation, and storage of deer during a firearm deer season shall apply to a person participating in this hunt.

History: Eff. Jan 11, 2008; Am. 7, 2008, Eff. May 9, 2008

### **3.101h Deer check; requirements.**

Sec. 3.101h A person killing a deer within the CWD surveillance zone defined in section 12.900, shall present the entire deer, or head with at least 3 vertebra attached, at a department designated check station within the CWD surveillance zone within the business hours of the next 72 hours after killing the deer. The field validation kill tag must be attached to the deer. The head, with vertebra, will be surrendered to the department for CWD testing. The hunter may retain the antlers attached to a skull cap cleaned of all brain and muscle tissue.

History: Interim Order 2, 2008, Eff. Aug 29, 2008; Am. Interim Order 5, 2008, Eff. Sep 15, 2008; Am. 16, 2008, Eff. Oct 10, 2008

### **3.102 Antlerless deer license; validity; authority; types; restrictions; units.**

Sec. 3.102. (1) Antlerless deer licenses are only valid in their specified deer management unit when the unit has a season open to the taking of deer. Antlerless deer licenses do not grant permission to hunt on private property without the permission of the owner. A person purchasing an antlerless deer license over the counter shall do so in person.

(2) Antlerless deer licenses shall only be valid for taking an antlerless deer.

(3) Except as otherwise provided in this subsection, the holder of a valid public land antlerless deer license shall only take a deer from publicly owned lands within the deer management unit specified on the antlerless deer license. Public land antlerless deer licenses shall not be valid on any privately owned lands except lands open to hunting by the general public under the provisions of Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, being sections 324.51101 to 324.51120 of the Michigan Compiled Laws.

(4) The holder of a valid private land antlerless deer license shall only take a deer from privately owned lands within the deer management unit specified on the private land antlerless deer license. The private land antlerless deer license shall not be valid on publicly owned lands and lands open to hunting by the general public under the provisions of Part 511, Commercial Forests, of the Natural Resources and Environmental

Protection Act, Act 451 of the Public Acts of 1994, being sections 324.51101 to 324.51120 of the Michigan Compiled Laws.

(5) The deer management units, as defined in chapter XII, listed in section 3.105a are open to the taking of antlerless deer by public land antlerless deer license or private land antlerless deer license, or any combination.

(6) The director, in consultation with and concurrence of the chair or vice chair of the natural resources commission, may require an application to obtain an antlerless deer license or may issue antlerless deer licenses through the retail sales system on a first-come, first-served basis for use in designated deer management units.

(7) The director in consultation with and concurrence of the chair or vice chair of the natural resources commission may issue antlerless deer licenses through the retail sales system on a first-come, first-served basis for use in designated deer management units when the director determines that antlerless deer licenses remain unsold after the drawing, provided for in section 3.104, has been held or where such issuance is in the best interest of deer management. An application for the current year is not required to purchase an antlerless deer license that remains after the drawing, provided for in section 3.104, has been held.

(8) Young hunters 10 to 16 years of age on or before the 4th Saturday in September may purchase 1 private or public land antlerless deer license, over the counter, on a first-come, first-served basis, during the application period for antlerless licenses for any deer management unit with antlerless licenses available.

(9) For deer management units 452, 486, 487, a person shall not purchase more than 5 antlerless deer hunting licenses per calendar day until the quota has been met. For all other deer management units a person shall not purchase more than 2 antlerless deer hunting licenses per calendar day until the quota has been met.

(10) For all deer management units except deer management units 486 and 487, a person may purchase up to a season limit of 5 private land antlerless deer hunting licenses per calendar day until the quota has been met.

History: Eff. Mar 31, 1989; Am. 3, 1989, Eff. Sep 1, 1989; Am. 4, 1990, Eff. Sep 1, 1990; Am. 6, 1991, Eff. Sep 1, 1991; Am. 3, 1997, Eff. Jun 1, 1997; Am. 6, 1998, Eff. May 15, 1998; Am. 15, 1998, Eff. Sep 10, 1998; Am. 8, 1999, Eff. Sep 1, 1999; Am. 14, 2000, Eff. Jul 14, 2000; Am. 4, 2001, Eff. Jun 1, 2001; Am. 8, 2002, Eff. Jun 8, 2002; Am. 12, 2004, Eff. Jun 5, 2004; Am. 2, 2006, Eff. May 5, 2006; Am. 8, 2006, Eff. Jun 2, 2006; Am. 16, 2006, Eff. Aug 11, 2006; Am. 13, 2007, Eff. Jul 13, 2007; Am. 7, 2008, Eff. May 9, 2008; Am. 7, 2009, Eff. May 7, 2009; Am. 13, 2009, Eff. Jul 9, 2009; Am. 7, 2010, Eff. May 6, 2010; Am. 7, 2011, Eff. Jun 10, 2011.

### **3.103 Issuance of deer kill tags; validation of deer kill tag; unlawful acts.**

Sec. 3.103 (1) The director shall issue a kill tag as part of each deer hunting license. A person who kills a deer shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the antler, lower jaw, or gambrel of the deer in a secure and permanent manner.

(2) Except as provided in this subsection for the removal of a kill tag, it shall be unlawful to possess or transport a deer without a validated deer kill tag attached. The kill tag shall remain attached to the deer until any 1 of the following conditions are met:

(a) The carcass is processed or butchered for consumption by an individual for their personal use.

(b) The carcass is accepted for processing and recorded by a commercial processor. If the antlers or head is returned to the person submitting the animal to the commercial processor, the kill tag shall accompany the head or antlers.

(c) The carcass is accepted for processing and recorded by a taxidermist.

History: Eff. Mar 31, 1989; Am. 3, 1989, Eff. Sep 1, 1989; Am. 19, 1993, Eff. Sep 10, 1993; Am. 3, 1994, Eff. Sep 1, 1994; Am. 3, 1997, Eff. Jun 1, 1997; Am. 6, 1998, Eff. May 15, 1998.

**3.104 Antlerless deer hunting license application procedures; qualifications; unlawful acts.**

Sec. 3.104 (1) A person desiring to acquire an antlerless deer hunting license that is available by application must make application for a license through the retail sales system in accordance with instructions provided by the department. The fee for each antlerless deer license shall be established by the director. If the number of applications for a license in any unit exceeds the quota of licenses to be issued, a random drawing will determine the successful applicants.

(2) A person shall not make more than 1 application for an antlerless deer hunting license per license year.

(3) Applications must be submitted in accordance with instructions no later than August 15 of the year in which application was made to be eligible for the drawing.

(4) A person desiring to acquire a private land antlerless license shall provide the contact telephone number for the owner of the land within that deer management unit granting permission to deer hunt.

History: Eff. Mar 31, 1989; Am. 3, 1989, Eff. Sep 1, 1989; Am. 3, 1992, Eff. Sep 1, 1992; Am. 3, 1994, Eff. Sep 1, 1994; Am. 6, 1995, Eff. Sep 1, 1995; Am. 3, 1997, Eff. Jun 1, 1997; Am. 5, 1997, Eff. Aug 1, 1997; Am. 6, 1998, Eff. May 15, 1998; Am. 8, 1999, Eff. Sep 1, 1999; Am. 14, 2000, Eff. Jul 14, 2000; Am. 4, 2001, Eff. Jun 1, 2001; Am. 14, 2001, Eff. Sep 15, 2001; Am. 8, 2002, Eff. Jun 8, 2002; Am. 2, 2006, Eff. May 5, 2006; Am. 8, 2006, Eff. Jun 2, 2006; Am. 13, 2007, Eff. Jul 13, 2007; Am. 7, 2008, Eff. May 9, 2008.

**3.105 Antlerless-only license quotas.**

Sec. 3.105 (1) The director, in consultation with and concurrence of the chair or vice chair of the natural resources commission, may make appropriate minor changes to antlerless deer quotas established in 3.105(2) to meet disease control, population goal, or other management objectives.

(2) Notwithstanding any other provision of this section, the antlerless deer license quotas are as follows:

<b>DMU</b>	<b>DMU Name</b>	<b>Public licenses</b>	<b>Private licenses</b>	<b>Total licenses</b>
1	Alcona County	5,000	0	5,000
3	Allegan County	3,000	0	3,000
4	Alpena County	3,000	0	3,000
5	Antrim County	0	5,000	5,000
6	Arenac County	500	7,600	8,100
7	Big Bay Unit	0	0	0
8	Barry County	1,800	0	1,800
9	Bay County	200	0	200
10	Benzie County	0	300	300
11	Berrien County	200	0	200
12	Branch County	100	0	100
13	Calhoun County	100	0	100
14	Cass County	400	0	400
15	Charlevoix County	0	3,400	3,400
16	Cheboygan County	0	0	0
17	Sault Ste. Marie Unit	0	0	0

18	Clare County	900	9,200	10,100
19	Clinton County	1,200	0	1,200
20	Crawford County	600	700	1,300
21	Manistique Unit	0	0	0
22	Crystal Falls Unit	1,000	4,000	5,000
23	Eaton County	100	0	100
24	Emmet County	0	1,500	1,500
25	Genesee County	0	0	0
26	Gladwin County	1,200	8,900	10,100
27	Watersmeet Unit	0	0	0
28	Grand Traverse County	0	300	300
29	Gratiot County	1,600	0	1,600
30	Hillsdale County	400	0	400
31	Nisula Unit	0	0	0
32	Huron County	1,500	0	1,500
33	Ingham County	600	0	600
34	Ionia County	1,200	0	1,200
35	Iosco County	1,000	0	1,000
36	Amasa/Michigamme Unit	0	0	0
37	Isabella County	100	0	100
38	Jackson County	1,600	0	1,600
39	Kalamazoo County	900	0	900
40	Kalkaska County	0	0	0
41	Kent County	1,100	0	1,100
42	Keweenaw Unit	0	0	0
43	Lake County	0	3,000	3,000
44	Lapeer County	2,000	0	2,000
45	Leelanau County	0	200	200
46	Lenawee County	400	0	400
47	Livingston County	1,400	0	1,400
48	Newberry Unit	0	0	0
50	Macomb County	200	4,000	4,200

51	Manistee County	0	3,000	3,000
53	Mason County	0	5,000	5,000
54	Mecosta County	200	0	200
55	Menominee County	2,000	9,000	11,000
56	Midland County	1,500	0	1,500
57	Missaukee County	0	3,200	3,200
58	Monroe County	200	1,800	2,000
59	Montcalm County	1,500	0	1,500
60	Montmorency County	5,000	0	5,000
61	Muskegon County	800	0	800
63	Oakland County	2,500	0	2,500
64	Oceana County	500	4,500	5,000
65	Ogemaw County	1,000	7,000	8,000
66	Ontonagon County	0	0	0
67	Osceola County	0	5,000	5,000
68	Oscoda County	5,000	0	5,000
69	Otsego County	0	0	0
70	Ottawa County	400	0	400
71	Presque Isle County	4,000	0	4,000
72	Roscommon County	0	0	0
73	Saginaw County	200	0	200
74	St. Clair County	700	9,500	10,200
75	St. Joseph County	300	0	300
76	Sanilac County	2,000	0	2,000
78	Shiawassee County	200	0	200
79	Tuscola County	2,700	0	2,700
80	Van Buren County	200	0	200
81	Washtenaw County	1,500	0	1,500
82	Wayne County	100	1,200	1,300
83	Wexford County	0	3,400	3,400
115	Beaver Island	200	300	500
117	Drummond Island	0	0	0
121	Bay De Noc	0	0	0

122	Norway Unit	200	2,500	2,700
127	Ironwood Unit	0	0	0
131	Twin Lakes Unit	0	0	0
135	Tawas Unit	200	0	200
145	North Manitou Island	0	0	0
149	Round/Bois Blanc Island	0	0	0
152	Gwinn Unit	0	500	500
155	Gladstone Unit	400	3,000	3,400
162	South Newaygo County	500	0	500
173	Shiawassee Flats	0	0	0
174	St. Clair Flats	400	300	700
245	South Fox Island	0	0	0
249	Trout Lake Unit	0	0	0
252	Rock Unit	0	500	500
255	LaBranche Unit	400	1,300	1,700
262	North Newaygo County	0	2,500	2,500
273	Shiawassee Unit	1,400	0	1,400
349	Engadine Unit	0	0	0
452	Core Area	3,000	0	3,000
486	Southern Multi-County	0	500,000	500,000
487	Northern Multi-County	0	72,100	72,100
	Total	72,500	684,700	756,200

History: Eff. Mar 31, 1989, Am. 18, 1989, Eff. Sep 1, 1989; Am. 4, 1990, Eff. Sep 1, 1990; Am. 3, 1997, Eff. Jun 1, 1997; Am. 14, 2005, Eff. Jul 8, 2005; Am. 12, 2006, Eff. Jul 7, 2006; Am. 13, 2007, Eff. Jul 13, 2007; Am. 12, 2008, Eff. Jul 11, 2008; Am. 13, 2009, Eff. Jul 9, 2009; Am. 12, 2010, Eff. July 8, 2010; Am. 14, 2011, Eff. Jul 8, 2011.

### 3.105a Deer management units open to antlerless license quotas.

Sec. 3.105a (1) Notwithstanding any other provision of this section the status of each deer management unit for antlerless deer licenses shall be as follows:

DMU	DMU Name	Private Land License	Public Land License
001	Alcona County	Open	Open
003	Allegan County	Open	Open
004	Alpena County	Open	Open
005	Antrim County	Open	Closed
006	Arenac County	Open	Open

007	Big Bay Unit	Closed	Closed
008	Barry County	Open	Open
009	Bay County	Open	Open
010	Benzie County	Open	Closed
011	Berrien County	Open	Open
012	Branch County	Open	Open
013	Calhoun County	Open	Open
014	Cass County	Open	Open
015	Charlevoix County	Open	Closed
016	Cheboygan County	Closed	Closed
017	Sault Ste. Marie Unit	Closed	Closed
018	Clare County	Open	Open
019	Clinton County	Open	Open
020	Crawford County	Open	Open
021	Manistique Unit	Closed	Closed
022	Crystal Falls Unit	Open	Open
023	Eaton County	Open	Open
024	Emmet County	Open	Closed
025	Genesee County	Open	Closed
026	Gladwin County	Open	Open
027	Watersmeet Unit	Closed	Closed
028	Grand Traverse County	Open	Closed
029	Gratiot County	Open	Open
030	Hillsdale County	Open	Open
031	Nissula Unit	Closed	Closed
032	Huron County	Open	Open
033	Ingham County	Open	Open
034	Ionia County	Open	Open
035	Iosco County	Open	Open
036	Amasa/Michigamme Unit	Closed	Closed
037	Isabella County	Open	Open
038	Jackson County	Open	Open
039	Kalamazoo County	Open	Open

040	Kalkaska County	Closed	Closed
041	Kent County	Open	Open
042	Keweenaw Unit	Closed	Closed
043	Lake County	Open	Closed
044	Lapeer County	Open	Open
045	Leelanau County	Open	Closed
046	Lenawee County	Open	Open
047	Livingston County	Open	Open
048	Newberry Unit	Closed	Closed
050	Macomb County	Open	Open
051	Manistee County	Open	Closed
053	Mason County	Open	Closed
054	Mecosta County	Open	Open
055	Menominee Unit	Open	Open
056	Midland County	Open	Open
057	Missaukee County	Open	Closed
058	Monroe County	Open	Open
059	Montcalm County	Open	Open
060	Montmorency County	Open	Open
061	Muskegon County	Open	Open
063	Oakland County	Open	Open
064	Oceana County	Open	Open
065	Ogemaw County	Open	Open
066	Ontonagon County	Closed	Closed
067	Osceola County	Open	Closed
068	Oscoda County	Open	Open
069	Otsego County	Closed	Closed
070	Ottawa County	Open	Open
071	Presque Isle County	Open	Open
072	Roscommon County	Closed	Closed
073	Saginaw County	Open	Open
074	St. Clair County	Open	Open
075	St. Joseph County	Open	Open

076	Sanilac County	Open	Open
078	Shiawassee County	Open	Open
079	Tuscola County	Open	Open
080	Van Buren County	Open	Open
081	Washtenaw County	Open	Open
082	Wayne County	Open	Open
083	Wexford County	Open	Closed
115	Beaver Island	Open	Open
117	Drummond Island	Closed	Closed
121	Bay De Noc	Closed	Closed
122	Norway Unit	Open	Open
127	Ironwood Unit	Closed	Closed
131	Twin Lakes unit	Closed	Closed
135	Tawas Unit	Open	Open
145	North Manitou Island	Closed	Open
149	Round/Bois Blanc Island	Closed	Closed
152	Gwinn Unit	Open	Closed
155	Gladstone Unit	Open	Open
162	South Newaygo Unit	Open	Open
173	Shiawassee Flats	Open	Open
174	St. Clair Flats	Open	Open
245	South Fox Island	Open	Open
249	Trout Lake Unit	Closed	Closed
252	Rock Unit	Open	Closed
255	LaBranche Unit	Open	Open
262	North Newaygo Unit	Open	Closed
273	Shiawassee Unit	Open	Open
349	Engadine Unit	Closed	Closed
452	Core Area	Open	Open
486	SLP Multi-County Unit	Open	Closed
487	NLP Multi-County Unit	Open	Closed

History Note: Am. 8, 2006, Eff. Jun 2, 2006; Am. 7, 2007, Eff. Jun 8, 2007; Am. 8, 2008, Eff. Jun 6, 2008; Am. 11, 2009, Eff. Jun 4, 2009; Am. 10, 2010, Eff. July 8, 2010; Am. 9, 2011, Eff. Jun 10, 2011.

