



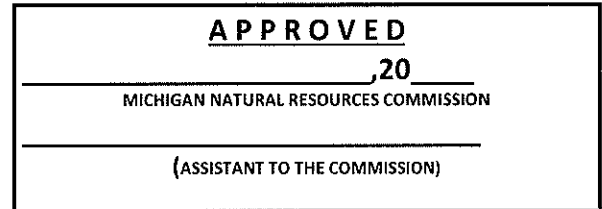
GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: January 18, 2019
RESUBMITTED: February 19, 2019



MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Migratory Game Bird Hunting Seasons
Wildlife Conservation Order Amendment No. 3 of 2019

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:

The United States Fish and Wildlife Service (USFWS) annually prescribes migratory bird hunting season frameworks, or outer limits, for dates and times when hunting may occur and the maximum number of birds that may be taken and possessed. Federal frameworks are negotiated with states via the Flyway Councils.

Beginning with the 2016-17 hunting seasons, the USFWS streamlined the process by which it sets annual migratory bird hunting seasons and daily limits. The two-year cycle of regulatory process was compressed into a single annual process. The new approach to set annual migratory bird hunting seasons and bag limits relies on biological data from the previous year to set hunting season dates and project appropriate harvest limits for each game species. This is possible because the USFWS and the Department have decades of data from population surveys, banding, and harvest surveys for many migratory game bird species that is used to develop models and harvest strategies to predict population change and inform harvest management decisions. These frameworks are adjusted to influence harvest regulations based on the previous year's monitoring information and regulatory decisions. This change gives biologists more time to analyze survey data from the USFWS's regulatory decisions and allows more time for public comment. A major benefit is that State agencies can set their season dates in the early spring, allowing hunters to plan their schedules well before the first hunting seasons open.

The Department's recommendations for the 2019-20 migratory bird seasons are based on the 2018 State and Federal assessments of waterfowl population status and habitat conditions, and public input including discussion with the Citizens Waterfowl Advisory Committee (CWAC) at their January 5, 2019 meeting.

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Biological

Since 1991, Michigan has collaborated with other states, the USFWS, and Canadian agencies in conducting aerial surveys of breeding ducks and geese. Spring mallard population estimates from Michigan, Minnesota, and Wisconsin are included in estimates of mid-continent mallard abundance and additionally are needed for establishing annual waterfowl hunting season frameworks for the Mississippi, Central, and Pacific Flyways. The spring 2018 breeding waterfowl survey was conducted late April to late May and the 2018 estimate of total ducks was 452,377, which was a 34% decrease from 2017 but not statistically different. The 2018 estimate for mallards was 251,362 mallards, which was 16% below the 2017 estimate but not statistically different. The 2018 statewide wetland abundance estimate of 525,996 wetlands was similar to the 2017 estimate. The 2018 estimate for Canada geese was 296,737, which is similar to the 2017 estimate.

Flyway Councils are advised by flyway technical committees consisting of state and provincial biologists. These technical committees evaluate species and population status, harvest, and hunter-participation data during the development of the Flyway Council recommendations. The USFWS then evaluates the Flyway Councils' recommendations, considering species status and biology, cumulative effects of regulations, and existing regulatory policy. Likewise, the Department's Waterfowl Workgroup and the CWAC review information on species status and habitat conditions when developing recommendations for waterfowl hunting seasons.

Social

The Department develops recommendations based on Waterfowl Workgroup discussions with the CWAC. The CWAC met on January 5 to make recommendations for the 2019-20 waterfowl seasons. The Department's recommendations are the same as those made by the CWAC with one exception (see Youth Waterfowl Season below).

The Department's Waterfowl Workgroup established goals for duck hunting seasons that include maintaining Michigan's waterfowl hunting heritage by increasing hunter recruitment and retention, simplifying regulations with maximum hunting opportunity, and ensuring that seasons encompass maximum duck numbers and abundant species.

