



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: March 9, 2009
RESUBMITTED: April 6, 2009

A P P R O V E D
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MICHIGAN NATURAL RESOURCES COMMISSION
(ASSISTANT TO THE COMMISSION)

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Late Firearm Antlerless Deer Season
Wildlife Conservation Order Amendment No. 7 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 proposes to change the area open during late antlerless firearm season by adding ten deer management units and removing two. Additionally, it also proposes the number of antlerless deer licenses that may be purchased in one day to be increased from one (1) to two (2).

The late firearm antlerless deer season provides additional firearm hunting opportunities and has been used to target antlerless deer where the Department seeks to reduce the deer population. The expansion of the late firearm deer season into Bay, Berrien, Isabella, Iosco, Mecosta, Midland, Muskegon, Oceana, Saginaw, and southern Newaygo Counties will provide additional firearm hunting opportunities and assist in reducing the deer population in these counties. Conversely, the goal is to maintain the population in Crawford and Otsego Counties, where the deer herd does not need to be reduced. A small number of antlerless licenses are available for these counties. Crawford and Otsego Counties are proposed to be removed from the late firearm antlerless deer season.

Limiting individuals to purchasing one antlerless deer license per day was designed to increase the distribution of these licenses among deer hunters. In Zone 1 (Upper Peninsula) and Zone 2 (Northern Lower Peninsula), distribution of antlerless deer licenses through an application and lottery system has ensured everyone an equal opportunity to acquire an antlerless deer license. Following the lottery, any license not allotted to an individual in the lottery is considered a leftover license.

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

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Equitable distribution of antlerless deer licenses is achieved through the lottery. Leftover licenses are made available for purchase over the counter. It is proposed that an individual be allowed to purchase two antlerless deer licenses per day. This would allow an individual who was successful in the antlerless deer license drawing to purchase a leftover antlerless deer license when purchasing their allotted license, or would allow an individual to purchase two leftover antlerless deer licenses.

In the Southern Lower Peninsula, where private land antlerless deer licenses are sold over the counter, license quotas are rarely reached. Anyone wishing a private land antlerless deer license in the Southern Lower Peninsula has an opportunity to purchase a license. Permitting the purchase of two licenses per day will not impact the availability of antlerless licenses in the Southern Lower Peninsula. It is proposed that individuals be permitted to purchase two antlerless deer licenses in the same day.

Recommendation:

This order was submitted for information on April 2, 2009 at the Natural Resources Commission Meeting. This item appeared on the Department's March 23, 2009 calendar and may be eligible for approval on May 7, 2009.



Russ Mason, Ph.D., Chief
Wildlife Division



Ronald A. Olson, Chief
Parks and Recreation Division



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



Gary Hagler, Chief
Law Enforcement Division



David Freed
Land and Facilities Division



Arminda 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. 7 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 May 8, 2009, the following section(s) of the Wildlife Conservation Order shall read as follows:

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, Alpena, Barry, Bay, Berrien, Branch, Calhoun, Cass, Clinton, Eaton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Isabella, Jackson, Kalamazoo, Kent, Lapeer, Lenawee, Livingston, Mecosta, Midland, Montcalm, Montmorency, Muskegon, Oakland, Oceana, Oscoda, Ottawa, Presque Isle, St. Joseph, Saginaw, Sanilac, Shiawassee, Tuscola, Van Buren, Washtenaw counties, and that portion of Newaygo county south of m-20. 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) 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:

Type of license

Season in which used

Kind of deer that may be taken

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

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

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

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, Iosco, Montmorency, Oscoda, and Presque Isle counties and upon privately owned lands within zone 3. 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.

3.102 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 2 antlerless deer hunting license per calendar day.

(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 for deer management units in zone 1 and for deer management units of which any part is in zone 2, combined.

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

Issued this 7th day of May, 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