### **3.106 South Fox Island deer management unit, open seasons, permitted hunting arms.**

Sec. 3.106 (1) The bow and arrow only deer hunting season shall be from October 1 to October 28 within the South Fox Island deer management unit.

(2) The firearm deer hunting season shall be from October 29 to November 26 within the South Fox Island deer management unit. Permissible firearms, crossbows, and bows and arrows shall be the same as those for zone 2 during the firearm deer season.

(3) A person shall not take a deer from November 27 to January 1 within the South Fox Island deer management unit.

(4) The director may establish hunting periods and quotas for the number of permits to be issued for hunting deer on South Fox Island.

History: Eff. Mar 31, 1989; Am. 17, 1990, Eff. Sep 1, 1990; Am. 5, 1993, Eff. Sep 1, 1993; Am. 3, 1997, Eff. Jun 1, 1997; Am. 7, 2004, Eff. Jun 5, 2004; Am. 2, 2009, Eff. Mar 6, 2009, with a sunset provision regarding the use of the crossbow effective Mar 6, 2012; Am. 17, 2010, Eff. Aug 13, 2010.

### **3.107 South Fox Island deer hunting regulations.**

Sec. 3.107 (1) A South Fox Island permit, along with a current Michigan deer hunting license for the appropriate season, shall be required to take a deer during any open season within the South Fox Island deer management unit. Permits shall be applied for in person, by phone, or by mail at the Cadillac management unit office, department of natural resources, during regular office hours, or vender(s) designated by the director.

(2) A person shall not sell, lend, or allow another person to use their South Fox Island special permit; nor shall a person use or attempt to use another person's South Fox Island permit.

(3) A person that takes a deer within the South Fox Island deer management unit must immediately seal the deer with a special South Fox Island seal. Three seals shall be issued per permit.

(4) Except as otherwise provided in this subsection, a person may take 1 deer for each South Fox Island seal issued to that person. Notwithstanding any other provisions of this order, a person shall not take an antlered deer unless the deer has at least 1 antler with 2 or more antler points of at least 1 inch in length. A person shall not take more than 1 antlered deer from the South Fox Island deer management unit. Deer taken from the South Fox Island deer management unit shall not be included in the season limit as defined in section 3.101(8) of this order.

History: Eff. Mar 31, 1989; Am. 10, 1989, Eff. Sep 1, 1989; Am. 17, 1990, Eff. Sep 1, 1990; Am. 5, 1993, Eff. Sep 1, 1993; Am. 3, 1997, Eff. Jun 1, 1997; Am. 15, 1998, Eff. Sep 10, 1998; Am. 8, 2003, Eff. Jun 7, 2003; Am. 7, 2004, Eff. Jun 5, 2004.

### **3.108 North Manitou Island deer management unit, deer hunting regulations.**

Sec. 3.108 (1) A special permit along with a current Michigan deer hunting license for the appropriate season shall be required to hunt deer during any open season within the North Manitou Island deer management unit. Permits to hunt on North Manitou Island shall be applied for by contacting the park superintendent, Sleeping Bear Dunes National Lakeshore. A valid Michigan deer hunting license is required in order to apply. In issuing these free permits, the park superintendent shall serve as the agent of the department to implement the deer hunt on North Manitou Island.

(2) A person shall not sell, lend, or allow another person to use their North Manitou Island special permit, nor shall a person use or attempt to use another person's North Manitou Island special permit.

(3) The park superintendent or his agents shall affix a validation tag to each legally taken deer at the time the hunter leaves North Manitou Island with the deer.

History: Eff. Mar 31, 1989; Am. 10, 1991, Eff. Sep 1, 1991; Am. 7, 2004, Eff. Jun 5, 2004.

### **3.109 North Manitou Island deer management unit, season limit, exemption.**

Sec. 3.109 A person shall not be limited on the number of deer taken from the North Manitou island deer management unit. Deer taken from the North Manitou island deer management unit shall not be included

in the season limit as defined in section 3.101(8) of this order. Deer tags issued with the regular deer hunting license shall not be used on North Manitou island.

History: Eff. Mar 31, 1989; Am. 15, 1998, Eff. Sep 10, 1998; Am. 8, 1999, Eff. Sep 1, 1999; Am. 8, 2003, Eff. Jun 7, 2003; Am. 13, 2007, Eff. Jul 13, 2007.

### **3.110 North Manitou Island deer management unit, deer hunting seasons.**

Sec. 3.110 (1) The open bow and arrow only deer hunting season shall be from October 1 through the last Friday of October within the North Manitou island deer management unit.

(2) The open firearm deer hunting season shall be a total of 9 days from the Saturday following the last Friday of October to 8 days thereafter within the North Manitou island deer management unit.

History: Eff. Mar 31, 1989; Am. 10, 1989, Eff. Sep 1, 1989; Am. 10, 1991, Eff. Sep 1, 1991; Am. 8, 1999, Eff. Sep 1, 1999; Am. 9, 2001, Eff. Aug 1, 2001; Am. 8, 2002, Eff. Jun 8, 2002; Am. 5, 2005, Eff. May 6, 2005; Am. 13, 2007, Eff. Jul 13, 2007.

### **3.111 Repealed. Am. 10, 1991, Eff. Sep 1, 1991.**

Publisher's note: The repealed section pertained to North Manitou Island deer management unit, firearm season, hunting periods, permit numbers, and weapon restrictions.

### **3.112 Shiawassee deer management unit, deer hunting regulations.**

Sec. 3.112 A person hunting deer in the Shiawassee deer management unit shall comply with all existing laws and rules regarding the taking of deer including section 13.9 of this order. In addition:

(1) A person shall not hunt deer in the Shiawassee deer management unit without a Shiawassee deer hunting permit.

(2) A person hunting deer within the Shiawassee deer management unit shall comply with all rules and regulations printed on their Shiawassee deer hunting permit.

History: Eff. Mar 31, 1989; Am. 14, 1989, Eff. Sep 1, 1989; Am. 13, 1990, Eff. Sep 1, 1990; Am. 11, 1991, Eff. Sep 1, 1991.

### **3.113 Shiawassee deer hunting permits, application process; drawings; unlawful acts.**

Sec. 3.113 (1) Shiawassee deer hunting permits will be issued to persons chosen in random drawings from applicants for each hunting period. Permits shall not be transferable to other hunters.

(2) Applications for preregistered hunts in the Shiawassee deer management unit will be in accordance with instructions provided by the department. It shall be unlawful to apply more than once or for more than 1 preregistered deer hunt.

(3) Applications for preregistered deer hunts must be submitted in accordance with instructions no later than August 15.

History: Eff. Mar 31, 1989; Am. 14, 1989, Eff. Sep 1, 1989; Am. 13, 1990, Eff. Sep 1, 1990; Am. 11, 1991, Eff. Sep 1, 1991; Am. 6, 1995, Eff. Sep 1, 1995; Am. 9, 1998, Eff. Sep 1, 1998; Am. 7, 2004, Eff. Jun 5, 2004; Am. 11, 2010, Eff. June 3, 2010.

### **3.114 Repealed. Am. 11, 1991, Eff. Sep 1, 1991.**

Publisher's note: The repealed section pertained to Shiawassee river state game area, bow and arrow only deer hunt, open season, and permits.

### **3.115 Repealed. Am. 11, 1991, Eff. Sep 1, 1991.**

Publisher's note: The repealed section pertained to Shiawassee river state game area, firearm deer hunting, open season, and permits.

### **3.116 Repealed. Am. 6 1998, Eff. May 15, 1998.**

Publisher's note: The repealed section pertained to deer management unit 215 early firearm season for antlerless deer.

### **3.117 Repealed. Am. 6, 1998, Eff. May 15, 1998.**

Publisher's note: The repealed section pertained to a late antlerless deer season.

### **3.118 Repealed. Am. 13, 1990, Eff. Sep 1, 1990.**

Publisher's note: The repealed section pertained to early muzzle-loader and black-powder deer hunting in the Shiawassee national wildlife refuge.

### **3.120 Repealed. Am. 15, 1998, Eff. Sep 10, 1998.**

Publisher's note: The repealed section pertained to crop bonus deer hunting licenses and deer management assistance (DMA) hunting licenses; criteria for issuance, application procedures, restrictions and requirements; unlawful acts.

**3.121 Repealed. Am. 6, 1996, Eff. Sep 1, 1996.**

Publisher's note: The repealed section pertained to Crop depredation bonus deer hunting licenses; revocation, suspension.

**3.122 Repealed. Am. 9, 2001, Eff. Aug 1, 2001.**

Publisher's note: The repealed section pertained to experimental deer sealing requirements on Drummond Island; antler restriction; unlawful acts.

**3.123 Taking of white-tailed deer marked with visible ear tag identification.**

(1) A department or federal employee may kill a white-tailed deer that bears visible ear tag identification, if the animal is confirmed by a department or federal employee to have been outside of the perimeter of a registered cervidae livestock operation for more than 48 hours.

(2) White-tailed deer of either sex that bear visible ear tag identification may be taken by hunting statewide by a person with a valid hunting license, with the exception of an apprentice license, in compliance with all other laws and rules for the taking of game.

(3) Any animal taken under this section must be submitted for registration and disease testing in a manner specified by the department.

History: Am. 9, 2007 Eff. May 11, 2007

**3.200 Bear population management, harvest quotas.**

Sec. 3.200 The department shall monitor the bear population in each bear management unit described in sections 12.550 to 12.559. The department shall establish an annual harvest quota based upon the management objectives for each unit. The department shall limit the number of resident and nonresident hunters through an annual lottery in each unit in such a manner that the annual quota is removed.

History: Eff. Mar 31, 1989; Am. 1, 1990, Eff. Jan 15, 1990; Am. 3, 1998, Eff. Jun 1, 1998; Am. 1, 2006, Eff. May 5, 2006.

**3.200a Bear license application, age qualifications.**

Sec. 3.200a Only a person who will be 10 years of age or older during a hunt period for taking bear may make application.

History: Am. 2, 1993, Eff. Sep 1, 1993; Am. 4, 1995, Eff. Sep 1, 1995; Am. 3, 1998, Eff. Jun 1, 1998; Am. 1, 2006, Eff. May 5, 2006; Am. 16, 2006, Eff. Aug 11, 2006; Am. 5, 2007, Eff. Apr 13, 2007.

**3.200b Bear population, harvest quotas.**

Sec. 3.200b (1) The black bear hunt seasons and quotas for general licenses valid on all land within the listed units shall be as follows:

<b>BMU Name</b>	<b>Hunt Period</b>	<b>Licenses</b>	<b>Total</b>
<b>Amasa</b>	First	100	
	Second	150	
	Third	255	
	Unit total		505
<b>Baraga</b>	First	255	
	Second	470	
	Third	895	
	Unit total		1,620
<b>Bergland</b>	First	165	
	Second	370	
	Third	730	
	Unit total		1,265
<b>Carney</b>	First	115	
	Second	225	
	Third	475	
	Unit total		815

<b>Drummond</b>	First		1		1
<b>Gwinn</b>	First		200		
	Second		290		
	Third		760		
	Unit total				1,250
<b>Newberry</b>	First		270		
	Second		360		
	Third		890		
	Unit total				1,520
<b>UP Total</b>					6,976
<b>Baldwin</b>	First		70		
<b>Gladwin</b>	First		110		
<b>Red Oak</b>	First	<b>2012: 835</b>	<b>2013: 750</b>		
<b>NLP total</b>				<b>2012: 1,015</b>	<b>2013: 930</b>
<b>State-wide total</b>				<b>2012: 7,991</b>	<b>2013: 7,906</b>

History: Am. 1, 2006, Eff. May 5, 2006; Am. 5, 2007, Eff. Apr 13, 2007; Am. 5, 2008, Eff. Apr 11, 2008; Am. 5, 2009, Eff. Apr 3, 2009; Am. 5, 2010, Eff. Apr 8, 2010; Am. 5, 2012, Eff. Apr 6, 2012.

### **3.201 Kill or attempt to kill bear; unused bear kill tag requirement.**

Sec. 3.201 The director shall issue a kill tag as part of each bear hunting license when the license authorizes the holder to kill a bear. A person shall not kill or attempt to kill a bear unless the person has an unused bear kill tag issued in their name for the bear management unit in which they are hunting.

History: Eff. Mar 31, 1989; Am. 1, 1990, Eff. Jan 15, 1990; Am. 8, 1993, Eff. Sep 1, 1993; Am. 2, 1994, Eff. Sep 1, 1994; Am. 3, 1998, Eff. Jun 1, 1998.

### **3.202 Bear, season limit defined.**

Sec. 3.202 The season limit shall be 1 bear per bear kill tag.

History: Eff. Mar 31, 1989; Am. 6, 1989, Eff. Sep 1, 1989; Am. 1, 1990, Eff. Jan 15, 1990.

### **3.203 Bear hunting, open seasons, defined.**

Sec. 3.203. (1) The open season for taking bear with a firearm, crossbow, or bow and arrow, on all land within the listed units, shall be as follows:

(a) The first hunt in Amasa, Baraga, Bergland, Carney, Gwinn, and Newberry shall be from September 10 through October 21.

(b) The second hunt in Amasa, Baraga, Bergland, Carney, Gwinn, and Newberry shall be from September 15 through October 26.

(c) The third hunt in Amasa, Baraga, Bergland, Carney, Gwinn, and Newberry shall be from September 25 through October 26.

(d) The hunt on Drummond island shall be from September 10 through October 21.

