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GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: February 9, 2009
RESUBMITTED: March 9, 2009

<u>A P P R O V E D</u> <hr/> MICHIGAN NATURAL RESOURCES COMMISSION <hr/> (ASSISTANT TO THE COMMISSION)	, 20
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MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Elk Regulations and License Quotas
Wildlife Conservation Order Amendment No. 4 of 2009

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director and the Commission to issue orders to manage wild animals in this state.

Discussion and Background:

This amendment opens Crawford County to elk hunting, establishes the dates for the 2009 elk seasons, and establishes the elk license quotas for the elk seasons.

Elk continue to expand their range across the northern portion of the Lower Peninsula. Elk have recently been documented in Crawford County, which is outside the primary elk range. The desire is to limit elk expansion outside the primary elk range. Opening Crawford County to elk hunting provides the opportunity for hunters to assist in limiting elk expansion.

In past years, two elk hunt periods have been held, an early (August and September) and a late (December) season. Providing a third hunt period in October will put additional hunting pressure on elk in agricultural areas while elk are still in these areas. An October hunt period will allow for more elk licenses to be offered without increasing hunter numbers in hunt periods 1 or 3. Splitting elk hunters between three hunt periods instead of two will help decrease the crowded conditions many hunters experienced during the December elk hunt in 2008, when 220 licenses elk were available.

Elk Hunt Period 1 is designed to target elk outside the primary elk area before these elk move for the breeding season. This elk hunt period is recommended to be for nine days consisting of a 4-day hunt in early September and a 5-day hunt in mid-September.

The elk population objective is 800 to 900 animals in the winter herd. Elk population surveys are conducted every other year. Results from the 2008 winter survey indicated the 2009 herd

was above this objective. The Department is proposing an increase in the elk harvest to reduce the elk population. The opportunity to hold a January harvest is also desired to address Wildlife management issues which may remain upon the conclusion of the earlier hunts. The recommended quota of 380 elk licenses, an increase of 30 licenses from 2008, is designed to achieve a harvest of 300 elk based on past hunter success rates.

Elk Season Dates

The recommended dates for Hunt Period 1 are September 1 through September 4 and September 11 through September 15.

The recommended dates for Hunt Period 2 are October 13 through October 21.

The recommended dates for Hunt Period 3 are December 8 through December 15.

There is no recommended change to the dates for Hunt Period 4 (January).

Elk License Quotas

The recommendation for Hunt Period 1 is 110 elk licenses; 35 any-elk licenses and 75 antlerless-only elk licenses. In 2008 with 110 licenses, 74 elk were taken during Hunt Period 1.

The recommendation for Hunt Period 2 is 110 elk licenses; 35 any-elk licenses and 75 antlerless-only elk licenses. There was no October hunt in 2008.

For Hunt Period 3, the recommendation is 160 licenses; 56 any-elk licenses and 104 antlerless-only elk licenses. This quota is designed to increase the harvest pressure on elk in Units A, B, and D while maintaining elk numbers in Units C, and E. It is anticipated that approximately one-third of the harvest will occur in Unit X. In 2008, a total of 220 licenses were available for the December hunt, resulting in a harvest of 176 elk.

The recommended maximum quota for Hunt Period 4 (January) is 50. 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 licenses available and the elk management units open for Hunt Period 4. Elk Hunt Period 4 was used in January 2009 with 40 licenses being issued resulting in the harvest of 27 elk.

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Wildlife Conservation Order Amendment No. 4 of 2009
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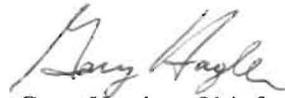
The 2007 Inland Consent Decree authorizes the five 1836 Treaty tribes to issue elk licenses equal to ten percent of state issued any elk licenses and ten percent of state issued antlerless licenses, rounded up.

Recommendation:

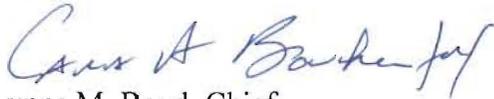
This order is being submitted for information and consideration. This item appeared on the Department's February 23, 2009, calendar and may be eligible for approval on April 2, 2009.



Russ Mason, Ph.D., Chief
Wildlife Division



Gary Hagler, Chief
Law Enforcement Division



Lynne M. Boyd, Chief
Forest, Mineral and Fire Management Division



Armindia S. Koch
Resource Management Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Natural Resources Commission has authority.

Rebecca A. Humphries
Director

WILDLIFE CONSERVATION ORDER

Amendment No. 4 of 2009

By authority conferred on the Natural Resources Commission and the Director of the Department of Natural Resources by sections 40107 and 40113a of 1994 PA 451, MCL 324.40107 and 324.40113a, it is ordered that effective April 3, 2009 the following section(s) of the Wildlife Conservation Order shall read as follows:

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	September 1 September 4 and September 11 to September 15, in elk management unit "L."
2	October 13 to October 21, in elk management unit L."
3	December 8 to December 15, in elk management units "A," "B," "C," "D," "E," and "X."
4	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.

