



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

SUBMITTED: May 12, 2014

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Deer Management Assistance Permit Regulations
Wildlife Conservation Order Amendment No. 10 of 2014
FOR INFORMATION ONLY

Authority:

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

Discussion and Background:

Conflicts between white-tail deer and humans occur at various levels of intensity across Michigan. Damage to agricultural and horticultural crops, suppressed forest regeneration, deer-vehicle collisions, and destruction of landscaping and other property by deer in urban and suburban areas can be significant.

When these conflicts arise, landowners frequently request assistance from the Department of Natural Resources. When necessary, the Department authorizes purchase of additional antlerless deer licenses called Deer Management Assistance Permits (DMAPs) to eligible land owners for use during the hunting seasons. Currently DMAPs are purchased for a fee and used only:

- During an open season for deer;
- By a hunter with a valid base license and deer license;
- With the method of take allowed during the open season for deer; and
- To harvest antlerless deer.

Biological

Landowners most frequently request DMAPs in the Lower Peninsula (LP) where there is a longer agricultural growing season and the ability to raise a diverse range of crops. Deer populations in the LP also tend to be higher due to less severe winters, mast abundance, and less recreational hunting due to a lack of public land.

Social

The Department has received significant feedback from landowners regarding method of take with DMAPs. Under current regulations, a hunter using a DMAP may only harvest a deer using the method that coincides with the current season (e.g. firearms may not be used during the archery season). Some landowners have indicated that they feel they are unable to adequately protect their agricultural interests when limited to archery only methods. They have requested that firearms may be used in conjunction with a DMAP regardless of season.

Economic

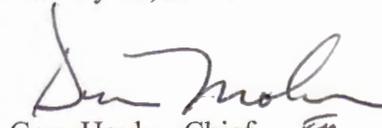
Damage to agricultural and horticultural crops, suppressed forest regeneration, deer-vehicle collisions, and destruction of landscaping and other property by deer in urban and suburban areas can result in significant costs to the landowner or automobile owner.

Recommendation:

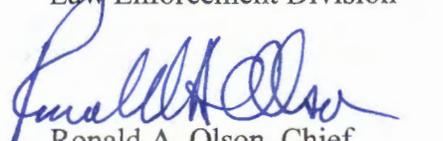
The Department recommends allowing the use of firearms legal for the taking of deer with permission when hunting under the authority of a DMAP during archery season. This order is being submitted for information and consideration. This item appeared on the Department's May 2014 calendar and may be eligible for approval on July 10, 2014.



Russ Mason, Ph.D., Chief
Wildlife Division


Gary Hagler, Chief *FW*
Law Enforcement Division

Bill O'Neill, Chief
Forest Resources Division


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William E. Moritz, Ph.D.
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WILDLIFE CONSERVATION ORDER

Amendment No. 10 of 2014

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 July 11, 2014, the following section(s) of the Wildlife Conservation Order shall read as follows:

5.80 Deer management assistance (DMA) hunting permits; definitions, criteria for issuance, validity of permits, application procedures, restrictions and requirements; exception; unlawful acts.

Sec. 5.80 (1) The terms in this section shall have the meaning described to them in this section.

(a) Permit means a deer management assistance (DMA) permit.

(b) Permittee means an individual who has applied for and been authorized to purchase deer management assistance permits by the department.

(c) Authorized designee means one individual who has been designated by the landowner and approved by the department, to act on behalf of the landowner to apply for and implement the provisions of deer management assistance permits. The department reserves the right to deny an individual, including the permittee, the authority to personally implement the provisions of a permit if such authority would conflict with a court order, administrative rule, or law.

(2) Permits may be issued statewide to owners of land, or their authorized designee, located in areas where current antlerless harvest methods are insufficient to achieve department deer management objectives or where one of the following conditions exist:

(a) The department has documented that the property owner has significant agricultural or horticultural crop damage caused by deer.

(b) The department has documented that a serious disease outbreak is a threat to the deer herd, livestock, or human health.

(c) The department has documented a significant safety hazard caused by deer.

(d) Current antlerless regulations are insufficient to achieve landowner deer management objectives.

(3) DMA permits are valid only during an open season for the taking of deer as established by this order and only upon the land for which issued.

(4) DMA permits are valid only for the taking of an antlerless deer. An individual hunting under the authority of a DMA permit shall carry the unused permit and shall exhibit the unused permit upon the request of a law enforcement officer.

(5) An individual owning land within a qualifying area as determined by the department, or their authorized designee, may apply for a DMA permit with the wildlife supervisor on a form provided by the department. This agreement will include an estimate of desired antlerless harvest and numbers of hunters needed to meet the desired harvest objective. A DMA permit shall be signed by both the permittee and wildlife supervisor. The number of DMA permits will be determined by the wildlife supervisor. A minimum of 5 DMA permits shall be issued per permittee. Failure to comply with the terms and conditions of the permit will make the permittee ineligible to receive a DMA permit for a period of 1 year.

(6) The permittee shall not purchase more DMA permits than approved by the department.

(7) DMA permits may be subsequently issued by the permittee. An individual shall not accept, carry afield, use or attempt to use a DMA permit unless in possession of a current base license and deer **license**. A permittee shall not sell, lend, barter, or trade a DMA permit. Permittees shall inform hunters about rules pertaining to the use of DMA permits.

(8) A hunter issued a DMA permit by a permittee or authorized designee shall not sell, lend, barter, trade, or allow another individual to use the DMA permit. Unused permits may be reissued to hunters only by the permittee or authorized designee.

(9) The provisions of section 3.103 shall apply to a permit and kill tag issued under this section. In addition, unless otherwise provided in this section, an individual issued a DMA permit shall comply with lawful hunting hours and all regulatory requirements for the taking of deer for the season in which they are hunting.

(a) A firearm shall not be used with a DMA permit during archery season except from October 1 through ~~October~~ **November** 14 with permission. This exception may be authorized on a case-by-case basis by the wildlife supervisor and district law enforcement supervisor if the department determines that take by archery methods will not be sufficient to reduce conflict due to unusual circumstances.

(10) A permittee shall report by January 15, on a form provided by the department, to the wildlife supervisor the name and address of all hunters and the number of deer harvested under the authority of DMA permits. Failure to comply with the terms and conditions of the permit will make the permittee ineligible to receive a DMA permit for a period of 1 year.

(a) A permittee authorized for firearm use as provided by subsection (9a) above shall adhere to additional reporting requirements. A permittee shall report, on a form provided by the department, by ~~October 29~~ **January 15** to the wildlife supervisor the name and address of all hunters, the number of deer harvested, and the method of take used under the authority of DMA permits from October 1 through ~~October~~ **November** 14. Failure to comply with the terms and conditions of the permit will make the permittee ineligible to receive a DMA permit for a period of 1 year.

(11) Deer taken under the authority of a DMA permit shall not be included in the season limit as defined in section 3.101(8) of this order. The daily limit and season limit shall be 1 deer per DMA permit.

Issued on this 10th day of July, 2014.

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

J. R. Richardson, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.

Keith Creagh
Director