



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



RODNEY A. STOKES
DIRECTOR

SUBMITTED: February 13, 2012

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Elk Regulations and License Quotas
Wildlife Conservation Order Amendment No. 3 of 2012
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 establishes the hunt dates, license quotas, and Elk Management Units (EMUs) for the 2012 elk season.

Elk Season Dates and Units

Elk Hunt Period 1 is designed to target elk outside the primary elk range before these elk move for the breeding season. This elk hunt period is recommended to be twelve days long, consisting of a four-day hunt in late August, a four-day hunt in mid-September and a four-day hunt period in late September. The recommended dates for Hunt Period 1 are August 28 through August 31, September 14 through September 17 and September 28 through October 1. We are recommending a change in the structure of the season due to lower than normal hunter success in 2011 and the persistence of elk in agricultural areas into the fall. In recent years, most hunters with any-elk tags harvest bulls but antlerless-only hunters have had declining success, down to as low as 50 percent in 2011. These changes are intended to increase effectiveness of hunters at taking animals outside of the core range by allowing them more time to take elk.

In addition to the change in season structure for Elk Hunt Period 1, we recommend that all the land east of M-33 be included within EMU L in order to be open to elk hunters in the first hunt period. This will give hunters more opportunity on State land and will help target elk that use agricultural land to the north and east of the newly opened area.

Elk Hunt Period 2 will focus harvest where it is needed within individual EMUs in the core elk range and allow additional harvest outside the core area. The recommended dates for Hunt Period 2 are to start on an early December weekend and run through the following weekend, December 8 through December 16.

Changes are recommended to hunt units in this period as well. We recommended combining previous units A and B into a new EMU G and incorporating a portion of land previously within EMU F into area X. Past research, personal observations and hunter and landowner reports all indicate that animals move freely between the 2011 EMUs A and B. With the reduction in herd numbers, we believe combining units A and B would allow us to achieve the harvest goals within the core range and would give hunters more area to hunt, avoiding potential conflicts with other elk hunters. Inclusion of the proposed portion of the former Unit F into area X would facilitate the taking of elk on private land near I-75 on the western part of the range, as all hunters may take elk from area X.

The Department also recommends maintaining the opportunity to hold a January harvest if necessary, because this allows the opportunity to address management issues remaining after the earlier hunts conclude. The January hunt period was not used in 2010 or 2011. There are no recommended changes to the dates for Hunt Period 3 in January, or for units which would be used for that period.

Elk License Quotas

The following quota recommendations are based on the final results of the 2012 aerial survey: Results from the 2012 winter survey indicated the elk herd was between 858 and 1,226 with a median estimate of 1,042. This is significantly higher than the number expected based on the 2010 survey and known mortality from hunting and other causes. The median estimate is above the existing goal of 800 to 900 animals. There have been significant reductions in elk outside of the core elk range in the last four years, but there are still more animals outside than desired. Concerns with elk outside of the core range are agricultural damage and potential crossover of bovine tuberculosis infection from deer. The Department is proposing an increase in elk quotas to 200 per year. The number of permits will be equally split between the early season and the December season. The recommended quota of 200 elk licenses, an increase of 45 from 2011, is designed to achieve a harvest of approximately 170 elk by state hunters based on past hunter success rates. In addition to animals taken by state hunters drawn in the regular lottery, there will be three Pure Michigan Hunters with licenses and tribal hunters in accordance with the 2007 Inland Consent Decree. The five 1836 Treaty Tribes are authorized to use elk licenses equal to 10 percent of the state-issued any-elk licenses and 10 percent of state issued antlerless-only licenses, rounded up to the nearest percent.

The total annual harvest is expected to be around 190 elk. Maintaining this level of harvest for two years will result in an elk herd decrease of approximately 10 percent over the two-year period and should bring the population to near or within the goal range. The changes in season structure and boundaries should address elk distribution concerns.

The recommendation for Hunt Period 1 is 100 elk licenses; 30 any-elk licenses and 70 antlerless-only elk licenses. For Hunt Period 2, the recommendation is 100 licenses; 30 any-elk licenses and 70 antlerless-only elk licenses with 60 of the licenses in area G (20 any-elk and 40 antlerless-only) and 40 licenses in area F (10 any-elk and 30 antlerless-only). The recommended maximum quota for Hunt Period 3 is 40. The Director, in consultation with and concurrence of the Chair or Vice Chair of the Natural Resources Commission, may determine the number and type of licenses available and the Elk Management Units open for Hunt Period 3.

Recommendation:

This order is being submitted for information and consideration. This item appeared on the Department's February 2012 calendar and may be eligible for approval on April 5, 2012.