Biannually, the Department mails Waterfowl Harvest Surveys to a sample of waterfowl hunters to estimate hunting activity and determine opinions and satisfaction with hunting regulations. The Department last conducted the Waterfowl Harvest Survey after the 2016 waterfowl hunting season.

Economic

In 2012, Michigan waterfowl hunters took about 371,000 waterfowl hunting trips and spent an average of \$463 per hunter annually on waterfowl hunting trips. Collectively, waterfowl hunters spent an estimated \$22.7 million on hunting trips primarily to hunt waterfowl in Michigan (2012 Waterfowl Harvest Report). The economic value of recreational goose hunting in the Mississippi Flyway was estimated at \$185 million in 2006 and the economic costs of goose conflicts was estimated at \$2.2 million in 2000. Businesses located in communities near well-known waterfowl hunting areas receive economic benefits from these waterfowl hunting trips.

Youth Waterfowl Season

The Department recommends that the Federal youth waterfowl hunting season remain the third weekend in September (September 21 and 22, 2019). The Department recommends these dates to avoid overlap with the Liberty Hunt and to ensure greater duck abundance during the youth hunting days.

The CWAC recommended that the youth waterfowl season be the second weekend in September (September 14 and 15, 2019), however it was not known at the time of their discussion when the Liberty Hunt would be held. A poll after the CWAC meeting revealed that a majority of members would support keeping the youth waterfowl season the third weekend in September (September 21 and 22, 2019). There is a desire for the youth waterfowl season and the Liberty Hunt not to overlap.

Early Teal Season

The Department completed three years of evaluation of an experimental early teal season in 2014-2016 and as a result, the USFWS determined that Michigan can sustain an early teal season. An early teal season is now operationalized for teal production states including Michigan and the Department is recommending:

- September 1-16 statewide
- Daily bag limit of 6 teal and a possession limit of 18 which is three times the daily limit
- Hunting hours begin at sunrise

The Department and the CWAC recommend opening the early teal season as early as possible due to the greatest abundance of teal in Michigan during that time. Blue-winged teal are some of the earliest duck species to migrate each fall. Available information on teal migration in Michigan indicates that the peak of fall blue-winged teal migration is late August – early September. The Department and CWAC recommend utilizing the entire 16 days allowed under Federal Frameworks.

An estimated 5,906 hunters pursued teal during the early teal season in 2016. Although fewer duck hunters hunted teal in 2016, about 19% ± 2% of duck hunters (7,171 ± 780) indicated that they were very likely to hunt teal in 2018, while 31% ± 2% were somewhat likely to hunt teal (12,131 ± 971) in 2018 (2016 Waterfowl Harvest Survey).

To improve waterfowl identification, the Department recommends no change to hunting hours (i.e., early teal season begin at sunrise rather than the usual half hour before sunrise for migratory bird hunting hours). Identifying duck species is difficult under low light conditions. The Canada goose season dates overlap the proposed teal season and goose hunting hours begin one half hour before sunrise. Very few (if any) enforcement issues have occurred related to these different opening hours, yet the Wildlife Division and Law Enforcement Division will continue to work together to mitigate hunter confusion through public education and communication with hunters while in the field, while providing maximum recreational opportunity.

The Department will continue to educate hunters on the identification of teal and provide information to help guide them to hunting locations where they are likely to encounter teal to ensure a successful teal season.

Duck Seasons

3-Year Stable Opening Dates:

To achieve consistency and assist waterfowl hunters in planning their hunting seasons, the Department strives to propose opening dates of duck hunting seasons for a 3-year period. The Department and CWAC provide the following recommended opening days of duck seasons for 2019-2021. If Federal frameworks change during this period, then opening dates will be revisited:

- North Zone (last Saturday in September):
 - 2019: September 28
 - 2020: September 26
 - 2021: September 25
- Middle Zone (1st Saturday in October):
 - 2019: October 5
 - 2020: October 3
 - 2021: October 2
- South Zone (2nd Saturday in October):
 - 2019: October 12
 - 2020: October 10
 - 2021: October 9

The USFWS offered a 60-day season and six-duck daily limit based on an adaptive harvest management strategy using 2018 prairie pond numbers and mid-continent mallard abundance as a guide to season length and daily duck limit. The Department developed the following duck season dates for 2019 based on feedback from CWAC, analysis of data on hunter opinions, migration timing, and hunter success.

