



STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



JENNIFER M. GRANHOLM
GOVERNOR

REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: April 14, 2008

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Deer Management Units (DMUs) Open or Closed to Antlerless Deer Licenses
Removal of Protection for Albino and All-White Deer
Wildlife Conservation Order Amendment No. 8 of 2008
FOR INFORMATION ONLY

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 removes the protection for albino and all-white deer, and establishes the open/closed status for antlerless deer license sales for each DMU.

It is burdensome to the hunter to determine if a deer is an albino deer or meets the definition of an all-white deer while afield. There is no compelling scientific reason to protect these deer. Escaped exotic deer that are all-white have been protected by this regulation. These free-ranging exotic deer should not be protected. This amendment would allow albino deer and all-white deer to be taken during the deer season.

Deer Management Units are the regulatory units for issuing antlerless deer licenses. The availability status of public land antlerless deer licenses and private land antlerless deer licenses must be determined prior to establishing the antlerless deer license quotas. The status of each DMU for both public land and private land antlerless deer licenses will be published in the 2008 Antlerless Deer Hunting Guide. This provides hunters with the information needed to make decisions regarding antlerless deer hunting opportunities. Antlerless deer license quotas recommendations will be presented to the Natural Resources Commission at the June meeting.

There are 67 DMUs recommended to be open for public land and private land antlerless deer licenses, including DMUs 006 (Arenac), 018 (Clare), 026 (Gladwin), 072 (Roscommon), and 245 (South Fox Island), which were closed to public land antlerless deer licenses in 2007.

Eighteen DMUs are recommended to be open for only private land antlerless deer licenses. These include DMU 252 (in the central Upper Peninsula [UP]) that was open to public land antlerless licenses last year and in the Northern Lower Peninsula DMU 043 (Lake County) and DMU 083 (Wexford County) are being recommended open for private land antlerless deer licenses after being closed for three years.

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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Page 2
April 14, 2008

No antlerless deer licenses are recommended in 12 DMUs, two UP DMUs that were opened in 2007 (DMU 021; west UP, and DMU 152, west central UP) are recommended to be closed for private land antlerless deer licenses in 2008.

The winter of 2007-2008 has not concluded in the UP. Additional time is required to assess the impact, if any, the prolonged snow cover and cold temperatures may have on the deer herd. This assessment may necessitate changing the open/closed status of one or more DMUs. If any change is required, it will be included with the re-submittal of this amendment on May 12.

The attached map indicates the recommended status of each DMU.

Recommendation:

This order is being submitted for information and consideration. This item appeared on the Department's April 28, 2008 calendar and may be eligible for approval on June 5, 2008.

Douglas A. Reeves, Acting Chief
Wildlife Division

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Parks and Recreation Division

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Rodney Stokes, Acting Chief
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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. 8 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 orders that, effective June 6, 2008, the following sections of the Wildlife Conservation Order shall read as follows:

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, Crawford, Montmorency, Oscoda, Otsego, and Presque Isle counties.

(5) In those portions of Michigan not closed to baiting by subsection (5), 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.

(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.

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 Number	DMU Name	Private Land License	Public Land License
1	Alcona County	Open	Open
3	Allegan County	Open	Open
4	Alpena County	Open	Open
5	Antrim County	Open	Closed
6	Arenac County	Open	Open
7	Big Bay Unit	Closed	Closed
8	Barry County	Open	Open
9	Bay County	Open	Open
10	Benzie County	Closed	Closed
11	Berrien County	Open	Open
12	Branch County	Open	Open
13	Calhoun County	Open	Open
14	Cass County	Open	Open
15	Charlevoix County	Open	Closed
16	Cheboygan County	Open	Open
17	Sault Ste. Marie Unit	Open	Closed
18	Clare County	Open	Open
19	Clinton County	Open	Open
20	Crawford County	Open	Open
21	Manistique Unit	Closed	Closed
22	Crystal Falls Unit	Open	Open
23	Eaton County	Open	Open
24	Emmet County	Open	Open
25	Genesee County	Open	Closed
26	Gladwin County	Open	Open
27	Watersmeet Unit	Closed	Closed
28	Grand Traverse County	Closed	Closed
29	Gratiot County	Open	Open
30	Hillsdale County	Open	Open
31	Nissula Unit	Open	Closed

32	Huron County	Open	Open
33	Ingham County	Open	Open
34	Ionia County	Open	Open
35	Iosco County	Open	Open
36	Amasa/Michigamme Unit	Closed	Closed
37	Isabella County	Open	Open
38	Jackson County	Open	Open
39	Kalamazoo County	Open	Open
40	Kalkaska County	Closed	Closed
41	Kent County	Open	Open
42	Keweenaw Unit	Closed	Closed
43	Lake County	Open	Closed
44	Lapeer County	Open	Open
45	Leelanau County	Open	Closed
46	Lenawee County	Open	Open
47	Livingston County	Open	Open
48	Newberry Unit	Closed	Closed
49	Trout Lake Unit	Open	Closed
50	Macomb County	Open	Open
51	Manistee County	Open	Closed
53	Mason County	Open	Closed
54	Mecosta County	Open	Closed
55	Menominee Unit	Open	Open
56	Midland County	Open	Open
57	Missaukee County	Open	Closed
58	Monroe County	Open	Open
59	Montcalm County	Open	Open
60	Montmorency County	Open	Open
61	Muskegon County	Open	Open
62	Newaygo County	Open	Closed
63	Oakland County	Open	Open
64	Oceana County	Open	Closed
65	Ogemaw County	Open	Open
66	Ontonagon County	Closed	Closed
67	Osceola County	Open	Closed

68	Oscoda County	Open	Open
69	Otsego County	Open	Open
70	Ottawa County	Open	Open
71	Presque Isle County	Open	Open
72	Roscommon County	Open	Open
73	Saginaw County	Open	Open
74	St. Clair County	Open	Open
75	St. Joseph County	Open	Open
76	Sanilac County	Open	Open
78	Shiawassee County	Open	Open
79	Tuscola County	Open	Open
80	Van Buren County	Open	Open
81	Washtenaw County	Open	Open
82	Wayne County	Open	Open
83	Wexford County	Open	Closed
115	Beaver Island	Open	Open
117	Drummond Island	Open	Open
121	Bay De Noc	Open	Open
122	Norway Unit	Open	Open
127	Ironwood Unit	Open	Closed
131	Twin Lakes unit	Closed	Closed
135	Tawas Unit	Open	Open
145	North Manitou Island	Closed	Open
149	Round/Bois Blanc Island	Open	Open
152	Gwinn Unit	Closed	Closed
155	Gladstone Unit	Open	Open
173	Shiawassee Flats	Open	Open
174	St. Clair Flats	Open	Open
245	South Fox Island	Open	Open
252	Rock Unit	Open	Closed
255	LaBranche Unit	Open	Open
273	Shiawassee Unit	Open	Open
452	Core Area	Open	Open

Issued this 5th day of June, 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