(2) The open season for taking a bear with a firearm, crossbow, or bow and arrow in the Gladwin bear management unit, Baldwin bear management unit, and red oak bear management unit in zone 2 shall be from the first Friday following September 15 and 8 days thereafter.

(a) The open season for taking a bear with bow and arrow only in the red oak bear management unit shall be from the first Friday following October 1 through 6 days thereafter.

(b) The open season for taking a bear with firearm, crossbow, or bow and arrow in the Baldwin bear management unit, north area, as defined in section 12.557(2), shall be a total of 16 days from 7 days prior to the first Friday following September 15 and 8 days thereafter.

(3) A person shall not take a bear on Bois Blanc island.

(4) There shall be no open season for the taking of bear in the Dansville bear management unit.

History: Eff. Mar 31, 1989; Am. 1, 1990, Eff. Jan 15, 1990; Am. 1, 1992, Eff. May 1, 1992; Am. 8, 1993, Eff. Sep 1, 1993; Am. 2, 1994, Eff. Sep 1, 1994; Am. 4, 1995, Eff. Sep 1, 1995; Am. 8, 1996, Eff. Sep 1, 1996; Am. 3, 1998, Eff. Jun 1, 1998; Am. 5, 2008, Eff. Apr 11, 2008; Am. 2, 2009, Eff. Mar 6, 2009, with a sunset provision regarding the use of the crossbow effective Mar 6, 2012; Am. 5, 2009, Eff. Apr 3, 2009; Am. 17, 2010, Eff. Aug 13, 2010; Am. 5, 2012, Eff. Apr 6, 2012.

### **3.204 Repealed, Am. 14, 1999, Eff. Oct 1, 1999.**

### **3.205 Bear; unlawful acts.**

Sec. 3.205 (1) In zones 2 and 3 it shall be unlawful to take a bear without the aid of dogs on the seventh and eighth day after the first Friday following September 15.

(2) It shall be unlawful to establish or tend a bait station that attracts bear prior to 31 days before the bear hunting season in any management unit. It also shall be unlawful to tend or establish a bait station for the purposes of attracting bear after the close of bear season in any management unit. For the purposes of this section, "bait station" means a site where food or lure is placed that may attract bear.

(3) It shall be unlawful to hunt over a bait that attracts bear that was established prior to 31 days before the bear hunting season in any management unit. It shall be unlawful to hunt over a bait is not placed on the ground on public or commercial forest lands as defined in Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, sections 324.51101 to 324.51120 of the Michigan Compiled Laws; or contains plastic, any wood products, paper, glass, rubber, concrete, or metal on public or commercial forest lands; or has, within 100 yards of the bait site, any containers used to transport bait to the baiting site.

(4) It shall be unlawful to hunt over bait that contains any food materials other than meats, meat products, fish, fish products, or bakery products if the bait is placed in an area unlawful to feed deer or elk or bait deer. In an area where the baiting of deer, or feeding of deer or elk, is lawful, a person may hunt over, place, establish or tend a bait station using food materials that lure, entice or attract deer or elk only if the person uses these food materials in compliance with the season, volume, bait type, placement, scattering and other requirements which apply to the baiting or feeding of deer. In an area in which it is lawful to bait for deer, a person may use up to 2 gallons of grains at any 1 point in time per bait station prior to the legal deer baiting season if the grains are placed on the ground in such a manner as to exclude wild, free-ranging white-tailed deer and elk from gaining access to the grains.

(5) It shall be unlawful to use metal containers, tires, plastic, wood, glass, fabric, cloth, concrete, or paper at a bait station on public or commercial forest lands as defined in Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, sections 324.51101 to 324.51120 of the Michigan Compiled Laws.

(6) It shall be unlawful to place bait other than on the ground at bait stations on public or commercial forest lands as defined in Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, sections 324.51101 to 324.51120 of the Michigan Compiled Laws.

(7) Any containers used to transport bait to the bait station must be removed and disposed of properly.

(8) (a) It shall be unlawful for any licensed bear hunter or their designee to establish or tend more than 3 bait stations per hunter.

(b) It shall be unlawful for any person to establish or tend more than a total of 12 bait stations,

(9) It shall be unlawful for any nonresident to assist in any manner another person in taking bear for a fee or other consideration or service of value, either directly or indirectly.

(10) It shall be unlawful for a person that transfers their success in the bear lottery to a minor hunter or adult hunter with an advanced illness to assist the minor hunter or adult hunter with an advanced illness in any manner in taking bear for a fee or other consideration or service of value, either directly or indirectly.

(11) It shall be unlawful for a person to buy or sell success in the bear license lottery, or an adult to acquire a license after being unsuccessful in the lottery, unless the person has received from a physician a written statement of advanced illness which shall be produced upon the request of a peace officer.

(12) It shall be unlawful to take a cub bear. "Cub bear" means a bear less than 1 year of age. It shall be unlawful to take a female bear accompanied by a cub bear.

(13) It shall be unlawful to disturb, harm, or molest a bear in its den at any time.

(14) A person shall not pursue, capture, shoot, kill, chase, follow, harass, or harm a bear while the bear is swimming in a pond, lake, stream, or other body of water.

History: Eff. Mar 31, 1989; Am. 6, 1989, Eff. Sep 1, 1989; Am. 1, 1990, Eff. Jan 15, 1990; Am. 8, 1993, Eff. Sep 1, 1993; Am. 19, 1993, Eff. Sep 10, 1993; Am. 2, 1994, Eff. Sep 1, 1994; Am. 4, 1995, Eff. Sep 1, 1995; Am. 14, 1999, Eff. Oct 1, 1999; Am. 1, 2002, Eff. Feb 11, 2002; Am. 1, 2003, Eff. Apr 12, 2003; Am. 10, 2005, Eff. Jun 5, 2005; Am. 5, 2009, Eff. Apr 3, 2009.

### **3.206 Bear tagging; requirements; unlawful acts.**

Sec. 3.206 A person who kills a bear shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the lower jaw of the bear in a secure and permanent manner. The tag shall remain attached to the bear until the bear is sealed and registered at a designated check station. Except as provided in this subsection for the removal of a seal, it shall be unlawful to possess a bear that is not tagged with a validated kill tag or a bear that is not sealed as required by section 3.207. Once sealed by the department, the seal shall remain attached to the bear until any 1 of the following conditions are met:

(a) The carcass is processed or butchered for consumption by an individual for their personal use.

(b) The carcass is accepted for processing and recorded by a commercial processor. If the head or hide is returned to the person submitting the animal to the commercial processor, the seal shall accompany the head or hide.

(c) The carcass is accepted for processing and recorded by a taxidermist.

History: Eff. Mar 31, 1989; Am. 1, 1990, Eff. Jan 15, 1990; Am. 2, 1994, Eff. Sep 1, 1994; Am. 6, 1998, Eff. May 15, 1998.

### **3.207 Bear sealing; requirements.**

Sec. 3.207 A person killing a bear shall present the entire bear, or head, at a department office or other designated check station within 72 hours after killing the bear. The field validation kill tag must be attached to the bear. A confirming seal shall be attached to the bear by the department registrar and information shall be obtained from the hunter.

History: Eff. Mar 31, 1989; Am. 6, 1989, Eff. Sep 1, 1989; Am. 1, 1990, Eff. Jan 15, 1990; Am. 2, 1994, Eff. Sep 1, 1994; Am. 1, 2002, Eff. Feb 11, 2002.

### **3.208 Repealed. Am. 1, 1990, Eff. Jan 15, 1990.**

Publisher's note: The repealed section pertained to bear hunting.

### **3.209 Repealed. Am. 1, 1990, Eff. Jan 15, 1990.**

Publisher's note: The repealed section pertained to bear hunting.

### **3.210 Repealed. Am. 1, 1990, Eff. Jan 15, 1990.**

Publisher's note: The repealed section pertained to bear hunting.

**3.211 Repealed. Am. 1, 1990, Eff. Jan 15, 1990.**

Publisher's note: The repealed section pertained to bear hunting.

**3.300 Wild turkey or hybrids; unlawful to release or allow to escape, exception.**

Sec. 3.300 A person shall not release or allow any wild turkey or wild turkey hybrid to escape in this state. This section shall not apply to authorized employees of the department working within the performance of their job.

History: Eff. Mar 31, 1989.

**3.300a Wild turkey population, harvest quotas.**

Sec 3.300a. (1) The spring wild turkey hunt seasons and quotas for general licenses valid on all land within the listed unit shall be as follows:

**SPRING WILD TURKEY HUNT SEASONS AND QUOTAS  
LIMITED QUOTA HUNT PERIODS  
General Licenses**

HUNT NUMBERS	OPEN UNIT	MAXIMUM LICENSE QUOTA
101	A1	5,500
102	E2	850
103	E3	850
104	F2	2,500
105	F3	2,500
106	J2	2,000
107	J3	2,000
108	K2	4,000
109	K3	4,500
110	M4	8,000
111	ZA2	1,200
112	ZA3	1,200
113	ZA5	1,200
114	ZA6	1,200
115	ZB2	400
116	ZB3	450
117	ZB5	450
118	ZB6	450
119	ZC2	600
120	ZC3	600
121	ZC5	600
122	ZC6	600
123	ZD2	10
124	ZD3	10
125	ZD5	10
126	ZD6	10
127	ZE2	500
128	ZE3	500
129	ZE5	500

130	ZE6	500
131	ZF2	1,300
132	ZF3	1,300
133	ZF7	3,000

<sup>1</sup> Season begins on Monday closest to April 20 and continues for 14 days.

<sup>2</sup> Season begins on Monday closest to April 20 and continues for 7 days.

<sup>3</sup> Season begins 7 days after the Monday closest to April 20 and continues for 7 days.

<sup>4</sup> Season begins on the Monday closest to April 20 and continues through May 31.

<sup>5</sup> Season begins 14 days after the Monday closest to April 20 and continues for 7 days.

<sup>6</sup> Season begins 21 days after the Monday closest to April 20 and continues through May 31.

<sup>7</sup> Season begins 14 days after the Monday closest to April 20 and continues through May 31.

(2) The spring wild turkey hunt seasons and quotas for private land only licenses which are not valid on county, state or federal lands, except that they may be used to hunt Fort Custer military lands with permission, shall be as follows:

<b>LIMITED QUOTA HUNT PERIODS</b> Private Land Only Licenses		
<b>HUNT NUMBERS</b>	<b>OPEN UNIT</b>	<b>MAXIMUM LICENSE QUOTA</b>
301	ZZ <sup>1</sup>	65,000
<sup>1</sup> Season begins on Monday closest to April 20 and continues for 14 days.		

(3) Hunt number 234 begins 14 days after the Monday closest to April 20 and continues through May 31. Licenses for hunt number 234 are valid on all land ownerships in spring turkey management units, except public lands in southern lower peninsula wild turkey management unit (unit ZZ). Individuals who possess a VALID license for hunt number 234 may hunt Fort Custer military land with permission.

(4) A person may purchase a license for hunt number 234 beginning the first day of the application period through May 1; no application fee will be charged. Hunt 234 may also be selected as a first or second hunt choice on a spring turkey application; in this case, a \$4 application fee will be charged.

(5) If any limited quota licenses remain after the drawing, unsuccessful applicants may purchase one leftover license on a first-come, first-served basis for a one-week period. Any quota licenses that remain after this one-week period will be made available to all hunters on a first-come, first-served basis.

(6) The wildlife division chief may recommend to the director the need for any appropriate significant changes in quotas based on experience with population densities, hunter satisfaction levels, hunter application rates, or survey results. The director, in consultation with the chairman or vice-chairman of the natural resources commission, may make changes in quotas in a turkey management unit to address this new information

(7) It is unlawful to purchase more than one Michigan spring turkey hunting license.

History: Am. 3, 1991, Eff. Jun 1, 1991; Am. 8, 1997, Eff. Jan 1, 1998; Am. 6, 2003, Eff. May 10, 2003; Am. 20, 2005, Eff. Dec 2, 2005; Am. 23, 2005, Eff. Dec 2, 2005; Am. 18, 2006, Eff. Nov 10, 2006; Am. 17, 2007, Eff. Nov 9, 2007; Am. 19, 2008, Eff. Nov 7, 2008; Am. 3, 2010, Eff. Jan 7, 2010; Am. 18, 2010, Eff. Nov 5, 2010.

### **3.300b Wild Turkey population, fall harvest quotas.**

Sec. 3.300b (1) The quotas for general licenses valid on all land within the listed unit for the fall wild turkey hunt seasons defined in section 3.303, shall be as follows:

#### **FALL WILD TURKEY HUNT UNITS AND QUOTAS** **General Licenses (Valid on public and private land)**

<b>OPEN UNIT</b>	<b>LICENSE QUOTA</b>
A	0
D	0
E	0
G	200
GB	250
GC	200
H	0
HA	0
HB	0
J	0
L	1,000
M	1,500
Q	0
T	0
W	200
A	0

(2) The quotas for private land only licenses which are not valid on county, state, or federal lands, except that they may be used to hunt Fort Custer military lands with permission for the listed unit, for the fall wild turkey hunt seasons defined in section 3.303, shall be as follows:

**PRIVATE LAND ONLY LICENSES**

<b>OPEN UNIT</b>	<b>LICENSE QUOTA</b>
A	0
D	0
E	0
G	0
GB	0
GC	0
H	0
HA	1,700
HB	0
J	0
L	0
M	0
Q	0
T	0
W	0
YY*	45,000

\*Licenses for Unit YY may be purchased over the counter (no required application) at the same time leftover licenses are made available for purchase.

(3) Each successful applicant may purchase the license for which they were selected. Unsuccessful applicants may purchase one leftover license or a license for hunt unit YY the first week leftover licenses

are available for purchase. After this one-week period, any hunter may purchase one remaining license per day until the quota is met for each hunt unit.

(4) The wildlife division chief may recommend to the director the need for any appropriate changes in quotas based on experience with population densities, hunter satisfaction levels, hunter application rates, or hunter survey results. The director, in consultation with the natural resources commission, may make changes in quotas in a turkey management unit to address this new information.

History: Am. 5, 2006, Eff. May 5, 2006; Am. 8, 2007, Eff. May 11, 2007; Am. 8, 2010, Eff. May 6, 2010; Am. 8, 2011, Eff. May 12, 2011.

### **3.301 Wild turkey hunting, unlawful acts; exceptions.**

Sec. 3.301 (1) A person hunting wild turkey shall not use or possess afield an electronic device to simulate, replicate or imitate wild turkey calls or sounds, or an electronic, mechanical or live decoy. It shall be unlawful to use a dog to hunt wild turkey during the spring season. It shall be unlawful to take a wild turkey while the wild turkey is in a tree. It shall be unlawful to make use of bait to aid in the taking of a wild turkey. For the purposes of this regulation, "bait" means a substance composed of grain, fruit, vegetables, or other food placed to lure or entice wild turkeys. This does not apply to standing farm crops under normal agricultural practices, or other natural growing grains, fruits, or vegetables. For the purposes of this section, "mechanical decoy" means any device that by design or construction uses motion as a visual stimulus to attract a wild turkey except a wind sock or similar decoy body anchored at a fixed point into the ground and whose only motion is derived exclusively by power of the natural wind.

(2) A person may only take a wild turkey during the spring open season if the turkey has a beard and is taken within the unit and hunt period specified on the spring wild turkey license issued to that person. A person shall not take or possess more than one bearded turkey during the spring wild turkey season.

(3) A person may only take a wild turkey during the fall open season if the turkey is taken within the unit and hunt period specified on the fall wild turkey license issued to that person. A person shall not take or possess more than one turkey during the fall wild turkey season for each validation tag issued to that person.

