



STATE OF MICHIGAN



DEPARTMENT OF NATURAL RESOURCES

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GOVERNOR

LANSING

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DIRECTOR

SUBMITTED:
RESUBMITTED

February 11, 2008
March 10, 2008

<u>A P P R O V E D</u> <hr/> , 20 <hr/> MICHIGAN NATURAL RESOURCES COMMISSION <hr/> (ASSISTANT TO THE COMMISSION)
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Memorandum to the Natural Resources Commission

SUBJECT: Black Bear License Quotas and Recommendations
Wildlife Conservation Order Amendment No. 5 of 2008

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:

Michigan black bear management includes using recreational hunting to manipulate bear populations using a zone and quota system of license and harvest allocation. Factors that have been considered in recommending these quotas include bear population estimates using mark/recapture techniques, population models, hunter success rates, harvest effort, recreational opportunities, and social concerns about bear-related incidents.

This is the first hunting season in which regulations must address the recent tribal consent decree. The Department consulted with the tribes twice on bear issues prior to making these recommendations. The Department determined the desired regional population trend (increase, decrease, or stabilize) for the Eastern Upper Peninsula (EUP), Western Upper Peninsula (WUP), and the Northern Lower Peninsula (NLP). Using population models, desired harvests were calculated which result in the recommended population outcome in each of the regions. The five tribes covered by the 1836 Treaty can authorize up to ten percent of the available harvest in Bear Management Units (BMU) within in the 1836 ceded territories. The remaining harvest is allocated to state-regulated hunters as recommended in this amendment.

License quotas are designed to spread the bear harvest relatively evenly among the hunt periods, except when adjusted to avoid leftover licenses. The average hunter success rate for the previous three years is used to calculate the estimated harvest and license quota for each hunt period. This calculation is used so single year effects of hunter success due to changes in food availability, weather, and other outside factors do not result in large annual fluctuations in harvest and license quotas.

NATURAL RESOURCES COMMISSION
Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • Darnell Earley • John Madigan • J. R. Richardson • Frank Wheatlake

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The desired harvest for the WUP in 2008 is 1,300 bears. Based on the average hunter success rates from 2005 – 2007 for each hunt period, the license quota for the WUP in 2008 is 5,835; 26 percent greater than the number of licenses available in 2007. The three WUP BMUs are outside of the 1836 ceded territories and no adjustments were made for tribal harvest. Based on the population model and hunter harvest estimates, this harvest level will result in a stabilized population in the WUP this year.

The desired harvest for the EUP (excluding Drummond Island BMU) is 820 bears. The Carney BMU is outside of the 1836 ceded territories and was not adjusted for tribal harvest. The Gwinn and Newberry BMUs were adjusted ten percent for tribal harvest (24 and 42 bears respectively). With these adjustments, the number of state-regulated licenses was calculated based on a desired harvest of 754 bears by state-licensed hunters. Based on the average hunter success rates from 2005 – 2007, the proposed license quota for the EUP in 2008 is 4,910; seven percent less than the number of licenses available in 2007. Based on the population model and hunter harvest estimates, this harvest level will result in an estimated two percent increase in population.

The desired harvest for the Drummond Island BMU is seven bears. Adjusting for tribal harvest (one bear), and using average hunter success rates from 2005 – 2007, the proposed state-regulated license quota for Drummond Island BMU is 12 licenses; a decrease from 25 in 2007.

The desired harvest in the NLP is 430 bears. All three BMUs in the NLP were adjusted for tribal harvest (Red Oak-38 bears, Gladwin-two bears, Baldwin-three bears). With these adjustments, the number of state-regulated licenses was calculated based on a desired harvest of 387 bears by state-licensed hunters. Based on the average hunter success rates from 2005 – 2007, the proposed license quota for the NLP is 2,240; an increase from 1,970 in 2007. Based on the population model, this harvest level will result in an estimated population decline of five percent in the NLP bear population.

Leftover licenses have occurred during the third hunt period in some of the Upper Peninsula bear management units. This situation indicates saturation of interest in recreational opportunities in the third hunt period. Quotas have been adjusted to the first and second hunt periods where demand exceeds permit availability. Any leftover licenses will be distributed to unsuccessful applicants to allow for full distribution of available licenses. Also, to increase the efficiency of license distribution and continue the opportunity for complete distribution of licenses, hunters are able to make a second choice on their application. Information on the potential units where leftovers may be available will be noted in the *2008 Black Bear Hunting Guide*.

The Wildlife Division Chief may recommend to the Director the need for any appropriate minor changes to bear license quotas based on new information. The Director, in consultation with the Natural Resources Commission, may make minor changes in the quota of bear licenses to address this new information.

The Department also is recommending a modification of the Baldwin BMU hunting season. For the past several years, bear nuisance complaints have increased in orchards and apiaries in the northern portions of the BMU. Hunting opportunities in Leelanau County were first offered in these areas in 2004. Harvest in those northern areas remains low. In an effort to increase harvest in this area of the BMU, the Department recommends that successful applicants for the Baldwin BMU be able to hunt in the northern four counties of the BMU from September 12 through September 25. The remainder of the BMU will be open from September 19 through September 25. The intent of this change is to entice hunters to try hunting in a nontraditional portion of the BMU, which has lower bear densities. If they fail to harvest a bear in that week of expanded opportunity, they have the ability to hunt anywhere in the BMU during the subsequent week.