The recommended dates for the 2019 duck season are:

- North Zone – September 28 to November 24 and November 30 to December 1
- Middle Zone – October 5 to December 1 and December 14 to December 15
- South Zone – October 12 to December 8 and December 28 to December 29

The daily bag limit for ducks will be six ducks with the following species-specific restrictions: four mallards (no more than two hens), three wood ducks, three scaup, two black ducks, two redheads, two canvasbacks, and one northern pintail. In addition to the duck limit, hunters may take five mergansers, only two of which may be a hooded merganser. The possession limit is three times the daily limit for ducks, coots, and mergansers. The only change in duck bag limits from 2018 is that pintails have decreased from two to one.

Goose Seasons

The Department recommends goose season dates based on Canada goose population goals, feedback from the CWAC, and surveys of waterfowl hunters. Waterfowl hunters expressed their desire for additional opportunities to hunt ducks and geese on the same days. The recommended season dates provide for overlap of goose and duck seasons.

Federal frameworks for the Mississippi Flyway allow for a 107-day Canada goose season with a daily bag limit of five from September 1-30 and three from October 1-February 15, 2020. The possession limit is three times the daily limit for geese.

While few other goose species are harvested in Michigan, the Department makes recommendations that allow goose hunters to take these species if they have the opportunity. The recommended dates for the season for white, blue, and Ross' geese, white-fronted geese, and brant are the same as the Canada goose seasons in each respective zone and Goose Management Unit (GMU). The daily bag limits for white, blue, and Ross' geese is 20. To maximize opportunity, the Department is again recommending a dark goose aggregate daily bag limit for Canada geese, white-fronted geese, and brant of five, only one of which can be a brant from September 1-30, only three of which can be Canada geese, and one can be a brant beginning October 1.

The 2018 Michigan Canada goose population estimate was above the goal range of 175,000-225,000. Federal frameworks for Canada geese in the Mississippi Flyway were liberalized to allow for 107 days of hunting, the maximum allowed under the Migratory Bird Treaty Act, and an increase in bag limits. The recommended season dates and bag limits take advantage of this liberalization. September dates of the Canada goose season are timed so that resident geese are most susceptible to harvest. This is a good tool to maintain Michigan's Canada goose population at or near the goal range which will help address human-geese conflicts.

The Department recommends the following dates and daily bag limits for Canada goose seasons:

- North Zone regular season: September 1-30 (5-bird daily bag limit) and October 1-December 16 (3-bird daily bag limit)
- Middle Zone: September 1-30 (5-bird daily bag limit) and October 5 - December 20 (3-bird daily bag limit)
- South Zone: September 1-30 (5-bird daily bag limit), October 12 - December 8 (3-bird daily bag limit), December 28 - December 29 (3-bird daily bag limit), and January 25-February 10, 2020 (3-bird daily bag limit)
- Allegan GMU: September 1-30 (5-bird daily bag limit), November 2 - November 12 (3-bird daily bag limit), November 21 - December 8 (3-bird daily bag limit), and December 14 - January 30, 2020 (3-bird daily bag limit)
- Muskegon County Waste Water GMU: October 19 - December 21 (3-bird daily bag limit)

Falconry

For the falconry season, the recommended dates for the additional days outside the gun hunting seasons for ducks, mergansers, coots, and moorhens are December 30, 2019 to January 12, 2020 and February 25 to March 10, 2020. The daily and possession limits remain unchanged. The Department continues to discuss falconry dates with the Michigan Hawking Club.

Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on February 14, 2019, at the Natural Resources Commission meeting. This item appeared on the Department's January calendar and may be eligible for approval on March 14, 2019.