History: Eff. Mar 31, 1989; Am. 21, 1989, Eff. Jan 1, 1990; Am. 3, 1991, Eff. Jun 1, 1991; Am. 2, 1993, Eff. Sep 1, 1993; Am. 20, 1993, Eff. Apr 1, 1994; Am. 15, 1999, Eff. Jan 1, 2000; Am. 18, 2004, Eff. Nov 4, 2004.

### **3.302 Wild turkey; lawful possession; validation of license; unlawful acts.**

Sec. 3.302 (1) Immediately upon killing a turkey, a person shall validate their license by notching out the appropriate information as instructed on the license and shall securely attach the license around a leg of the bird.

(2) It shall be unlawful to possess or transport a turkey unless the turkey license is securely attached to a leg of the turkey and the appropriate information is notched on the turkey license.

(3) The holder of a private land turkey license shall only take a turkey on privately owned lands and enclosed controlled-access military lands within the management unit and during the hunting period specified on the private land turkey license.

History: Eff. Mar 31, 1989; Am. 21, 1989, Eff. Jan 1, 1990; Am. 19, 1990, Eff. Oct 15, 1990; Am. 11, 1992, Eff. Oct 8, 1992; Am. 16, 1998, Eff. Jan 1, 1999; Am. 6, 2003, Eff. May 10, 2003; Am. 18, 2004, Eff. Nov 4, 2004.

### **3.303 Wild turkey, fall management units open season.**

Sec. 3.303 The open season for taking wild turkey in the fall wild turkey management units described in chapter XII shall start no earlier than September 15 and shall close no later than November 14.

History: Eff. Mar 31, 1989; Am. 1, 1989, Eff. Jun 1, 1989; Am. 3, 1991, Eff. Jun 1, 1991; Am. 8, 2005, Eff. May 6, 2005; Am. 8, 2010, Eff. May 6, 2010.

### **3.304 Wild turkey, spring management units open season.**

Sec. 3.304 The open season for taking wild turkey in the spring wild turkey management units described in chapter XII shall start no earlier than the Monday closest to April 20 and shall close no later than June 7.

History: Eff. Mar 31, 1989; Am. 1, 1989, Eff. Jun 1, 1989; Am. 3, 1990, Eff. Jun 1, 1990; Am. 3, 1991, Eff. Jun 1, 1991; Am. 10, 1995, Eff. Jan 1, 1996; Am. 16, 1998, Eff. Jan 1, 1999; Am. 6, 2003, Eff. May 10, 2003.

### **3.305 Repealed. Am. 1, 1989, Eff. Jun 1, 1989.**

Publisher's note: The repealed section pertained to leftover licenses and procedures.

### **3.306 Repealed. Am. 3, 1991, Eff. Jun 1, 1991.**

Publisher's note: The repealed section pertained to wild turkey, spring open season; permitted act; season limit, unlawful act.

### **3.307 Repealed. Am. 3, 1991, Eff. Jun 1, 1991.**

Publisher's note: The repealed section pertained to wild turkey, spring open seasons; hunt units; general hunter quotas; restricted hunter quotas.

### **3.308 Wild turkey licenses, applications, availability; partner application provided; application deadline; unlawful act.**

Sec. 3.308 (1) Applications for turkey licenses will be available one month prior to the application deadline. Only a person who will be 10 years of age or older during a hunt period for taking wild turkey, may make application for that hunt period.

(2) The nonrefundable application fee for a wild turkey license is \$4.00.

(3) An option to apply with one partner will be provided.

(4) Applications must be made on or before February 1 of the calendar year for which the applicant desires a spring wild turkey license.

(5) Applications must be made on or before August 1 of the calendar year for which the applicant desires a fall wild turkey license.

(6) It shall be unlawful for any individual to apply more than once per calendar year for a Michigan spring wild turkey hunting license.

(7) It shall be unlawful for any individual to apply more than once per calendar year for a Michigan fall wild turkey hunting license.

History: Eff. Mar 31, 1989; Am. 1, 1989, Eff. Jun 1, 1989; Am. 2, 1993, Eff. Sep 1, 1993; Am. 3, 1995, Eff. Sep 1, 1995; Am. 8, 1997, Eff. Jan 1, 1998; Am. 6, 2003, Eff. May 10, 2003; Am. 16, 2006, Eff. Aug 11, 2006; Am. 3, 2010, Eff. Jan 7, 2010; Am. 8, 2010, Eff. May 6, 2010.

### **3.309 Repealed, Am. 6, 2003, Eff. May 10, 2003:**

Compilers Note: This repealed section pertained to wild turkey licensees, state law requirements; leftover licenses and procedures.

### **3.310 Taking wild turkey; firearms, bow and arrow, crossbows, ammunition; unlawful acts.**

Sec. 3.310 Subject to section 43510, subsections (2) and (3), of part 435, as amended, hunting and fishing licensing, natural resources and environmental protection act, 1994 PA 451, as amended, MCL 324.43510, a person shall not use or carry afield a firearm other than a firearm designed and manufactured to fire a fixed shotgun shell or a muzzleloading shotgun while taking wild turkey. A bow and arrow or a crossbow may be used to take wild turkey. A person shall not use or carry afield any ammunition except shotgun shells loaded with no. 4 or smaller shot or no. 4 or smaller loose shot for use in muzzleloading shotguns while taking wild turkey.

History: Eff. Mar 31, 1989; Am. 15, 1991, Eff. Oct 9, 1991; Am. 17, 2000, Eff. Nov 10, 2000; Am. 2, 2005, Eff. Mar 11, 2005; Am. 2, 2009, Eff. Mar 6, 2009, with a sunset provision regarding the use of the crossbow effective Mar 6, 2012; Am. 17, 2010, Eff. Aug 13, 2010.

### **3.400 Director authority to amend orders regarding migratory game birds.**

Sec. 3.400 As needed, the director shall amend orders regarding the taking of migratory game birds to keep this order consistent with federal regulations.

History: Am. 6, 1997, Eff. Sep 1, 1997.

### **3.401 Waterfowl hunting blinds; erection and removal, name and address; assessment of costs; hunting rights.**

Sec. 3.401 (1) No person shall erect on, anchor, or attach to the bottomlands of the Great Lakes, Lake St. Clair, and the bays thereof or the connecting waters between the lakes, or any public inland lake or river, or in any lake which is not wholly owned by himself, his lessor or licensor, a blind or any other structure used

or to be used in the hunting of migratory waterfowl, unless there shall first be affixed permanently to the exterior thereof the name and address of such person in legible letters of water insoluble material not less than 3 inches in height. No person shall affix a fictitious name or address or both to a blind or structure or remove or cause to be removed a name and address prior until the blind or structure is removed from the water. No person shall erect on, anchor, or attach to the bottomlands described in this subsection a blind or any other structure to be used in the hunting of migratory waterfowl prior to August 15 of each year.

(2) Any person who shall erect, anchor, or attach such blind or structure to the bottomlands described in this section shall remove the entire blind including submerged supporting members each year no later than 16 days after the end of the calendar year. If not removed within that time, the director may cause its removal or destruction and assess the costs of removal and storage, or destruction, against the person whose name is affixed to the blind or other structure, in addition to any other penalty provided by law. Any structure used or to be used in the hunting of migratory waterfowl found erected upon, attached, or anchored to bottomlands described in this section from January 17 to August 14 of each year shall be considered abandoned.

(3) Nothing contained in this section shall be construed to deprive a riparian owner or their lessee or permittee on inland waters of their exclusive right to hunt over the riparian's subaqueous lands, nor shall the posting of the name and address of the person erecting a blind or other structure attached to the bottomlands of the Great Lakes and Lake St. Clair, used or to be used in the hunting of waterfowl, be deemed to constitute the exclusive privilege of hunting therefrom, or to reserve or preempt a shooting location for such person, nor shall such blind be locked to bar use when unoccupied. An unoccupied blind attached to the bottomlands of the Great Lakes or Lake St. Clair may be used for hunting by the first person to occupy the same.

(4) It shall be unlawful to use, occupy, or hunt from a blind or structure which does not meet the requirements established in this section. This section shall not apply to a vessel registered as required by the provisions of part 801, marine safety, of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being sections 324.80101 to 324.80199 of the Michigan Compiled Laws.

(5) On those publicly-owned lands and waters of the Kalamazoo river watershed, including the watersheds of Pine creek and Swan creek, Allegan county, blinds or other structures for waterfowl hunting shall not be permitted, except in accordance with rules for the Ottawa marsh, described in subsection 13.11(a).

History: Eff. Mar 31, 1989; Am. 14, 1996, Eff. Sep 1, 1996; Am. 11, 1998, Eff. Aug 1, 1998; Am. 13, 2001, Eff. Sep 1, 2001.

### **3.402 Taking of migratory birds, unlawful acts.**

Sec. 3.402 In the taking of migratory birds, it shall be unlawful for any person:

#### **Federal migratory bird hunting stamp, requirement; validation; prohibited acts.**

(1) Sixteen years of age or older to take waterfowl unless at the time of such taking the person has in their possession an unexpired federal migratory bird hunting stamp, validated by their signature written across the face thereof in ink.

#### **Federal migratory bird stamp, prohibited acts.**

(2) To allow another person to use their federal migratory bird hunting stamp or to borrow such stamp of another for the purpose of hunting, taking, or transporting migratory waterfowl.

#### **Decoys, prohibited act.**

(3) Except from 3 a.m. to 9 p.m. daily, to anchor, attach, or leave decoys attached:

(a) To the bottomlands of the Great Lakes and connecting waters, and lakes wholly enclosed by publicly-owned lands.

(b) To a blind or watercraft within waters of the Great Lakes and connecting waters, and lakes wholly enclosed by publicly-owned lands.

**Migratory game birds, prohibited acts.**

(4) To take any migratory game bird, including woodcock:

(a) With any firearm other than a 10 gauge or smaller shotgun capable of holding no more than three shells. Shotguns capable of holding more than 3 shells shall be plugged with a one-piece filler, incapable of removal without disassembling the gun, so that the total capacity of the shotgun does not exceed three shells.

(b) With the use of any single projectile shotshell, or more than 1 firearm for each person.

(c) In violation of section 40111, part 401, wildlife conservation, of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being section 324.40111 of the Michigan Compiled Laws, except that paraplegics and single or double amputees of the legs possessing a permit to take game from or upon a standing vehicle issued pursuant to section 40114, part 401, may take migratory birds from any stationary motor vehicle or stationary motor-driven land conveyance. "Paraplegic" means an individual afflicted with paralysis of the lower half of the body with involvement of both legs, usually due to disease of or injury to the spinal cord.

(d) From or by means of any motorboat, power boat, or other craft having a motor attached, or any sailboat, or any floating craft or device of any kind propelled or towed by power or sail, unless the motor has been completely shut off and/or the sails furled and its progress therefrom has ceased. A craft under power may be used to retrieve dead or crippled birds; however, crippled birds may not be shot from such craft while under power or until forward progress has ceased.

(e) By driving, rallying, or chasing birds with any motorized conveyance or any sailboat to put them in the range of hunters.

(f) By the use or aid of live decoys. All live, tame, or captive ducks and geese shall be removed for a period of 10 consecutive days prior to hunting and confined within an enclosure which substantially reduces the audibility of their calls and totally conceals such tame birds from the sight of migratory waterfowl.

(g) By the use or aid of recorded or electronically amplified bird calls or sounds, or recorded or electronically amplified imitations of bird calls or sounds.

(h) By the aid of baiting, or on or over any baited area, where a person knows or reasonably should know that the area is or has been baited. Hunters should be aware that a baited area is considered to be baited for 10 days after the removal of the bait. However, nothing in this paragraph prohibits the taking of any migratory game bird on or over the following lands or areas that are not otherwise baited areas:

(i) Standing crops or flooded standing crops (including aquatics); standing, flooded, or manipulated natural vegetation; flooded harvested croplands; or lands or areas where seeds or grains have been scattered solely as the result of a normal agricultural planting, harvesting, post-harvest manipulation or normal soil stabilization practice.

(ii) From a blind or other place of concealment camouflaged with natural vegetation.

(iii) From a blind or other place of concealment camouflaged with vegetation from agricultural crops, as long as such camouflaging does not result in the exposing, depositing, distributing or scattering of grain or other feed.

(iv) Standing or flooded standing agricultural crops where grain is inadvertently scattered solely as a result of a hunter entering or exiting a hunting area, placing decoys, or retrieving downed birds.

(i) Subdivision (h) shall not prohibit the taking of any migratory game bird, except waterfowl and coots, on or over lands or areas that are not otherwise baited areas, and where grain or other feed has been distributed or scattered solely as the result of manipulation of an agricultural crop or other feed on the land where grown, or solely as the result of a normal agricultural operation.

(j) By use of a raised platform when hunting with a firearm, except upon the submerged bottomlands of a lake, river, pond, stream, or other body of water for the hunting of migratory waterfowl when erected and used in compliance with section 3.401 of this order.

(k) For the purposes of this section, the following terms mean:

(i) "Normal agricultural planting, harvesting, or post-harvest manipulation" means a planting or harvesting undertaken for the purpose of producing and gathering a crop, or manipulation after such harvest and removal of grain, that is conducted in accordance with official recommendations of State Extension Specialists of the Cooperative Extension Service of the U.S. Department of Agriculture.

(ii) "Normal agricultural operation" means a normal agricultural planting, harvesting, post-harvest manipulation, or agricultural practice, that is conducted in accordance with official recommendations of State Extension Specialists of the Cooperative Extension Service of the U.S. Department of Agriculture.

(iii) "Normal soil stabilization practice" means a planting for agricultural soil erosion control or post-mining land reclamation conducted in accordance with official recommendations of State Extension Specialists of the Cooperative Extension Service of the U.S. Department of Agriculture for agricultural soil erosion control.

(iv) "Baited area" means any area on which salt, grain, or other feed has been placed, exposed, deposited, distributed, or scattered, if that salt, grain, or other feed could serve as a lure or attraction for migratory game birds to, on, or over areas where hunters are attempting to take them. Any such area will remain a baited area for ten days following the complete removal of all such salt, grain, or other feed.

(v) "Baiting" means the direct or indirect placing, exposing, depositing, distributing, or scattering of salt, grain, or other feed that could serve as a lure or attraction for migratory game birds to, on, or over any areas where hunters are attempting to take them.

(vi) "Manipulation" means the alteration of natural vegetation or agricultural crops by activities that include but are not limited to mowing, shredding, discing, rolling, chopping, trampling, flattening, burning, or herbicide treatments. The term manipulation does not include the distributing or scattering of grain, seed, or other feed after removal from or storage on the field where grown.

(vii) "Natural vegetation" means any non-agricultural, native, or naturalized plant species that grows at a site in response to planting or from existing seeds or other propagules. The term natural vegetation does not include planted millet. However, planted millet that grows on its own in subsequent years after the year of planting is considered natural vegetation.

History: Eff. Mar 31, 1989; Am. 11, 1998, Eff. Aug 1, 1998; Am. 13, 1999, Eff. Sep 1, 1999; Am. 13, 2001, Eff. Sep 1, 2001.

### **3.403 Migratory game birds; transportation; importation; unlawful acts.**

Sec. 3.403 One fully feathered wing must remain attached to all migratory game birds being transported between a port of entry and one's home or to a migratory bird preservation facility. No person shall import migratory game birds killed in any foreign country, except Canada, unless such birds are dressed (except as required above), drawn, and the head and feet are removed. A person importing waterfowl from Canada may possess the total number of birds Canadian law allows the person to export. No person shall import migratory game birds belonging to another person.

