



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREGG
DIRECTOR

SUBMITTED: October 15, 2012
RESUBMITTED: November 13, 2012
RESUBMITTED: December 17, 2012

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Order to Regulate Use of Kirtland's Warbler Nesting Areas
Land Use Orders of the Director Amendment No. 1 of 2013

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director to issue orders to implement land use rules.

Discussion and Background:

The Kirtland's warbler is a federal and state endangered species. To minimize disturbance in Kirtland's warbler nesting areas and consequently improve nesting success, the Department recommends continuing to restrict entry to certain state-owned lands during the nesting period. Based on new information on habitat occupancy, the Department proposes updating the restricted areas to accurately reflect areas where nesting Kirtland's warblers are currently present.

Additional data regarding Kirtland's warbler habitat occupancy became available on December 10, 2012. Accordingly, the amendment was updated to reflect this information.

Recommendation:

This order was submitted for information on November 8, 2012 and for action on December 13, 2012, at the Natural Resources Commission Meetings. This item appeared on the Department's October and December 2012 calendars and may be eligible for approval on January 10, 2013.

Bill O'Neill, Chief
Forest Resources Division

Gary Hagler, Chief
Law Enforcement Division

Ronald A. Olson, Chief
Parks and Recreation Division

Russ Mason, Ph.D., Chief
Wildlife Division

James Dexter, Chief
Fisheries Division

William E. Moritz, Ph.D.
Natural Resources Deputy

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 1 of 2013

By authority conferred on the Director of the Department of Natural Resources by Section 504 of the Natural Resources Environmental Protection Act, 1994 PA 451, as amended, MCL 324.504, and in accordance with R 299.921 to R 299.933, the Director of the Department of Natural Resources orders the following:

3.10 Protection of Kirtland's warbler nesting areas; entry prohibited at certain times, exceptions.

Order 3.10 (1) A person shall not enter upon the following state-owned lands or portions thereof, as posted, from May 1 through August 15 without a written permit from the department:

- (a) Section 27, T29N R05W, Antrim county.
- (b) Sections 18, and 30-31, T20N R05W, Clare county.
- (c) Sections 13, 23-24, and 26, T20N R06W, Clare county.
- (d) Sections 4-7 and 9-10, T25N R02W, Crawford county.
- (e) Sections 1 and 12, T25N R03W, Crawford county.
- (f) Section 19, T25N R04W, Crawford county.
- (g) Section 32, T26N R02W, Crawford county.
- (h) Sections 14-15, 23, and 26, T26N R03W, Crawford county.
- (i) Sections 7, 18-19, 29-30, T27N R04W, Crawford county.
- (j) Sections 17-18, T31N R04E, Montmorency county.
- (k) Sections 2-4, 8, 10, 14, and 22-23, T28N R01W, Crawford county.
- (l) Sections 13 and 22-25, T25N R05W, Kalkaska county.
- (m) Sections 17-20, T25N R06W, Kalkaska county.
- (n) Sections 13 and 24, T31N R03E, Montmorency county.
- (o) Sections 1, 3-4, 9-10, 14-16, 21 and 28, T32N R02E, Montmorency county.
- (p) Sections 15-16, 18-20, and 30, T23N R01E, Ogemaw county.
- (q) Sections 1-4, 7-12, 14-17, 20-22, 24-25, 27, and 34, T24N R01E, Ogemaw county.
- (r) Sections 6, 16-17, and 30-32, T24N R02E, Ogemaw county.
- (s) Sections 1, 5-7, 11-12, 14, and 22, T27N R01E, Oscoda county.
- (t) Sections 31-32, T28N R01E, Oscoda county.

- (u) Section 6, T28N R02E, Oscoda county.
- (v) Sections 27, 32, 34, and 36, T29N R01W, Otsego county.
- (w) Sections 34-35, T33N R02E, Presque Isle county.
- (x) Section 30, T33N R03E, Presque Isle county.
- (y) Sections 20-21, and 29, T21N R04W, Roscommon county.
- (z) Sections 1, 3, 12, and 24, T23N R01W, Roscommon county.
- (2) This order is provided to protect Kirtland's warbler nesting areas.

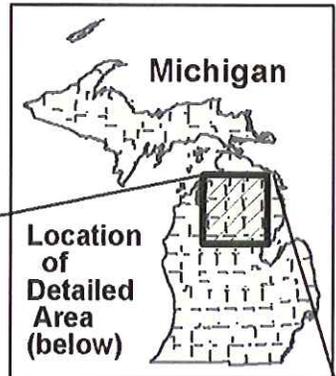
This amended order shall be posted on or after the 11th day of January, 2013.

Issued on this 10th day of January, 2013.

Keith Creagh
Director



Proposed 2013 Kirtland's Warbler Protected Nesting Areas



Legend

- Proposed 2013 Kirtland's Warbler Protected Nesting Areas by PLSS town-range-section blocks
- Township-Range block boundaries
- County boundaries
- Michigan land / background