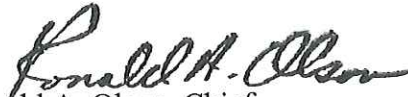
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William O'Neill
Natural Resources Deputy

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

Daniel Eichinger, Director

Date

WILDLIFE CONSERVATION ORDER

Amendment No. 3 of 2019

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 March 15, 2019, the following section(s) of the Wildlife Conservation Order shall read as follows:

3.415 Migratory birds open seasons, possession limit defined, exceptions.

Sec. 3.415. The migratory bird possession limit shall be three times the daily limit. The migratory bird hunting open seasons and exceptions are as shown in table 10:

TABLE 10		
Migratory Bird Open Seasons		
Season and Species	Zone or Management Unit	Open Season
Ducks (regular season)	North Zone	September 28 to November 24 and November 30 to December 1
	Middle Zone	October 5 to December 1 and December 14 to December 15
	South Zone	October 12 to December 8 and December 28 to December 29
Merganser		Same dates as ducks in the respective zones
Coots		Same dates as ducks in the respective zones
Common Moorhens (Gallinules)	Statewide	September 1 to November 9
Canada Goose, White-fronted Goose, Brant, Snow Goose, and Ross' Goose	North Zone	September 1 to December 16
	Middle Zone	September 1 to September 30 and October 5 to December 20
	South Zone, excluding GMUs listed below in the table	September 1 to September 30, October 12 to December 8, December 28 to December 29 and January 25 to February 10, 2020
	Allegan County GMU	September 1 to September 30, November 2 to November 12, November 21 to December 8, and December 14, 2019 to January 30, 2020
	Muskegon County W.W. GMU	October 19 to December 21

3.416 Migratory game birds; daily limit.

Sec. 3.416. The daily limit of migratory game birds for the seasons specified in section 3.415 shall be as follows:

(1) Ducks, daily limit. The daily limit shall be 6 ducks of which no more than 4 may be mallards, no more than 2 may be a hen mallard, no more than 2 may be black ducks, no more than 3 may be wood ducks, no more than 1 may be a pintail, no more than 2 may be redheads, no more than 3 may be scaup, and no more than 2 may be canvasbacks.

(2) Merganser, daily limit. The merganser daily limit shall be 5 mergansers of which no more than 2 may be a hooded merganser.

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(3) Dark geese (Canada, white-fronted and Brant), north, middle, and south zones, including GMUs, daily limit. During September, in the north, middle, and south zones as described in sections 1.7, 1.8, and 1.9 of this order, respectively, and all GMUs as described in sections 12.702 and 12.703 the daily limit of dark geese shall be 5, only 1 of which can be a Brant. After September 30, the daily limit for dark geese shall be 5, only 3 of which can be Canada geese and 1 of which can be a Brant.

(4) Light geese (snow, blue and Ross), daily limit. The daily limit on light geese (snow, blue, and Ross) shall be 20.

(5) Coot, daily limit. The daily limit of coot shall be 15.

(6) Common moorhen (gallinule), daily limit. The daily limit of moorhen shall be 1.

3.422 Migratory birds, falconry, open seasons; daily limit, possession limit.

Sec. 3.422. (1) The open season for taking common snipe (jacksnipe), woodcock, and Virginia and Sora rails by falconry shall be the same dates as the firearm seasons in the respective zones for these species as described in sections 3.415 and 3.420.

(2) The open season for taking geese shall be the same dates as the firearm seasons in the respective zones and goose management units.

(3) The open season for taking duck, merganser, coot and common moorhen (gallinule) shall be the same dates as the firearm seasons in the respective zones for these species, plus the season shall be open statewide December 30, 2019 to January 12, 2020 and February 25 to March 10, 2020.

(4) The daily limit for migratory game birds taken by falconry shall be 3 birds combined, and the possession limit shall be 9 birds combined.

Issued on this 14th day of March, 2019.

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

Vicki J. Pontz, Chair
Natural Resources Commission

Approved as to matters over which the Director has authority.

Daniel Eichinger
Director