History: Eff. Mar 31, 1989; Am. 2., 1993, Eff. Sep 1, 1993.

### **3.404 Migratory game birds; possession; transportation.**

Sec. 3.404 A person shall not possess or transport more than the daily limit of migratory birds, tagged or not tagged, at or between the place where taken and either:

- (1) The person's automobile or principal means of land transportation.
- (2) The person's personal abode or temporary or transient place of lodging.
- (3) A commercial preservation facility, or a post office or common carrier facility, whichever one is arrived at first.

History: Eff. Mar 31, 1989; Am. 11, 1998, Eff. Aug 1, 1998.

### **3.405 Migratory game birds; tagging requirements; transportation requirements.**

Sec. 3.405 (1) No person shall give, put, or leave any migratory game birds at any place or in the custody of another person, nor shall a person receive or have in their custody migratory game birds, unless the birds are tagged by the hunter with all of the following information:

- (a) The hunter's signature.
- (b) The hunter's address.
- (c) The total number of birds involved by species.
- (d) The dates such birds were killed.
- (e) Current small game license number.

(2) A person shall not transport any dressed or plucked migratory game bird unless one fully feathered wing is attached.

History: Eff. Mar 31, 1989; Am. 11, 1998, Eff. Aug 1, 1998.

### **3.406 Migratory game birds, shipping requirements.**

Sec. 3.406 No person shall ship migratory game birds unless the package is marked on the outside with all of the following information:

- (1) The name and address of the person sending the birds.
- (2) The name and address of the person to whom the birds are being sent.
- (3) The number of birds, by species, contained in the package.

History: Eff. Mar 31, 1989; Am. 11, 1998, Eff. Aug 1, 1998.

### **3.407 Repealed. Am. 3 1996, Eff. Apr 11, 1996**

Publisher's Note: The repealed section pertained to migratory game birds, possession of live birds.

### **3.408 Repealed. Am. 3 1996, Eff. Apr 11, 1996**

Publisher's Note: The repealed section pertained to game animals, wanton waste.

### **3.409 Migratory game bird open season, federal refuges; prohibited acts, exception.**

Sec. 3.409 A person shall not possess or carry firearms, crossbows, or bow and arrow, or take any game during the open season for taking migratory game birds on any national wildlife refuge when posted to prohibit unauthorized entry; except on that portion of the Shiawassee national wildlife refuge in Saginaw county on which duck and/or goose hunting is authorized by a daily hunting permit issued by the United States fish and wildlife service or the department.

History: Eff. Mar 31, 1989; Am. 2, 2009, Eff. Mar 6, 2009, with a sunset provision regarding the use of the crossbow effective Mar 6, 2012; Am. 17, 2010, Eff. Aug 13, 2010.

### **3.411 Nontoxic shot; unlawful acts.**

Sec. 3.411 (1) While taking ducks, geese, coots, mergansers, gallinules, rails, or snipe, a person shall not possess or use any shot, whether loose or loaded in shot shells, of a material other than shot approved as non-toxic by the U.S. fish and wildlife service pursuant to federal procedures.

History: Eff. Mar 31, 1989; Am. 14, 1996, Eff. Sep 1, 1996; Am. 5, 1997, Eff. Aug 1, 1997; Am. 13, 2005, Eff. Jul 8, 2005.

### **3.412 Early September season for taking Canada geese; season dates and closures, exceptions.**

Sec. 3.412 The early September season for taking Canada geese shall be September 1 to September 15 in the lower peninsula and September 1 to September 10 in the upper peninsula, except as follows:

#### **State game areas.**

(1) Within the posted boundaries of the following state game areas (SGA), the season shall be closed:

(a) The Highbanks, Fennville farm, and Bravo units of the Allegan SGA as described in section 13.11.

#### **Muskegon county wastewater system management unit; Saginaw bay unit.**

(2) The Muskegon county wastewater system management unit, as posted, shall be closed. The Saginaw bay unit, as described in section 12.708, shall be open September 1 to September 10.

#### **State parks closed; exceptions listed, the day following Labor day to September 15 open season.**

(3) Except as otherwise provided in this subsection and subsections (4), (5) and (6), all state parks shall be closed. All or portions of the following state parks, as described in chapter VII, shall be open from the day following Labor day to September 15:

(a) Cheboygan state park.

(b) Fisherman's island state park.

(c) Hoeft state park.

(d) Leelanau state park.

(e) Ludington state park.

(f) Sturgeon point state park.

(g) Wilderness state park.

(h) Silver lake state park, except there shall be no taking of any animals within the off-road vehicle area, Silver lake beach and modern camping area, park residences, lighthouse area, and headquarters area as posted.

(i) South higgins lake state park, except for that area north of county roads 100 and 104 as posted.

(j) Seven lakes state park, except there shall be no taking of animals within 450 feet of any boat launch, campground, beach, parking area, or picnic area from the day following Labor day to September 15.

#### **State parks open from the day following Labor day to September 10.**

(4) All or portions of the following state parks, as described in chapter VII, shall be open from the day following Labor day to September 10:

(a) Brimley state park.

- (b) Fayette state park.
- (c) Indian lake state park.
- (d) Palms book state park.
- (e) Laughing whitefish falls scenic site.
- (f) Tahquamenon falls state park.
- (g) Wagner falls scenic site.
- (h) Craig lake state park.
- (i) McLain state park.
- (j) Porcupine mountains state park.
- (k) Van riper state park.

**Sterling state park; day following Labor day to September 15 open season; open areas, exceptions.**

(5) That portion of Sterling state park, as described in section 7.35(2), shall be open from the day following Labor day to September 15, except there shall be no taking of any animals after 10:00 a.m. on those areas west of the park entrance road as posted; further, shooting from the east shore of the lagoons shall be in a westerly direction only.

**State parks, open areas; September 1 to September 15 open season, exceptions.**

(6) Except as otherwise provided, all or portions of the following state parks, as described in chapter VII, shall be open from September 1 to September 15:

(a) Sleepy hollow state park, except there shall be no taking of animals after 8:00 a.m. from September 1 to Labor day in that area north of Price road or within posted safety zones.

(b) Grand mere state park, all state-owned lands in Grand mere state park except those lands posted closed to hunting.

(c) Thompson's Harbor state park.

(d) Negwegon state park.

(e) Mitchell state park

**State parks, open areas; September 1 to September 10 open season, exceptions.**

(7) Except as otherwise provided, all or portions of the following state parks, as described in chapter VII, shall be open from September 1 to September 10:

(a) Port crescent state park.

(b) Sleeper state park.

**State recreation areas open, exceptions; September 1 to September 15 open season, exceptions.**

(8) Those state recreation areas described in chapter VII as closed to the taking of animals shall be closed during the early September hunting season for Canada geese. All other state recreation areas not within the Saginaw bay unit shall have an open season from September 1 to September 15, except for those portions of the following areas which shall be closed and shall be posted in such a manner and at such locations as will provide reasonable notice of the closure to the public:

(a) Waterloo recreation area, in addition to those areas closed to the taking of animals by section 7.52, there shall be no taking of animals from September 1 to September 15 within 450 feet of any boat launch, campground, beach, parking area, or picnic area in the high use areas at Green, sugar loaf, and crooked lakes.

(b) Lake Hudson recreation area shall be closed to the taking of animals in that portion of the park bounded on the south by the park entrance road, on the east by the picnic area road, by the campground on the west, and the lakeshore on the north from September 1 to Labor day. In addition, there shall be no taking of animals within 450 feet of any campground, boat launch, beach, parking area, or picnic area from September 1 to September 15.

(c) Pontiac lake recreation area shall be closed to the taking of animals after 8:00 a.m. from September 1 to Labor day on all those state-owned lands in section 18, T3N R9E. In addition, there shall be no hunting at any time during the early September Canada goose season on those state-owned lands in sections 12 and 13, T3N R8E, south of Gale road; or on those state-owned lands in that area bounded on the north by the park entrance road, on the north and east by Cross road and Macaday lake road, on the south by Gale road, and on the west by the north-south mid-section line of section 11, T3N R8E, or within safety zone areas as posted.

(d) Island lake recreation area shall be closed to the taking of animals during September 1 to Labor day. In addition, there shall be no taking of any animals on those state-owned lands and waters north of the Chesapeake and Ohio railroad tracks in sections 4 and 5 and the W 1/3 of the NW 1/4 of section 3, T1N R6E, at any time during the early September Canada goose season. Kent lake shall be closed to the taking of animals within 450 feet of the swimming beaches, parking areas, boat launches, picnic sites, and campsites from the day following Labor day to September 15.

(e) Highland recreation area shall be closed to the taking of animals in the Haven hill unit normally posted closed to hunting.

(f) Proud lake recreation area, in addition to those areas closed to the taking of animals by section 7.57, and areas posted as safety zones, there shall be no taking of animals after 8:00 a.m. from September 1 to Labor day in that area west and south of Wixom road.

(g) Holly recreation area shall be closed to the taking of animals from September 1 to Labor day on all those state-owned lands bounded on the north and west by Grange hall road, on the east by Wildwood road, and on the south and west by Dixie highway.

(h) Ionia recreation area shall be closed to the taking of animals from September 1 to Labor day within 450 feet of any campsite, picnic areas, beach, parking area, or boat launch. In addition, no animals shall be taken from the day after Labor day to September 15 after 8:00 a.m. within 450 feet of any campsite, picnic area, beach, parking area, or boat launch.

(i) Metamora-Hadley recreation area shall be closed to the taking of animals from September 1 to Labor day. In addition, there shall be no taking of animals from the day following Labor day to September 15 within 450 feet of any campsite, boat launch, parking area, picnic area, or beach.

(j) Ortonville recreation area shall be closed to the taking of animals from September 1 to Labor day on Big fish lake and Algae lake. In addition, there shall be no taking of animals from September 1 to September 15 within 450 feet of any campsite, boat launch, beach, parking area, or picnic area.

(k) Pinckney recreation area shall be closed to the taking of animals from September 1 to Labor day within 450 feet of any state-owned boat launch, campground, beach, parking area, or picnic area at Bruin, Half moon, and Silver lakes.

(l) Brighton recreation area shall be closed to the taking of animals after 8 am from September 1 to the day after Labor day on all those state-owned lands and waters east of Richardson road. In addition, there shall be no taking of animals from September 1 to September 15 within 450 feet of any campsite.

(m) Yankee springs recreation area, in addition to those areas closed to the taking of animals as described in section 7.59, a person shall not take any animal from any state-owned lands or waters in the Yankee springs recreation area from September 1 to Labor day.

(n) Fort custer recreation area, in addition to those areas closed to the taking of animals as described in section 7.60, a person shall not take any animal from any state-owned lands or waters in the Fort custer recreation area from September 1 to Labor day.

(o) Bald mountain recreation area is closed to the taking of animals after 8:00 a.m. from September 1 to Labor day on those portions of the Bald Mountain recreation area east of highway M-24. In addition, there shall be no taking of animals within any posted safety zone.

(p) The Rifle river recreation area shall be closed to the taking of animals from September 1 to Labor day.

**Rose lake wildlife research area, September 1 to September 15 open season.**

(9) Notwithstanding R 299.1004 of the Michigan Administrative Code, appearing on pages 173 and 174 of the 1986 Annual Supplement to the 1979 Michigan Administrative Code, the Rose lake wildlife research area shall be open from September 1 to September 15 to the carrying and discharge of firearms by persons lawfully taking Canada geese.

History: Eff. Mar 31, 1989; Am. 16, 1989, Eff. Aug 1, 1989; Am. 11, 1990, Eff. Aug 1, 1990; Am. 12, 1991, Eff. Aug 31, 1991; Am. 9, 1992, Eff. Aug 31, 1992; Am. 9, 1994, Eff. Sep 1, 1994; Am. 7, 1995, Eff. Sep 1, 1995; Am. 13, 1996, Eff. Aug 1, 1996; Am. 5, 1997, Eff. Aug 1, 1997; Am. 13, 2000, Eff. Aug 1, 2000; Am. 19, 2004, Eff. Dec 10, 2004; Am. 13, 2006, Eff. Jul 7, 2006; Am. 12, 2007, Eff. Jul 13, 2007; Am. 16, 2010, Eff. Aug. 12, 2010.

**3.413 Early September Canada goose season, daily limit, possession limit.**

Sec. 3.413 During the early September Canada goose season, the daily limit shall be 5 Canada geese and the possession limit shall be 10 Canada geese.

History: Eff. Mar 31, 1989; Am. 9, 1992, Eff. Aug 31, 1992; Am. 13, 1996, Eff. Aug 1, 1996; Am. 13, 2000, Eff. Aug 1, 2000; Am. 13, 2004, Eff. Aug 14, 2004; Am. 16, 2005, Eff. Aug 12, 2005; Am. 11, 2008 Eff. Jul 11, 2008.

**3.414 Managed waterfowl areas, shot size limitation; unlawful acts.**

Sec. 3.414 A person shall not possess or use shotshells, or loose shot with a shot size greater than BBB for the hunting and taking of waterfowl in those areas posted "state game area - hunting by permit only" on the Nayanquing point, St. Clair flats, and Fish point wildlife areas; and the Pointe Mouillee, Shiawassee river, and Allegan state game areas.

History: Eff. Mar 31, 1989; Am. 17, 1993, Eff. Sep 1, 1993; Am. 14, 1996, Eff. Sep 1, 1996; Am. 13, 1999, Eff. Sep 1, 1999; Am. 15, 2000, Eff. Sep 1, 2000; Am. 11, 2002, Eff. Sep 1, 2002; Am. 14, 2009, Eff. Jul 10, 2009.

**3.415 Migratory birds, possession limit defined, open seasons.**

Sec. 3.415. The migratory bird possession limit shall be twice the daily limit except that the possession limit for blue, snow, and ross' geese shall be three times the daily limit. The migratory bird hunting open seasons shall be as follows:

Season and Species	Zone or Management Unit	Open Season
Ducks	North Zone	September 24 to November 18 and November 24 to November

	Middle Zone	October 1 to November 27 and December 3 to December 4
	South Zone	October 8 to December 4 and December 10 to December 11
Merganser		Same dates as ducks in the respective zones
Coots and Moorhens		Same dates as ducks in the respective zones
Canada Goose (regular season)	North Zone	September 17 to October 31
	Middle Zone	October 1 to November 8, November 24 to November 27 and December 3 to December 4
	South Zone, excluding GMUs listed below in the table	October 8 to November 10 and November 24 to December 4
	Tuscola/Huron GMU	October 8 to November 10, November 24 to December 4 and December 31 to January 29, 2012
	Saginaw County GMU	October 8 to November 10, November 24 to December 4 and December 31 to January 29, 2012
	Allegan County GMU	November 12 to November 30, December 10 to December 20 and December 31 to January 14, 2012
	Muskegon W.W. GMU	October 11 to November 13 and December 1 to December 11
Canada Goose (special late season)	Southern Michigan Goose Management Unit as defined in section 12.700 of this order	December 31 to January 29, 2012
Brant, Snow, White-fronted, and Ross' Geese	Statewide	Same dates as regular and late Canada goose seasons in the respective zones and GMUs

History: Eff. Mar 31, 1989; Am. 16, 1990, Eff. Sep 1, 1990; Am. 14, 1991, Eff. Sep 1, 1991; Am. 10, 1992, Eff. Sep 1, 1992; Am. 17, 1993, Eff. Sep 1, 1993; Am. 11, 1994, Eff. Sep 1, 1994; Am. 8, 1995, Eff. Sep 1, 1995; Am. 14, 1996, Eff. Sep 1, 1996; Am. 6, 1997, Eff. Sep 1, 1997; Am. 13, 1998, Eff. Sep 1, 1998; Am. 13, 1999, Eff. Sep 1, 1999; Am. 15, 2000, Eff. Sep 1, 2000; Am. 13, 2001, Eff. Sep 1, 2001; Am. 11, 2002, Eff. Sep 1, 2002; Am. 13, 2003, Eff. Sep 1, 2003; Am. 13, 2004, Eff. Aug 14, 2004; Am. 16, 2005, Eff. Aug 12, 2005; Am. 13, 2006, Eff. Jul 7, 2006; Am. 15, 2006, Eff. Aug 11, 2006; Am. 15, 2007, Eff. Aug 17, 2007; Am. 11, 2008, Eff. Jul 11, 2008; Am. 13, 2008, Eff. Aug 15, 2008; Am. 14, 2009, Eff. Jul 10, 2009; Am. 16, 2009, Eff. Aug 13, 2009; Am. 16, 2010, Eff. Aug. 12, 2010; Am. 13, 2011, Eff. Jul 8, 2011; Am. 15, 2011, Eff. Aug 12, 2011.