Russ Mason, Ph.D., Chief
Wildlife Division

Gary Hagler, Chief
Law Enforcement Division

Bill O'Neill, Acting Chief
Forest Resources Division

Ronald A. Olson, Chief
Parks and Recreation Division

James Dexter, Acting Chief
Fisheries Division

Kelley D. Smith, Ph.D.
Acting Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.

Rodney A. Stokes, Director

Date

WILDLIFE CONSERVATION ORDER

Amendment No. 3 of 2012

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 April 6, 2012, the following section(s) of the Wildlife Conservation Order shall read as follows:

3.1 Elk open season, hunt periods; season limit.

Sec. 3.1. (1) The open season for taking elk shall be those days as specified below for the following hunt periods:

Hunt Period	Open Season
1	August 30 28 to September 2 AUGUST 31 and September 23 14 to September 26 17 AND SEPTEMBER 28 through OCTOBER 1 , in elk management unit "L."
2	December 3 8 to December 14 16 , in elk management units " A," "B," "F," "G," and "X."
3	A total of five days beginning on the Wednesday closest to January 15 for four days thereafter, only in elk management unit(s) where additional harvest is deemed necessary to meet elk management objectives.

(2) The season limit shall be one elk per license.

3.8 Elk license quota, hunters restricted to assigned management unit, exception.

Sec. 3.8. (1) The license quotas for elk hunt period 1, as specified in Section 3.1(1), shall be:
—(a) ~~Elk management unit L, 30 any elk licenses and 60 70 antlerless elk licenses.~~

(2) The license quotas for elk hunt period 2, as specified in section, 3.1(1) shall be:

—(a) ~~Elk management unit A, 6 any elk licenses and 13 antlerless elk licenses.~~

(b) ~~Elk management unit B, 14 any elk licenses and 14 antlerless elk licenses.~~

(ea) Elk management unit F, ~~5 10~~ any elk licenses and ~~13 30~~ antlerless elk licenses.

(B) ELK MANAGEMENT UNIT G, 20 ANY ELK LICENSES AND 40 ANTLERLESS ELK LICENSES.

(3) The license quota for elk hunt period 3, as specified in section 3.1(1), shall be no more than ~~50 40~~. The director, in consultation with and concurrence of the chair or vice chair of the natural resources commission, may determine the number and type of license available and the elk management units, as described in chapter XII, open during this season.

(4) An elk hunter shall hunt in their assigned season and elk management unit except elk hunters assigned to hunt in elk management units ~~A, B, or F~~ **OR G** may hunt in elk management unit X.

12.504 "Elk management unit L" defined.

Sec. 12.504 "Elk management unit L" means the area of Alpena, Antrim, Charlevoix, Cheboygan, Crawford, Emmet, Montmorency, Oscoda, Otsego, and Presque Isle counties except for those portions of Cheboygan, Montmorency, Otsego, and Presque Isle counties which create an exclusion area which is defined by a line beginning in Montmorency county at the ~~junction~~ **INTERSECTION** of Manier road and Old State road (also known as county road 620; in section 12, T30N R01E; located about a mile west of the town of Big Rock), then westerly on Old State road to Meridian road (also known as county road 495) on the east Otsego county line ~~at a point located~~ about 2.5 miles north of town of Vienna, northerly on Meridian road past Gibbs road to the end of Meridian road **AT THE WEST SIDE LINE OF SECTION 19, T31N R01E**, then north along the west side