Recommendation:

This order is being submitted for information and consideration. This item appeared on the Department's February 25, 2008, calendar and may be eligible for approval on April 10, 2008.

Douglas A. Reeves, Acting Chief
Wildlife Division

Ronald A. Olson, Chief
Parks and Recreation Division

Lynne M. Boyd, Chief
Forest Mineral and Fire Management

Rodney Stokes, Acting Chief
Law Enforcement Division

Arminda S. Koch
Resource Management Deputy

Dennis Fedewa
Chief 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. 5 of 2008

Under the authority of sections 40107 and 40113a, Act No. 451 of the Public Acts of 1994, as amended, being sections 324.40107 and 324.40113a of the Michigan Compiled Laws, the Natural Resources Commission and the Director of the Department of Natural Resources ordered that effective April 11, 2008, the following sections of the Wildlife Conservation Order shall read as follows:

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:

BMU Name	Hunt Period	Licenses	Total
Amasa	First	205	
	Second	280	
	Third	485	
Unit total			970
Baraga	First	500	
	Second	850	
	Third	1,560	
Unit total			2,910
Bergland	First	610	
	Second	620	
	Third	725	
Unit total			1,955
Carney	First	225	
	Second	340	
	Third	550	
Unit total			1,115

BMU Name	Hunt Period	Licenses	Total
Drummond	First	8	8
Gwinn	First	250	
	Second	390	
	Third	740	
Unit total			1,380
Newberry	First	375	
	Second	500	
	Third	1,540	
Unit total			2,415
UP Total			10,753
Baldwin	First	65	
Gladwin	First	175	
Red Oak	First	2,000	
NLP total			2,240
State-wide total			12,993

(2) The director, in consultation with and concurrence of the chair or vice chair of the natural resources commission, may make appropriate minor changes to bear license quotas established in 3.200b. (1) to meet population goals or other management objectives.

3.203 Bear hunting, open seasons, described.

Sec. 3.203. (1) The open season for taking bear with firearms or bow and arrow in the Carney, Bergland, Baraga, Amasa, Gwinn, and Newberry bear management units in zone 1 shall be from September 10 through October 26.

(2) A person shall not take a bear on Bois Blanc Island.

(3) The open season for taking bear in the Drummond island bear management unit shall be September 10 through October 21.

(4) The open season for taking a bear with firearms or bow and arrow in the red oak bear management unit in zone 2 shall be a total of 7 days from the first Friday following September 15 through 6 days thereafter. The open season for taking a bear with bow and arrow only in the red oak bear management unit shall be a total of 7 days from the first Friday following October 1 through 6 days thereafter.

(5) The open season for taking a bear with firearms or bow and arrow in the Gladwin bear management unit shall be a total of 7 days from the first Friday following September 15 through 6 days thereafter.

(6) The open season for taking a bear with firearms or bow and arrow in the entire Baldwin bear management unit shall be a total of 7 days from the first Friday following September 15 through 6 days thereafter.

(a) The open season for taking a bear with firearms or bow and arrow in the Baldwin bear management unit, north area, as defined in section 12.557, shall be a total of 14 days from 7 days prior to the first Friday following September 15 through 6 days thereafter.

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

6.4 Hunting with dogs, unlawful acts.

Sec. 6.4. It shall be unlawful for any person to hunt bear with dogs in zone 1 from September 10 through September 14.

6.5 Dog training, unlawful acts.

Sec. 6.5. It shall be unlawful for any person to dog train on bear in zone 1 from September 10 through September 14.

12.551 "Red Oak bear management unit" defined.

Sec. 12.551. "Red Oak bear management unit" means all of Alcona, Alpena, Antrim, Charlevoix, Cheboygan, Crawford, Emmet, Missaukee, Montmorency, Oscoda, Otsego, Presque Isle, and Roscommon counties; those portions of Grand Traverse, Kalkaska, and Wexford counties located east of US-131; and those portions of Ogemaw and Iosco counties located north of a line beginning at the Roscommon-Ogemaw county line intersection with M-55, easterly on M-55 into Tawas city to the end of M-55 (also known there as Hemlock street) at intersection with US-23 (also known as lake street in Tawas), then heading due southeast (crossing US 23 for about 100 feet) from said intersection into Tawas bay and into Lake Huron.

12.557 "Baldwin bear management unit" defined.

Sec. 12.557. (1) "Baldwin bear management unit" means all of Benzie, Lake, Leelanau, Manistee, Mason, Muskegon, Newaygo, Oceana counties; and those portions of Kalkaska, Grand Traverse, Mecosta, Montcalm, Osceola, and Wexford counties located west of US-131.

(2) The Baldwin bear management unit north area means all of Benzie and Leelanau counties, and the portions of Kalkaska and Grand Traverse counties located west of US-131.

Issued this 10th day of April, 2008.

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