### **3.415a Youth waterfowl hunting weekend, season established, limits defined, adult requirements, hunting hours; exceptions.**

Sec. 3.415a The youth waterfowl hunting weekend shall be 2 consecutive days starting the third Saturday in September and within the guidelines approved by the United States fish and wildlife service. Except for persons taking Canada geese during a concurrent open early September season for Canada geese, the following rules shall apply to a person taking ducks, mergansers, Canada geese, coots, or moorhens (gallinules) on the youth waterfowl hunting weekend:

(1) Youths 10 through 15 years of age may take ducks, mergansers, Canada geese, coots, or moorhens provided the youth is licensed to take waterfowl as required by part 435, hunting and fishing licensing, of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994. The daily and possession limit for each species shall be as provided in section 3.416, except the daily and possession limit for persons taking Canada geese in any area concurrently open under the early September Canada geese season shall be as specified in section 3.413.

(2) A parent or legal guardian shall not allow a youth hunter to go afield to hunt ducks, mergansers, Canada geese, coots, or moorhens unless the youth hunter is accompanied by an adult at least 18 years of age or older, regardless of property ownership. An adult accompanying a youth waterfowl hunter may take other game for which the season is open while the youth is exercising the privileges of the youth waterfowl hunting weekend.

(3) The hunting hours shall be one-half hour before sunrise to sunset, local time.

(4) Except as otherwise specifically provided in this section, all regulations of state law and this order regarding the taking, possession, transportation, and storage of waterfowl, including the taking of Canada geese as established by regulations for the early September Canada geese season, shall apply on youth waterfowl hunting weekend.

History: Am. 6, 1997, Eff. Sep 1, 1997; Am. 13, 1998, Eff. Sep 1, 1998; Am. 13, 1999, Eff. Sep 1, 1999; Am. 13, 2001, Eff. Sep 1, 2001; Am. 16, 2006, Eff. Aug 11, 2006.

### **3.416 Migratory game birds; daily limit.**

Sec. 3.416. The daily limit of migratory game birds for the seasons specified in section 3.415 shall be as follows:

#### **Ducks, daily limit.**

(1) The daily limit shall be 6 ducks of which no more than 4 may be mallards, no more than 1 may be a female mallard, no more than 1 may be a black duck, no more than 3 may be wood ducks, no more than 2 may be pintails, no more than 2 may be redheads, no more than 2 may be scaup, and no more than 1 may be a canvasback.

#### **Merganser, daily limit.**

(2) The daily limit shall be 5 mergansers of which no more than 2 may be a hooded merganser.

#### **Canada geese, north, middle, and south zones, including GMUs, daily limit.**

(3) In the north, middle, and south zones as described in sections 1.7, 1.8, and 1.9, respectively, and all GMUs as described in sections 12.701, 12.702, 12.703, and 12.705 the daily limit shall be 2 Canada geese.

#### **Canada geese, daily limit, exceptions.**

(4) The Canada goose daily limit during the early September season shall be 5.

(5) The Canada goose daily limit during the special late season shall be 5.

#### **Other geese, daily limit.**

(6) The daily limit on light geese (snow/blue and ross'), shall be 20. The daily limit on brant and white-fronted geese shall be 1.

### **Coots and moorhens (gallinules), daily limit.**

(7) The daily limit of coots shall be 15.

(8) The daily limit of moorhens shall be 1.

History: Eff. Mar 31, 1989; Am. 16, 1990, Eff. Sep 1, 1990; Am. 14, 1991, Eff. Sep 1, 1991; Am. 10, 1992, Eff. Sep 1, 1992; Am. 17, 1993, Eff. Sep 1, 1993; Am. 11, 1994, Eff. Sep 1, 1994; Am. 8, 1995, Eff. Sep 1, 1995; Am. 14, 1996, Eff. Sep 1, 1996; Am. 6, 1997, Eff. Sep 1, 1997; Am. 13, 1998, Eff. Sep 1, 1998; Am. 13, 1999, Eff. Sep 1, 1999; Am. 13, 2001, Eff. Sep 1, 2001; Am. 16, 2005, Eff. Aug 12, 2005; Am. 15, 2006, Eff. Aug 11, 2006; Am. 15, 2007, Eff. Aug 17, 2007; Am. 13, 2008, Eff. Aug 15, 2008; Am. 14, 2009, Eff. Jul 10, 2009; Am. 16, 2009, Eff. Aug 13, 2009; Am. 16, 2010, Eff. Aug. 12, 2010; Am. 15, 2011, Eff. Aug. 12, 2011.

### **3.417 Repealed Am. 13, 2000, Eff. Aug 1, 2000.**

Publisher's note: The former section 3.417 repealed by Am. 1, 2000, Eff. Aug 1, 2000, referred to closed units for goose hunting.

### **3.418 Repealed. Am. 14, 2009, Eff. Jul 10, 2009.**

Publisher's note: This repealed section pertained to goose management units, harvest quotas; department's wildlife chief to close season.

### **3.419 Managed waterfowl areas, unlawful acts; fees authorized by state law; designation of areas.**

Sec. 3.419 As provided by section 43525 of part 435, hunting and fishing licensing, Act No. 451 of the Public Acts of 1994, as amended, being section 324.43525 of the Michigan Compiled Laws, a person shall not hunt waterfowl or deer in an area designated by the department as a managed waterfowl area without an annual or daily managed waterfowl area permit. The following state game and wildlife areas, within the boundaries posted "state game area - hunting by permit only" are designated as managed waterfowl areas:

- (1) Allegan state game area (Fennville farm unit), Allegan county.
- (2) Fish point wildlife area, Tuscola county.
- (3) Nayanquing point wildlife area, Bay county.
- (4) Pointe Mouillee state game area (Long pond and Nelson units), Monroe county.
- (5) Shiawassee river state game area, Saginaw county.
- (6) St. Clair flats wildlife area (Harsens island unit), St. Clair county.

History: Eff. Mar 31, 1989; Am. 16, 1990, Eff. Sep 1, 1990; Am. 6, 1997, Eff. Sep 1, 1997; Am. 14, 2009, Eff. Jul 10, 2009.

### **3.419a Waterfowl hunting reservations, age qualifications.**

Sec. 3.419a Only a person who will be 10 years of age or older on the opening day of the waterfowl hunt applied for may apply for a reserved waterfowl hunt.

History: Eff. Sep 1, 1993, Am. 2, 1993; Am. 16, 2006, Eff. Aug 11, 2006.

### **3.420 Jacksnipe, rails, and woodcock hunting; open seasons, exceptions; king rails.**

Sec. 3.420 (1) The statewide open season for woodcock shall be a total of 45 days beginning on the Saturday closest to September 22.

(2) The open seasons for common snipe (jacksnipe), Virginia and sora rails shall be September 15 to November 14 statewide.

(3) There is no open season for king rails.

History: Eff. Mar 31, 1989; Am. 6, 1997, Eff. Sep 1, 1997; Am. 13, 2000, Eff. Aug 1, 2000; Am. 5, 2002, Eff. Jun 1, 2002; Am. 7, 2005, Eff. May 6, 2005.

### **3.421 Jacksnipe, rails, and woodcock, daily and possession limits.**

Sec. 3.421 The daily limit and possession limit for common snipe (jacksnipe), rails, and woodcock shall be as follows:

Species	Daily Limit	Possession Limit
Common snipe (jacksnipe)	8	16
Virginia and sora rails(singly or in the aggregate)	8	16
Woodcock	3	6

History: Eff. Mar 31, 1989; Am. 6, 1997, Eff. Sep 1, 1997; Am. 13, 2000, Eff. Aug 1, 2000; Interim Order 1, 2000, Eff. Sep 15, 2000.

### 3.422 Migratory birds, falconry, seasons; daily limit, possession limit.

Sec. 3.422. (1) The open season for taking migratory game birds by falconry shall be as follows:

Species	Open Seasons
Common snipe; Woodcock; Virginia and sora rails	The open season for these species shall be the same dates as the firearm seasons in the respective zones for these species
Geese	The open season for taking these species shall be the same dates as the firearm seasons in the respective zones and goose management units
Ducks; mergansers; coots and moorhens	The open season for these species shall be the same dates as the firearm seasons in the respective zones for these species, plus the season shall be open statewide December 12 through January 15, 2012, and March 1 through March 10, 2012, for a total of 45 additional days.

(2) The daily limit for migratory game birds taken by falconry shall be 3 birds combined, and the possession limit shall be 6 birds combined.

History: Eff. Mar 31, 1989; Am. 16, 1990, Eff. Sep 1, 1990; Am. 14, 1996, Eff. Sep 1, 1996; Am. 6, 1997, Eff. Sep 1, 1997; Interim Order 2, 2001 Eff. Sep 10, 2001; Am. 5, 2002, Eff. Jun 1, 2002; Am. 11, 2002, Eff. Sep 1, 2002; Am. 13, 2003, Eff. Sep 1, 2003; Am. 13, 2004, Eff. Aug 14, 2004; Am. 16, 2005, Eff. Aug 12, 2005; Am. 15, 2006, Eff. Aug 11, 2006; Am. 15, 2007, Eff. Aug 17, 2007; Am. 2, 2008, Eff. Jan 11, 2008; Am. 13, 2008, Eff. Aug 15, 2008; Am. 16, 2009, Eff. Aug 13, 2009; Am. 16, 2010, Eff. Aug. 12, 2010; Am. 15, 2011, Eff. Aug. 12, 2011.

### 3.423 Taking crows, open seasons; exceptions.

Sec. 3.423 (1) The open season for taking crows shall be August 1 to September 30 and February 1 to March 31.

(2) Crows may be taken outside the open season without a permit when committing or about to commit depredations or when concentrated as to constitute a health hazard or other nuisance.

(3) Crows shall not be taken in state parks and recreation areas from April 1 to September 14.

History: Eff. Mar 31, 1989; Am. 8, 1991, Eff. Jul 1, 1991; Am. 9, 1996, Eff. Jul 1, 1996; Am. 8, 2009, Eff. May 7, 2009.

### 3.424 September teal hunt; open season; areas defined.

History: Am. 16, 1993, Eff. Sep 1, 1993.

Publisher's note: September teal hunt not approved by US Fish and Wildlife Service. No permits to be issued by the director to hunt teal during the September season.

### 3.425 September teal hunt; daily limit; possession limit.

History: Am. 16, 1993, Eff. Sep 1, 1993.

Publisher's note: September teal hunt not approved by US Fish and Wildlife Service. No permits to be issued by the director to hunt teal during the September season.

**3.426 Repealed. Am. 11, 1998, Eff. Aug 1, 1998.**

Publisher's note: The repealed section pertained to Teal hunting permit requirements and use.

**3.427 Mourning doves, open season, open counties, daily and possession limits; report of hunting impact on populations.**

Sec. 3.427 (1) The open season for taking mourning doves shall be September 10 to October 30, 2004 and September 1 to October 30 for the subsequent two calendar years.

(2) A person shall take mourning doves only in Berrien, Branch, Cass, Hillsdale, Lenawee, and St. Joseph counties.

(3) The daily limit shall be 15 mourning doves and the possession limit shall be 30 mourning doves.

(4) Following conclusion of the third hunting season, the department shall report the impact of hunting on mourning dove populations in Michigan.

History Note: Am. 15, 2004, Eff. Sep 10, 2004.

**3.500 Repealed. Am. 19, 1990, Eff. Oct 15, 1990.**

Publisher's note: The repealed section pertained to Hungarian partridge, open season.

**3.501 Pheasant hunting, open seasons; daily and possession limits.**

Sec. 3.501 (1) The open season for taking male pheasants in the zone 1 pheasant management unit, as described in section 12.750 of this order, shall be October 10 to October 31. The remaining portion of zone 1 shall be closed to the taking of pheasants.

(2) The open season for taking male pheasants in zones 2 and 3 shall be October 20 to November 14.

(3) The daily limit shall be 2 male pheasants and the possession limit shall be 4 male pheasants.

(4) The open season for taking pheasants of either sex by falconry shall be October 10 to October 31 in those portions of zone 1 open to pheasant hunting and shall be October 20 to February 28 in those portions of zones 2 and 3 open to pheasant hunting. The daily limit for pheasants of either sex taken by falconry shall be 2 pheasants, and the possession limit shall be 4.

(5) The open season for taking male pheasants in the December pheasant management unit, as described in section 12.750a of this order, shall be December 1 to January 1.

History: Am. 21, 1993, Eff. Oct 14, 1993; Am. 6, 1994, Eff. Sep 1, 1994; Am. 3, 1995, Sep 1, 1995; Am. 11, 2001, Eff. Sep 1, 2001; Am. 10, 2004, Eff. May 8, 2004.

**3.501a Repealed. Am. 3, 1995, Eff. Sep 1, 1995.**

Publisher's Note: The repealed section pertained to the experimental December pheasant hunting season; dates and limits.

**3.502 Ruffed grouse hunting, open seasons; daily and possession limits.**

Sec. 3.502 (1) The open season for taking ruffed grouse shall be September 15 to November 14 and December 1 to January 1.

(2) The daily limit shall be 5 ruffed grouse and the possession limit shall be 10 ruffed grouse in zones 1 and 2.

(3) The daily limit shall be 3 ruffed grouse and the possession limit shall be 6 ruffed grouse in zone 3.

History: Eff. Mar 31, 1989; Am. 8, 1994, Eff. Sep 1, 1994; Am. 7, 2003, Eff. May 10, 2003.

**3.503 Sharp-tailed grouse hunting, open seasons; daily and possession limits.**

Sec. 3.503 (1) The open season for taking sharp-tailed grouse in the zone 1 sharp-tailed grouse management unit, as described in section 12.751 of this order, shall be October 10 to October 31. The remaining portion of state shall be closed to the taking of sharp-tailed grouse.

(2) The daily limit shall be 2 sharp-tailed grouse, the possession limit shall be 4 sharp-tailed grouse and the season limit shall be 6 sharp-tailed grouse.

(3) A person licensed to take game as required by part 435, hunting and fishing licensing, of the natural resources and environmental protection act, act no. 451 of the public acts of 1994, who intends to hunt sharp-tailed grouse shall request and be issued a free sharp-tailed grouse stamp. The sharp-tailed grouse stamp shall be part of the license to hunt sharp-tailed grouse. A person shall not sell, loan, or permit in any manner, another person to use the person's sharp-tailed grouse stamp or use or attempt to use another person's sharp-tailed grouse stamp.