SECTION line of section 19, T31N R01E (about a half mile) to the northwest corner of said section, then continuing west ~~crossing~~ into Otsego county along the north **SIDE** section lines of sections 24, 23, and 22, T31N R01W (about 2.5 miles), to Sawdust pile road, **SOUTH**westerly on Sawdust pile road to Tin shanty bridge road, south on Tin shanty bridge road to the Black river (section 28, T31N R01W) **CENTER LINE**, downstream almost six miles along the **CENTER OF THE** Black river to ~~Old Vanderbilt road~~ **BLACK RIVER TRAIL** at McKinnon's bend, **WESTERLY ON BLACK RIVER TRAIL TO OLD VANDERBILT ROAD, WESTERLY ON OLD VANDERBILT ROAD** to Dudd road, northerly on Dudd road to Sturgeon valley road, easterly on Sturgeon valley road to Pickerel lake road, northerly on Pickerel lake road to Fisherman trail in Cheboygan county, northerly on Fisherman trail to Webb road, east on Webb road to Montgomery road, northerly on Montgomery road to Pigeon river road, east on Pigeon river road to the south **SIDE** section line of section 17, T34N R01W, then east along the **SAID** south section line to the southeast corner of said section, **THEN** north along the east section line of same **SAID** section to Walker road, east on Walker road to Osmun road, north on Osmun road to highway M-68, east on M-68 to Brady road (section 7, T34N R01E), southerly on Brady road to Tucker road (section 17, T34N R02E), east on Tucker road to Center line road (section 21, T34N R01E), south on Center line road to Buzzels road (section 3, T33N R01E), east on Buzzels road to Black river road (northeast corner **OF** section 2, T33N R01E), southerly on Black river road to Comstock/ Milligan highway (east edge of section 2, T33N R01E), east on Comstock/Milligan highway into Presque Isle county to highway M-33 (section 6, T33N R02E), ~~north on M-33 to Hackett lake road (section 32, T34N R02E), east along Hackett lake road to Price road (section 33, T33N R02E), south on Price road to Five Mile highway, east on Five Mile to Hoffmeyer road (section 1 T33N R02E), southerly on Hoffmeyer road to highway W 634 (section 7 T33N R03E), southerly on W 634 to Elk road (section 13, T33N R02E), southerly on Elk road to Deer road (section 36, T33N R02E), south on Deer road into Montmorency county on Millersburg road (section 1, T32N R02E), southwest on Millersburg road to Claypit road (section 15, T32N R2E), westerly on Claypit road to highway M-33 (section 15 T32N R2E),~~ southerly on M-33 **INTO MONTMORENCY COUNTY** to Kellyville road (section 2, T30N R02E; located about two miles north of the town of Atlanta), west on Kellyville road to its end, then continuing west on the third correction line forming the north **SIDE SECTION** boundary of sections 4, 5, and 6, T30N R2E to Manier road, then south on Manier road to the point of beginning.

12.509 "Elk management unit F" defined.

Sec. 12.509 "Elk management unit F" means that area of Cheboygan, Otsego and Presque Isle counties bounded by a line beginning **IN OTSEGO COUNTY, ABOUT 3.5 MILES DUE EAST OF THE TOWN OF VANDERBILT**, at the **INTERSECTION** ~~junction~~ of Sturgeon valley road and ~~highway I-75 in Otsego county,~~ east on Sturgeon valley road to Fontinalis road (**IN NORTHEASTERN CORNER OF** section 30, T32N R02W) ~~in Otsego county~~, then south **FOR LESS THAN A MILE** on Fontinalis road to Old Vanderbilt road, easterly on Old Vanderbilt road to Black river trail (section 31, T32N R01W), easterly on Black river trail to the Black river at McKinnon's bend (section 32, T32N R01W) **INTO THE MIDDLE OF THE RIVER**, ~~follow the Black river~~ northerly **TURNING EASTERLY ALONG THE CENTER OF THE BLACK RIVER**, easterly to Tin shanty bridge road (section 35, T32N R01W), north on Tin shanty bridge road to Hardwood lake road, ~~then~~ west on Hardwood lake road to Twin lakes road (section 10, T32N R01W), northerly on Twin lakes road into Cheboygan county **TO OSMUN ROAD (ROAD NAME CHANGE), NORTHERLY ON OSMUN ROAD** to Clark bridge road (**SECTION 26, T33N R01W**), ~~then~~ easterly on Clark bridge road to Black river road (section 27 T33N R01E), northerly on Black river road to Canada creek road (section 22, T33N R01E), **SOUTHASTERLY THEN** easterly on Canada creek road into Presque Isle county on Canada creek highway (**ROAD NAME CHANGE**), continue **EASTERLY** on Canada creek highway to highway M-33 (section 29, T33N R02E), northerly on highway M-33 to Milligan highway (section 6, T33N R02E; **ABOUT 6 MILES DUE SOUTH OF THE TOWN OF ONAWAY**), westerly on Milligan highway into Cheboygan county to **COMSTOCK ROAD (ROAD NAME CHANGE), WEST ON COMSTOCK ROAD TO** Black river road (section 2, T33N R0E), north on Black river road to Buzzels road (north side of section 2, T33N R01E), westerly on Buzzels road to Centerline road (section 34, T34N R01E), northerly on Centerline road to the southeast corner of section 21, T34N R01E, **THEN** westerly on the south **SIDE** edge of section 21 to the southwest corner of section 21, T34N R01E, **THEN** northerly on the west edge of **SAID** section 21 to Tucker road (southeast corner of section 17, T34N R01E), westerly on Tucker road to Brady road (western side of section 17, T34N R01E), northerly on Brady road to highway M-68 (section 6, T35N R01E; **ABOUT 6.5 MILES DUE WEST OF THE TOWN OF ONAWAY**), westerly on highway M-68 to ~~Osmun~~ **OSMUS** road (section 1, T34N R01W), southerly on ~~Osmun~~ **OSMUS** road to Walker road (section 11, T34N R01W), westerly on Walker road to the northwest corner of section 16, T34N R01W, southerly along the west side of **SAID** section 16 to the southeast corner of section 17, T34N R01W, **THEN** westerly along the south edge of section 17 to Pigeon river road (section 19, T34N R01W), ~~then~~ west on Pigeon river road to Afton Road (**ABOUT 3 MILES SOUTH OF THE TOWN OF AFTON**), **WEST AND THEN SOUTH ON AFTON ROAD TO THE INTERSECTION OF WEBB ROAD AND MOLINE AUX ROAD (SECTION 4, T33N R02W; ABOUT 1.5**