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:

(a) Elk management unit L, 35 any elk licenses and 75 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 L, 35 any-elk licenses and 75 antlerless elk licenses.

(3) The license quotas for elk hunt period 3, as specified in Section, 3.1(1) shall be:

(a) Elk management unit A, 14 any elk licenses and 27 antlerless elk licenses.

(b) Elk management unit B, 14 any elk licenses and 27 antlerless elk licenses.

(c) Elk management unit C, 4 any elk licenses and 8 antlerless elk licenses.

(d) Elk management unit D, 20 any elk licenses and 34 antlerless elk licenses.

(e) Elk management unit E, 4 any elk licenses and 8 antlerless elk licenses.

(4) The license quota for elk hunt period 4, as specified in Section 3.1(1), shall be no more than 50. 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.

(5) An elk hunter shall hunt in their assigned season and elk management unit except elk hunters assigned to hunt in elk management units A, B, C, D, or E may hunt in elk management unit X.

12.504 "Elk management unit L" defined.

Sec. 12.504. "Elk management unit L" means the area of Alpena, Antrim, Charlevoix, Cheboygan, Crawford, Emmet, Montmorency, Oscoda, Otsego and Presque Isle counties except for the portions of Cheboygan, Montmorency, Otsego and Presque Isle counties making up an exclusion area defined by a line beginning at the

junction of Manier road and State/County 620 road (section 12, T30N R01E), westerly on county 620 road to Meridian road on the east Otsego county line, then north on Meridian road to Gibbs road, then north along the west section line of section 19, T31N R01E, to the northwest corner of said section, then continuing west into Otsego county on the north section lines of sections 24, 23, and 22, T31N R01W to Sawdust pile road, westerly on Sawdust pile road to Tin shanty bridge road, south on Tin shanty bridge road to the Black river in section 28, T31N R01W, downstream along the Black river to Old Vanderbilt road at McKinnon's bend, westerly on Old Vanderbilt road to Dudd road, northerly on Dudd road to Sturgeon valley road, easterly on Sturgeon valley road to Pickerel lake road, northerly on Pickerel lake road to Fisherman trail in Cheboygan county, then northerly on Fisherman trail to Webb road, east on Webb road to Montgomery road, northerly on Montgomery road to Pigeon river road, east on Pigeon river road to the south section line of section 17, T34N R01W, then east along the south section line to the southeast corner of said section, then north along the east section line of same section to Walker road, then east on Walker road to Osmun road, north on Osmun road to highway M-68, east on highway M-68 to Brady road (section 7 T34N R01E), southerly on Brady road. to Tucker road (section 17, T34N R02E), east on Tucker road to Center line road (section 21, T34N R01E), south on Center line road to Buzzels road (section 3, T33N R01E), east on Buzzels road to Black river road (northeast corner section 2, T33N R01E), southerly on Black river road to Comstock/Milligan highway (east edge section 2, T33N R01E), east on Comstock/Milligan highway into Presque Isle county to highway M-33 (section 6, T33N R02E), then north on M-33 to the intersection of M-33 and Hackett lake road (section 32 T34N R02E), east along Hackett lake road to Price road (section 33, T33N R02E), south on Price road to Five-Mile highway, then east on Five-Mile highway to Hoffmeyer road (section 1 T33N R02E), southerly on Hoffmeyer road to W-634 highway (section 7 T33N R03E), southerly on W-634 highway to Elk road (section 13, T33N R02E), southerly on Elk road to Deer road (section 36, T33N R02E), continue south on Deer road into Montmorency county on Millersburg road (section 1 T32N R02E), continue south on Millersburg road to Tomahawk lake road (section 11, T32N R02E), then easterly and southerly on Tomahawk lake road to County 628 road (section 19, T32N R03E), east on County 628 road to Voyer lake road (section 27, T32N R03E), southerly on Voyer lake road. to Tripp road (section 15, T31N R03E), southerly on Tripp road to Hayes road (section 22, T31N R03E), west on Hayes road to Orm road (northwest corner section 27, T31N R03E), south on Orm road to Hall road (section 27 T31N R03E), south on Hall road to highway M-32 (section 10, T30N R03E), west on M-32 to north highway M-33 (in the village of Atlanta), north on M-33 to Kellyville road (section 2 T30N R02E) west on Kellyville road to its end, continuing west on the third correction line forming the north boundary of sections 4, 5, and 6, T30N R2E to Manier road, then south on Manier road to the point of beginning.

12.506 "Elk management unit X" defined.

Sec. 12.506. "Elk management unit X" means all areas in Alpena, Antrim, Charlevoix, Crawford, Emmet, and Oscoda counties and those portions of Cheboygan, Montmorency, Otsego, and Presque Isle counties not included in elk management units A, B, C, D and E as defined in sections 12.500, 12.501, 12.502, 12.503, and 12.508.

Issued this 2nd day of April, 2009.

Approved as to matters over which the Natural Resources Commission has authority.

Keith J. Charters, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.

Rebecca A. Humphries
Director