History: Eff. Mar 31, 1989; Am. 7, 1994, Eff. Sep 1, 1994; Am. 2, 1997, Eff. Sep 1, 1997; Am. 9, 2010, Eff. May 6, 2010.

### **3.504 Quail, open season, open counties; director may issue interim order; daily and possession limits.**

Sec. 3.504 (1) The open season for taking quail shall be October 20 to November 14.

(2) A person shall only take quail in Branch, Calhoun, Clinton, Eaton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Ionia, Jackson, Kent, Lapeer, Lenawee, Livingston, Macomb, Monroe, Montcalm, Oakland, Saginaw, St. Clair, St. Joseph, Sanilac, Shiawassee, Tuscola, Washtenaw, and Wayne counties.

(3) The director of the Department of Natural Resources may issue an interim order to close any or all of the above-mentioned counties based upon the June breeding quail survey.

(4) The daily limit shall be 5 quail and the possession limit shall be 10 quail.

History: Eff. Mar 31, 1989; Am. 11, 1989, Eff. Sep 1, 1989; Am. 9, 1990, Eff. Sep 1, 1990; Am. 7, 1997, Eff. Sep 1, 1997; Am. 10, 2000, Eff. Sep 1, 2000; Am. 9, 2004, Eff. May 8, 2004.

### **3.505 Rabbits and hares, open season, daily limit and possession limit.**

Sec. 3.505 (1) The open season for taking cottontail rabbits and varying hares, also commonly known as the snowshoe hare, shall be September 15 to March 31, statewide.

(2) The daily limit shall be 5 rabbits and hares combined, and the possession limit shall be 10 rabbits and hares combined.

History: Eff. Mar 31, 1989.

### **3.506 Woodchucks, open season, exception.**

Sec. 3.506 The open season for woodchucks shall be statewide all year except for state park and recreation areas which shall be closed April 1 to September 14.

History: Eff. Mar 31, 1989; Am. 20, 1989, Eff. Sep 1, 1989.

### **3.507 Squirrels, open season; exception; daily and possession limits.**

Sec. 3.507 (1) The open season for taking fox, black and grey squirrels shall be September 15 to March 1.

(2) The daily limit shall be 5 fox, black and grey squirrels combined and the possession limit shall be 10 fox, black and grey squirrels combined.

History: Eff. Mar 31, 1989; Am. 4, 2003, Eff. May 10, 2003.

### **3.600 Fur-bearing animals; use of firearms; traps and catching devices; use of bait; unlawful acts.**

Sec. 3.600 It shall be unlawful for any person:

(1) To use a firearm, crossbow, or bow and arrow to take marten, muskrat, beaver, otter, mink, fisher, or badger, except as permitted by authority of a nuisance control permit issued by the department. Rimfire firearms .22 caliber or smaller may be used to kill coyote, fox, raccoon, bobcat, and badger in traps, except for youths trapping with a junior fur harvester-trap only license.

(2) Except as provided by subsection (3), to use or have in possession in areas frequented by animals, a catching device of any kind for the taking of animals unless the name and address in legible English or the complete Michigan driver license number of the user or person possessing the device is permanently etched in the catching device, or there shall be securely fastened to each catching device a metallic plate or tag bearing the name and address in legible English or the complete Michigan driver license number of the user or person possessing the catching device.

(3) To use, carry afield, or have in possession 1 or more snares or 1 or more cable restraints unless they have attached a metallic tag or plate securely fastened which bears the name and address in legible English or the complete Michigan driver's license number of the user or person possessing the catching device.

(4) To use or have in possession 1 or more snares or 1 or more cable restraints securely attached to a pole unless the uppermost end of the pole has a metallic plate or tag securely fastened which bears the name and address in legible English or the complete Michigan driver license number of the user or person possessing the catching device.

(5) To use a multiple catch or colony trap except for the taking of muskrat and provided that the trap is completely submerged below the water. Colony traps must be constructed of steel and shall be no larger than 8 inches in height, 8 inches in width, and 36 inches in depth. This order shall not be construed to prohibit use of colony or multiple catch traps used by nuisance control operators for species other than muskrat.

(6) To stake, put out, or set a catching device of any kind for the taking of a fur-bearing animal at any time preceding the day on which the open season for the taking of such fur-bearing animal begins.

(7) To use a foothold trap with a jaw spread exceeding a number 2 foothold trap for the taking of mink or muskrat except as may be provided by this order for the incidental take of muskrat during the beaver and otter season. It shall also be unlawful to use any kind of a trap other than a foothold or body gripping or conibear type trap to take fur-bearing animals except as permitted under the provisions of subsection (4).

(8) To use any portion of any protected animal or protected bird as bait for the purpose of trapping any animal in this state. This subsection shall not be construed to prohibit a person from using the carcasses and parts thereof of game animals or game birds, lawfully taken and possessed during their open season, as bait, except as stated in Section 5.31 of this order.

(9) A trap or snare shall not be set on a beaver dam or lodge unless the trap is totally submerged below the water.

(10) To set a body gripping or conibear type trap larger than 5 and one half inches in width as measured inside the jaw hinges on dry land or over frozen submerged bottomlands, unless the trap is placed as follows:

(a) On private land and less than 7 and one half inches as measured inside the jaw hinges.

(b) On public or private lands 4 feet or more above dry ground or the frozen surface of ice, as applicable.

(c) On public lands:

(i) Less than 8 inches above the ground at the highest point, and in a way that does not use bait, lure, or attractant to entice an animal and the trap is between 5 and one half and 6 and one half inches as measured inside the jaw hinges.

(ii) In a box or similar container that is placed vertically on a tree or other structure so that the trap trigger is at least 4 inches from the container opening and the opening of the container is no more than 6 inches from the ground.

(iii) In a box or similar container with a maximum fixed opening of 6 inches measured from the inside bottom of the container opening to the lower edge of the top of the container opening with 8 inch slots to allow trap placement so that no part of the trap trigger is closer than 6 inches to the opening edge of the container and the trap is between 5 and one half inches and 7 and one half inches as measured inside the jaw hinges.

(11) To set a trap within 50 feet of any water in zone 1 before October 25, or within 50 feet of any water in zone 2 before November 1, or within 50 feet of any water in zone 3 before November 10, except for the following catching devices:

(a) A duffer-type, egg-type, or similarly designed leghold trap which by construction will selectively capture raccoon.

(b) A body gripping or conibear trap placed 4 feet or more above the ground.

(12) To set a catching device designed to hold an animal alive unless any catch is released or removed upon checking the catching device. Restraining type traps and cable restraints designed to hold an animal alive shall be checked at least once daily in zones 2 and 3 and within a 48 hour period in zone 1, except as noted in Section 5.52 (8).

(13) To use, carry afield, or set a trap with teeth or serrations.

History: Eff. Mar 31, 1989; Am. 9, 1989, Eff. Sep 1, 1989; Am. 10, 1990, Eff. Sep 1, 1990; Am. 4, 1992, Eff. Sep 1, 1992; Am. 9, 1993, Eff. Sep 1, 1993; Am. 5, 1994, Eff. Sep 1, 1994; Am. 7, 1998, Eff. Sep 1, 1998; Am. 16, 2000, Eff. Oct 13, 2000; Am. 3, 2001, Eff. Mar 1, 2001; Am. 9, 2002, Eff. Jun 7, 2002; Am. 9, 2003, Eff. Jun 7, 2003; Am. 11, 2004, Eff. Jun 5, 2004; Am. 9, 2004, Eff. Jul 8, 2005; Am. 10, 2006, Eff. Jun 2, 2006; Am. 11, 2007, Eff. Jun 8, 2007; Am. 2, 2009, Eff. Mar 6, 2009, with a sunset provision regarding the use of the crossbow effective Mar 6, 2012; Am. 10, 2009, Eff. Jun 4, 2009; Am. 17, 2010, Eff. Aug 13, 2010.

### **3.601 Special management areas, trapping regulations.**

Sec. 3.601 The following trapping regulations shall be in effect for the management areas listed:

(1) Shiawassee river state game area - trapping only by permit obtained at the department St. Charles field office.

(2) Shiawassee national wildlife refuge - trapping only by permit obtained from the refuge manager.

(3) Muskegon state game area - beaver and otter - trapping only by permit obtained at the department Muskegon state game area headquarters.

(4) Poel island waterfowl refuge within the Grand Haven state game area - trapping only by permit obtained at the department Muskegon state game area headquarters.

(5) Fish point wildlife area - trapping only by permit obtained at the state wildlife area headquarters.

(6) Nayanquing point wildlife area - trapping only by permit obtained at the state wildlife area headquarters.

(7) Crow island state game area - trapping only by permit obtained at the Bay city operations service center.

(8) Wigwam bay wildlife area - trapping only by permit obtained at the Nayanquing point state wildlife area headquarters.

(9) St. Clair flats wildlife area (Harsens island unit) - trapping only by permit obtained at the state wildlife area headquarters.

(10) Pointe Mouillee state game area - trapping only by permit obtained at the state wildlife area headquarters.

History: Eff. Mar 31, 1989; Am. 9, 1989, Eff. Sep 1, 1989; Am. 15, 1993, Eff. Sep 1, 1993; Am. 10, 2006, Eff. Jun 2, 2006; Am. 14, 2009, Eff. Jul 10, 2009.

### **3.602 Repealed Am. 5, 1994, Eff. Sep 1, 1996.**

Publisher's note: The repealed section pertained to permit to hold furs after close of season..

### **3.603 Transporting legally secured hides or pelts.**

Sec. 3.603 Nothing in this order shall be construed as prohibiting the shipping or transporting in any manner or at any time of hides or pelts of fur-bearing animals which have been legally taken and reported as herein provided.

History: Eff. Mar 31, 1989.

### **3.604 Skunks, hunting and trapping, open season, exception; unlawful act.**

Sec. 3.604 The open season for taking skunk by hunting or trapping shall be statewide all year except for state park and recreation areas which shall be closed April 1 to September 14. A person shall not possess a live skunk taken in Michigan.

History: Eff. Mar 31, 1989; Am. 20, 1989, Eff. Sep 1, 1989.

### **3.605 Raccoon hunting, seasons; taking raccoons doing or about to do damage, person taking considered permittee.**

Sec. 3.605 (1) The open season for taking raccoon by hunting shall be October 1 to January 31, except that the open season for nonresidents taking raccoon by hunting shall be November 15 to January 31.

(2) A property owner or their designee may take raccoon all year on property owned by the person when raccoons are doing or are about to do damage to the person's property. A person taking a raccoon under the authority of this subsection shall be considered a permittee as defined by section 5.50 of this order. A written permit is not required, and the person shall be authorized to take raccoon all year by otherwise lawful hunting and trapping methods. Notwithstanding the other provisions of this order, a person taking raccoon under the authority of this subsection may take raccoon at night from July 15 to September 14 using artificial lights, similar to the type ordinarily held in the hand or on the person, in possession of an unloaded firearm while following dogs and at the point of kill for the purpose of taking raccoons if using a rimfire firearm .22 caliber or smaller.

History: Eff. Mar 31, 1989; Am. 9, 1989, Eff. Sep 1, 1989; Am. 10, 1993, Eff. Sep 1, 1993; Am. 7, 1998, Eff. Sep 1, 1998; Am. 2, 2003, Eff. Apr 12, 2003; Am. 2, 2005, Eff. Mar 11, 2005; Am. 9, 2005, Eff. Jul 8, 2005.

### **3.606 Muskrat, mink, and raccoon trapping, open seasons; closed areas.**

Sec. 3.606 (1) Except as otherwise provided in this section, the open season for taking muskrat and mink by trapping shall be October 25 to March 1 in zone 1, November 1 to March 1 in zone 2, and November 10 to March 1 in zone 3. The trapping season for raccoon shall be October 15 to January 31 in zones 1 and 2, and November 1 to January 31 in zone 3.

(2) Except as provided in subsections 3 and 4, the open seasons for taking muskrat, mink, and raccoon by trapping on the following managed wetlands shall be as follows:

<b>Area</b>	<b>Season</b>
Nayanquing point wildlife area	Day after waterfowl season closes to March 31
Crow island state game area	Day after waterfowl season closes to March 31
Shiawassee river state game area	Day after waterfowl season closes to March 31, except A units shall have the same season dates as provided in subsection (1) for zone 3
Fish point wildlife area	Day after waterfowl season closes to March 31
Allegan state game area (Fennville farm unit)	November 10 to March 31 except during the Allegan county GMU season as provided in 3.415
Pointe Mouillee state game area	Day after waterfowl season closes to March 31
St. Clair flats wildlife area (Harsens island unit)	November 10 to March 31

(3) Managed wetlands or portions of managed wetlands shall be closed when posted.

(4) The director, in consultation with and concurrence of the chair or vice chair of the natural resources commission, may make appropriate changes to muskrat, mink, and raccoon trapping season closing dates for the state game areas and state wildlife areas listed in subsection (2), in order to meet disease, damage control, or other management objectives for those areas.

History: Eff. Mar 31, 1989; Am. 9, 1989, Eff. Sep 1, 1989; Am. 10, 1990, Eff. Sep 1, 1990; Am. 4, 1992, Eff. Sep 1, 1992; Am. 9, 1993, Eff. Sep 1, 1993; Am. 14, 1996, Eff. Sep 1, 1996; Am. 7, 1997, Eff. Sep 1, 1997; Am. 11, 2004, Eff. Jun 5, 2004; Am. 10, 2006, Eff. Jun 2, 2006; Am. 11, 2007, Eff. Jun 8, 2007; Am. 14, 2009, Eff. Jul 10, 2009; Am. 11, 2011, Eff. Jun 10, 2011.

**3.607 Beaver and otter trapping, resident and nonresident open seasons; season limits; requirements.**

Sec. 3.607 (1) The open seasons and season limits for taking beaver and otter by trap for each of the respective management units shall be as follows:

<b>Resident Seasons</b>	<b>Season Limits</b>
Unit A --October 25 to the first Sunday following April 11, except the ending season date for all designated trout streams, as described in FO 210.03, shall be April 30 Unit B --November 1 to the first Sunday following April 11 Unit C --November 10 to March 31	No limit on beaver; 3 otter per person of which no more than 2 shall be taken in unit b and no more than 1 shall be taken in unit c

<b>Nonresident Seasons</b>	<b>Season Limits</b>
Unit A --November 15 to the first Sunday following April 11 Unit B --November 24 to the first Sunday following April 11 Unit C --December 15 to March 31	No limit on beaver; 3 otter per person of which no more than 2 shall be taken in unit b and no more than 1 shall be taken in unit c

(2) In addition to the requirements of section 3.600, a person taking beaver and otter shall meet all of the following requirements:

(a) Through the last day of the open otter season, a person issued a fur harvester's license may obtain a free otter kill tag. A person who intends to trap otter shall request and be issued up to 3 free otter kill tags. A person shall not sell, loan, or permit in any manner, another person to use the person's otter kill tag or use or attempt to use another person's otter kill tag. Only a person who is 8 years old or older may obtain a free otter kill tag. A person who kills an otter shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the hide of the otter from the upper jaw to the eye socket or through the lower jaw in a secure and permanent manner. A person shall not tag an otter with a kill tag that is not valid for the unit in which the otter is taken. This kill tag shall remain attached to the otter until the animal is registered and sealed by the department. A person shall not possess an otter or otter hide that is not tagged with a validated kill tag unless a department seal is attached as provided by subsection (b).