MILES DUE EAST OF TOWN OF WOLVERINE, WHERE AFTON ROAD TURNS TO WEST AND MOLINE AUX ROAD CONTINUES SOUTH), CONTINUE SOUTH AND THEN WEST ON MOLINEAUX ROAD TO TROWBRIDGE ROAD (IN NORTHEAST CORNER OF SECTION 31, T33NR2W), SOUTH ON TROWBRIDGE ROAD INTO OTSEGO COUNTY TO FONTINALIS ROAD (ROAD NAME CHANGE), THEN SOUTH ON FONTINALIS ROAD ~~highway M-68, then west on highway M-68 to highway I-75, then south along the north bound lane of I-75 to the point of beginning.~~

12.510 “ELK MANAGEMENT UNIT G” DEFINED.

SEC. 12.510 “ELK MANAGEMENT UNIT G” MEANS THAT AREA OF CHEBOYGAN, MONTMORENCY, OTSEGO, AND PRESQUE ISLE COUNTIES BOUNDED BY A LINE BEGINNING IN MONTMORENCY COUNTY, ABOUT 4.5 MILES NORTH OF THE TOWN OF ATLANTA, AT THE INTERSECTION OF ROUSE ROAD AND HIGHWAY M-33 (IN NORTHWESTERN PORTION OF SECTION 23, T31N R02E), THEN NORTHERLY ON HIGHWAY M-33 INTO PRESQUE ISLE COUNTY TO CANADA CREEK HIGHWAY (SECTION 29, T33N R02E), WESTERLY ON CANADA CREEK HIGHWAY INTO CHEBOYGAN COUNTY TO CANADA CREEK ROAD (ROAD NAME CHANGE), WESTERLY THEN NORTHWESTERLY ON CANADA CREEK ROAD TO BLACK RIVER ROAD (SECTION 22, T33N R01E), SOUTH ON BLACK RIVER ROAD TO CLARK BRIDGE ROAD (SECTION 27, T33N R01E), WESTERLY ON CLARK BRIDGE ROAD TO OSMUN ROAD (SECTION 26, T33N R01W), SOUTHERLY ON OSMUN ROAD INTO OTSEGO COUNTY TO TWIN LAKES ROAD (SECTION 2, T32N R01W; ROAD NAME CHANGE), SOUTHERLY ON TWIN LAKES ROAD TO HARDWOOD LAKE ROAD (SECTION 10, T32N R01W), EASTERLY ON HARDWOOD LAKE ROAD TO TIN SHANTY BRIDGE ROAD (SECTION 11, T32N R01W), SOUTH ON TIN SHANTY BRIDGE ROAD OVER THE BLACK RIVER TO LOST CABIN TRAIL (ALSO KNOWN AS HOUSE’S LOST CABIN ROAD; SECTION 35, T32N R01W), SOUTHWESTERLY CURVING TO SOUTHERLY ON LOST CABIN TRAIL TO TIN SHANTY BRIDGE ROAD (SECTION 16, T31N R01W), SOUTH ON TIN SHANTY BRIDGE ROAD TO SAWDUST PILE ROAD (SECTION 22, T31N R01W) NORTHEASTERLY ON SAWDUST PILE ROAD TO THE NORTH SECTION SIDE OF SECTION 22, T31N R01W, THEN EASTERLY ALONG THE NORTHERN SECTION SIDE OF SECTIONS 22, 23, 24, IN T31N R01W, INTO MONTMORENCY COUNTY AND CONTINUE EASTERLY ALONG THE NORTHERN SECTION SIDE OF SECTION 19, T31N R01E, FOR ABOUT 0.25 MILE TO BLACK RIVER ROAD (ALSO KNOWN AS COUNTY ROAD 495; SECTION 19, T31N R01E), SOUTH ON BLACK RIVER ROAD FOR ABOUT 0.5 MILE TO COUNTY ROAD 622 (SECTION 19, T31N R01E), EASTERLY ON COUNTY ROAD 622 TO ROUSE ROAD (SECTION 13, T31N R01E), THEN EASTERLY ON ROUSE ROAD TO THE POINT OF BEGINNING.

Issued on this 5th day of April 2012.

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

Timothy L. Nichols, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.

Rodney A. Stokes
Director