



STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENT
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: March 8, 2010
RESUBMITTED: April 12, 2010

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Deer Regulations
Wildlife Conservation Order Amendment No. 07 of 2010

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 proposes to change the areas open to the early and late antlerless firearm seasons. The changes result in the same boundary for these special seasons, which simplify regulations, while at the same time opening additional areas for hunting. Additionally, it is proposed to increase the limit on the number of antlerless deer licenses that may be purchased in one day from two (2) to five (5), in all deer management units (DMU) with land in Zone 3, DMU 487, and DMU 452. This amendment also recommends removing the season limit of 5 private land antlerless licenses per person in DMU 486, as currently exists for DMU 487 and DMU 041. It is also recommended that Crawford and Otsego County no longer receive exemption from the season limit and private land antlerless licenses. Finally, it is proposed to allow the use of combination and firearm licenses for taking antlerless deer during the firearm season within DMU 487.

The early and late antlerless firearm deer seasons provide additional hunting opportunities and increase management capacity to address local population issues or deer-human conflicts on private lands. This amendment proposes to add the following areas to the early firearm deer season: Antrim, that portion of Charlevoix County within DMU 015, and Oceana counties; those portions of Muskegon, Mecosta, Isabella, Midland, and Bay counties lying within Zone 2; and that portion of Arenac County within Zone 2 east of M-65. This amendment also proposes to add the following areas to the late antlerless firearm deer season: Antrim, that portion of Charlevoix County within DMU 015, St. Clair, Macomb, Wayne, and Monroe counties; and those portions of Arenac County within Zone 3 and within Zone 2 east of M-65.

Attaining deer management objectives within DMU 486 and DMU 487 will be facilitated by providing maximum flexibility for hunters within these areas. With the anticipation of establishing liberal quotas in DMUs 486 and 487, allowing individuals to purchase a greater number of antlerless licenses for these areas within a single day and for the entire hunting

season, will facilitate the purchase and use of antlerless licenses among those with interest in taking multiple deer without affecting availability of licenses to other hunters. These changes also enhance the management of deer on a regional basis through addressing regional issues and needs. Additional options for reducing deer numbers and increasing efforts at bovine tuberculosis eradication are also required within DMU 487. Allowing the use of combination and firearm licenses for taking antlerless deer during the firearm season in this area will allow many hunters that do not purchase antlerless licenses a legal option for harvesting an antlerless deer.

This amendment also addresses two technical issues. The first assures that youth have the legal authority to take any deer with a firearm and combination license during the youth firearm hunting season statewide. The second issue clarifies that only one firearm and bow and arrow license may be purchased in a calendar year.

Section 3.101 of the Wildlife Conservation Order contains provisions that allow for the use of crossbow and, due to the sunset provision of March 2012 for the use of crossbow, these proposed deer regulations must be included in both the current (sunsetting) order section, and the section to which it may revert in the future.

Recommendation:

This order was submitted for information on April 8, 2010, at the Natural Resources Commission Meeting. This item appeared on the Department's March 2010 calendar and may be eligible for approval on May 6, 2010.

Russ Mason, Ph.D., Chief
Wildlife Division

Ronald A. Olson, Chief
Recreation Division

Lynne M. Boyd, Chief
Forest Management Division

Gary Hagler, Chief
Law Enforcement Division

Armind S. Koch
Resource Management Deputy Director

Frank Ruswick
Stewardship Deputy Director

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. 07 of 2010

By authority conferred on the Natural Resources Commission and the Director of the Department of Natural Resources and Environment by sections 40107 and 40113a of 1994 PA 451, MCL 324.40107 and 324.40113a, it is ordered that effective May 7, 2010, the following section(s) of the Wildlife Conservation Order shall read as follows:

****Section 3.101 takes effect on March 6, 2009, and will remain in effect until March 6, 2012****

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, 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 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, 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.

****Section 3.101 is superseded by Am. 2 of 2009 from March 6, 2009, through March 6, 2012****

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, 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.

(4) The open bow and arrow only 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, MCL 324.43510, during the open bow and arrow only season, a person hunting deer with a bow and arrow 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 Charlevoix county within deer management unit 015, that portion of Newaygo county south of M-20, 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 these seasons.

(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 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

(11) 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.

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.

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) A person shall not purchase more than 5 antlerless deer hunting license per calendar day, no more than 2 of which may be for deer management units other than the following: 452, 486, 487.

(10) The season limit for private land antlerless licenses shall be 5 per person except for the following:

(a) No person shall purchase more than 2 private land antlerless licenses combined for deer management units in zone 1 and for deer management units which are entirely within zone 2.

(b) Deer management units in Alpena, Alcona, Iosco, Kent, Montmorency, Oscoda, and Presque Isle counties, and deer management unit 486 shall not be included in the season limit as defined in section 3.102(10) of this order.

Issued this 6th day of May, 2010.

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