(b) A person that kills an otter shall present the pelt and skull of the otter to a designated department employee to be registered and sealed no later than 3 business days following April 30. The pelt and skull shall be presented for sealing in person by the fur harvester that killed the animal and shall not be presented for sealing or registration by another person. The person presenting the otter pelt and skull shall display their fur harvester license; including identification used to acquire the license, and shall provide harvest information as requested by the department employee. The department employee shall retain the skull and attach an official seal to the pelt of each otter presented for examination and shall lock the seal upon the hide in such a manner that it cannot be removed without cutting or ripping the otter pelt or damaging the seal. An official seal attached by the department, shall not be removed from the otter pelt until the otter pelt is processed or tanned. Subsequent to 3 business days following April 30, it shall be unlawful to possess an otter pelt without an official department seal attached unless the pelt has been processed or tanned or the otter season is open.

(c) Notwithstanding the other provisions of this order, up to 10 muskrat, taken in beaver or otter sets, may be considered part of the season limit.

(d) Notwithstanding the other provisions of this order, a snare may be used for taking beaver in water or under ice. Snares shall be made of 1/16 inch or larger cable. Snares not under ice must have a loop which is at least half submerged and be set in a fashion to hold the beaver completely submerged. Snares shall be removed from the water and made inoperative within 24 hours after the close of the period in which snares may be used to take beaver.

History: Eff. Mar 31, 1989; Am. 7, 1989, Eff. Sep 1, 1989; Am. 15, 1990, Eff. Sep 1, 1990; Am. 13, 1991, Eff. Sep 1, 1991; Am. 4, 1992, Eff. Sep 1, 1992; Am. 15, 1993, Eff. Sep 1, 1993; Am. 10, 1994, Eff. Sep 1, 1994; Am. 5, 1995, Eff. Sep 1, 1995; Am. 10, 1996, Eff. Sept. 1, 1996; Am. 7, 1998, Eff. Sep 1, 1998; Am. 3, 2001, Eff. Mar 1, 2001; Am. 7, 2002, Eff. Jun 1, 2002; Am. 9, 2003, Eff. Jun 7, 2003; Am. 10, 2006, Eff. Jun 2, 2006; Am. 11, 2007, Eff. Jun 8, 2007; Am. 10, 2009, Eff. Jun 4, 2009; Am. 11, 2011, Eff. Jun 10, 2011.

### **3.608 Bobcat open seasons, season limit, closed areas, restrictions; kill tags and tagging requirements; registration requirements; unlawful acts.**

Sec. 3.608 (1) The open season for taking bobcat by trapping in bobcat management units A and B shall be December 1 to February 1. The open season for taking bobcat by hunting in bobcat management units A and B shall be from January 1 to March 1.

(2) The open season for taking bobcat by trapping in bobcat management units C and D shall be from December 10 to December 20, on private lands only, using foothold traps only. The open season for taking bobcat by hunting in management unit C shall be from January 1 to March 1. The open season for taking bobcat by hunting in management unit D shall be from January 1 to February 1. A person shall not take a bobcat by means of trapping or hunting in that area of zone 2 not included in bobcat management units C and D.

(3) A person shall not take a bobcat in zone 3.

(4) The season limit shall be 2 bobcats per person except no person shall take more than 1 bobcat from bobcat management unit B, and no more than 1 bobcat in bobcat management units C and D combined.

(5) Through the last day of the open bobcat season, a person issued a fur harvester's license may obtain a free bobcat kill tag. A person who intends to hunt or trap bobcat shall request and be issued up to 2 free bobcat kill tags. A person shall not sell, loan, or permit in any manner another person to use the person's bobcat kill tag or use or attempt to use another person's bobcat kill tag. Only a person who is 8 years old or older may obtain a free bobcat kill tag. A person who kills a bobcat shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the hide of the bobcat from the upper jaw to the eye socket or through the lower jaw of the bobcat in a secure and permanent manner. A person shall not tag a bobcat with a kill tag that is not valid for the unit in which the bobcat is taken. This kill tag shall remain attached to the bobcat until the animal is registered and sealed by the department. A person shall not possess a bobcat or bobcat hide that is not tagged with a validated kill tag unless a department seal is attached as provided by subsection (6).

(6) A person that kills a bobcat shall present the pelt and skull, of the bobcat to the department to be registered and sealed no later than 10 days following the close of the season in which it was taken. The pelt and skull shall be presented for sealing in person by the fur harvester that killed the animal and shall not be presented for sealing or registration by another person. The person presenting the bobcat pelt and skull shall display their fur harvester license, including identification used to acquire the license, and shall provide harvest information as requested by the department. The department shall retain the skull and attach an official seal to the pelt of each bobcat presented for examination and shall lock the seal upon the hide in such a manner that it cannot be removed without cutting or ripping the bobcat pelt or damaging the seal. An official seal attached by the department, shall not be removed from the bobcat pelt until the bobcat pelt is processed or tanned. Subsequent to ten days following March 1, it shall be unlawful to possess a bobcat pelt without an official department seal attached unless the pelt has been processed or tanned or the bobcat season is open.

History: Eff. Mar 31, 1989; Am. 8, 1989, Eff. Sep 1, 1989; Am. 10, 1990, Eff. Sep 1, 1990; Am. 9, 1991, Eff. Sep 1, 1991; Am. 5, 1994, Eff. Sep 1, 1994; Am. 5, 1995, Eff. Sep 1, 1995; Am. 10, 1996, Eff. Sep 1, 1996; Am. 7, 1998, Eff. Sep 1, 1998; Am. 9, 2003, Eff. Jun 7, 2003; Am. 11, 2004, Eff.

### **3.609 Fox hunting and trapping and coyote trapping, seasons; use of snares, conditions; prohibited acts.**

Sec. 3.609 (1) The open seasons for taking fox by trapping or hunting and coyote by trapping shall be October 15 to March 1.

(2) Notwithstanding other provisions of this order, a person may use a snare from January 1 to March 1 to take fox and coyote if, in addition to the other requirements of section 3.600, all of the following conditions are met:

(a) Snares shall not be placed on publicly owned land or commercial forest lands as defined by section 51101, Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, Act No. 451 of the Public Acts of 1994, being Section 324.51101 of the Michigan Compiled Laws.

(b) Snares shall be made of 1/16 inch or larger cable, with a maximum length of 60 inches, not including a cable anchor extension. Up to a 36 inch cable anchor extension may be used.

(c) The snare loop shall not exceed 15 inches in diameter.

(d) The top of the snare loop shall not be set more than 24 inches above the ground, or when the ground is snow covered, shall not be set more than 24 inches above the compacted snow in the person's footprint which has been placed beneath the snare with the full body weight of the person.

(e) All snares shall have a relaxing lock, defined as a snare lock that will allow the snare loop to loosen slightly to reduce the possibility of strangulation.

(f) All snares shall have a stop to prevent the loop of a snare from closing to a diameter less than 4 1/4 inches.

(g) All snares shall be equipped with a break-away lock system with a breaking point not greater than 285 pounds. Breakaway devices must be attached to the relaxing lock.

(h) Snares shall not have any type of drag attached and shall be affixed to a stake or other object of sufficient strength to hold a fox or coyote at the point of capture. A snare shall not be attached to a fence or set in a manner that would allow an animal captured in the snare to become entangled with a fence. Snares may be anchored to woody vegetation provided that it is clear of branches or stubs up to a height of 5 feet above the ground or compacted snow. Stubs and branches must be cut flush with the outer bark of the main stem. Snares may not be set in a manner that would allow a snared animal to be suspended with two or more feet off the ground.

(i) Snares shall be equipped with two swivels, one of which will be at the anchor point.

(j) Snares shall not utilize any type of spring pole, counterbalanced weight, spring, or other device to assist in closing the snare.

(k) Except as provided in section 3.607 for the taking of beaver, section 3.610 for the taking of nuisance coyote and sections 5.51 and 5.52 for the taking of other nuisance animals, snares shall not be placed, used or carried afield, whether operable or inoperable, after the close of the fox and coyote trapping season.

History: Eff. Mar 31, 1989; Am. 10, 1990, Eff. Sep 1, 1990; Am. 10, 1993, Eff. Sep 1, 1993; Am. 5, 1994, Eff. Sep 1, 1994; Am. 3, 2001, Eff. Mar 1, 2001; Am. 11, 2004, Eff. Jun 5, 2004; Am. 9, 2005, Eff. Jul 8, 2005.

### **3.610 Coyote, open season; exceptions; person taking considered permittee; fur harvester's license not required to hunt.**

Sec. 3.610 (1) The open season for taking coyote by hunting shall be July 15 to April 15 except:

(a) Coyotes may be taken all year on private property by the property owner or their designee when coyotes are doing or about to do damage to their property. A written permit is not required, and the person shall be authorized to take coyote all year by otherwise lawful hunting and trapping methods.

(b) Coyotes shall not be taken in state park and recreation areas from April 1 to September 14.

(2) A resident possessing a small game license may hunt coyote without securing a fur harvester's license.

History: Am. 9, 1989, Eff. Sep 1, 1989; Am. 10, 1990, Eff. Sep 1, 1990; Am. 9, 1991, Eff. Sep 1, 1991; Am. 5, 1994, Eff. Sep 1, 1994; Am. 5, 1995, Eff. Sep 1, 1995; Am. 3, 2001, Eff. Mar 1, 2001; Am. 9, 2003, Eff. Jun 7, 2003; Am. 9, 2005, Eff. Jul 8, 2005; Am. 10, 2009, Eff. Jun 4, 2009; Am. 9, 2010, Eff. May 6, 2010.

### **3.611 Badger trapping seasons; season limits; unlawful acts.**

Sec. 3.611 (1) The open season for taking badger by trapping shall be from October 15 to November 14 in the zone 1 badger management unit as described in section 12.809, October 15 to November 14 in zone 2, and November 1 to March 1 in zone 3.

(2) The season limit shall be 1 badger per season.

History: Am. 9, 1989, Eff. Sep 1, 1989; Am. 10, 1990, Eff. Sep 1, 1990; Am. 9, 1991, Eff. Sep 1, 1991; Am. 5, 1994, Eff. Sep 1, 1994; Am. 5, 1995, Eff. Sep 1, 1995; Am. 3, 2001, Eff. Mar 1, 2001; Am. 9, 2003, Eff. Jun 7, 2003.

### **3.620 Fisher, open seasons, closed areas; registration requirements; unlawful acts.**

Sec. 3.620 (1) The open season for taking fisher by trapping shall be from December 1 to December 15 in all of Zone 1 except Drummond island.

(2) The season limit shall be a combined bag limit of 1 fisher or 1 marten per person.

(3) Through the last day of the open fisher season, a person issued a fur harvester's license may obtain a free fisher kill tag. A person who intends to trap fisher shall request and be issued up to 3 free fisher kill tags. A person shall not sell, loan, or permit in any manner, another person to use the person's fisher kill tag or use or attempt to use another person's fisher kill tag. Only a person who is 8 years old or older may obtain a free fisher kill tag. A person who kills a fisher shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the hide of the fisher from the upper jaw to the eye socket or through the lower jaw in a secure and permanent manner. A person shall not tag a fisher with a kill tag that is not valid for the unit in which the fisher is taken. This kill tag shall remain attached to the fisher until the animal is registered and sealed by the department. A person shall not possess a fisher or fisher hide that is not tagged with a validated kill tag unless a department seal is attached as provided by subsection (4).

(4) A person that kills a fisher shall present the pelt and skull of the fisher to the department to be registered and sealed no later than 3 business days following December 15. The pelt and skull shall be presented for sealing in person by the fur harvester that killed the animal and shall not be presented for sealing or registration by another person. The person presenting the fisher pelt and skull shall display their fur harvester license, including identification used to acquire the license, and shall provide harvest information as requested by the department. The department shall retain the skull and attach an official seal to the pelt of each fisher presented for examination and shall lock the seal upon the hide in such a manner that it cannot be removed without cutting or ripping the fisher pelt or damaging the seal. An official seal attached by the department, shall not be removed from the fisher pelt until the fisher pelt is processed or tanned. Subsequent to 3 business days following December 15, it shall be unlawful to possess a fisher pelt without an official department seal attached unless the pelt has been processed or tanned or the fisher season is open.

History: Am. 19, 1989, Eff. Sep 1, 1989; Am. 10, 1990, Eff. Sep 1, 1990; Am. 15, 1993, Eff. Sep 1, 1993; Am. 10, 1994, Eff. Sep 1, 1994; Am. 9, 2003, Eff. Jun 7, 2003; Am. 10, 2006, Eff. Jun 2, 2006; Am. 11, 2011, Eff. Jun 10, 2011.

### **3.621 Live traps, permitted use in safety zone.**

Sec. 3.621 (1) Notwithstanding any other provisions of this order, a live trap other than a trap designed to catch more than 1 animal at 1 time, may be used for the taking of furbearing animals within a safety zone.

A person using a live trap shall release or kill an animal captured in a live trap immediately upon finding that animal in a trap.

(2) A person using a live trap shall tend the trap daily.

(3) For the purposes of this section, "safety zone" means the area within 150 yards of an occupied building, dwelling, house, residence, or cabin, or any barn or other building used in connection with a farm operation.

History: Am. 9, 1993, Eff. Sep 1, 1993.

### **3.622 Removal of seal from fur-bearing animals by licensed taxidermist.**

Sec. 3.622 The seal on a fur-bearing animal requiring sealing by the department can be cut and removed from the specimen by a licensed taxidermist at the location of their taxidermy business at any time following the recording of the seal number and completion of the taxidermy tag.

History: Am. 7, 1998, Eff. Sep 1, 1998.

### **3.630 Marten, open season, exceptions; trapping permit; sealing requirements; unlawful acts.**

Sec. 3.630 (1) The open season for taking marten by trapping shall be from December 1 to December 15 in all of zone 1 except Drummond island.

(2) Through the last day of the open marten season, a person issued a fur harvester's license may obtain a free marten kill tag. A person who intends to trap marten shall request and be issued 1 free marten kill tag. A person shall not sell, loan, or permit in any manner, another person to use the person's marten kill tag or use or attempt to use another person's marten kill tag. Only a person who is 8 years old or older may obtain a free marten kill tag. A person who kills a marten shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the hide of the marten from the upper jaw to the eye socket or through the lower jaw in a secure and permanent manner. This kill tag shall remain attached to the marten until the animal is registered and sealed by the department. A person shall not possess a marten or marten hide that is not tagged with a validated kill tag unless a department seal is attached as provided by subsection (4).

(3) The season limit shall be a combined bag limit of 1 marten or 1 fisher per person.

(4) A person that kills a marten shall present the pelt and skull of the marten to the department to be registered and sealed no later than 3 business days following December 15. The pelt and skull shall be presented for sealing in person by the fur harvester that killed the animal and shall not be presented for sealing or registration by another person. The person presenting the marten pelt and skull shall display their fur harvester license; including identification used to acquire the license, and shall provide harvest information as requested by the department. The department shall retain the skull, and, attach an official seal to the pelt of each marten presented for examination, and lock the seal upon the hide in such a manner that it cannot be removed without cutting or ripping the marten pelt or damaging the seal. An official seal attached by the department, shall not be removed from the marten pelt until the marten pelt is processed or tanned. Subsequent to 3 business days following December 15, it shall be unlawful to possess a marten pelt without an official department seal attached unless the pelt has been processed or tanned or the marten season is open.

History: Am. 16, 2000, Eff. Oct 13, 2000; Am. 9, 2003, Eff. Jun 7, 2003; Am. 11, 2004, Eff. Jun 5, 2004; Am. 10, 2006, Eff. Jun 2, 2006; Am. 11, 2007, Eff. Jun 8, 2007; Am. 11, 2011, Eff. Jun 10, 2011.