



STATE OF MICHIGAN  
 DEPARTMENT OF NATURAL RESOURCES  
 LANSING



GRETCHEN WHITMER  
 GOVERNOR

DANIEL EICHINGER  
 DIRECTOR

SUBMITTED: May 19, 2020  
 RESUBMITTED: June 18, 2020

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| <p><b>APPROVED</b></p> <p>_____, 20</p> <p>MICHIGAN NATURAL RESOURCES COMMISSION</p> <p>_____<br/>         (ASSISTANT TO THE COMMISSION)</p> |
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MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Mandatory Elk Hunt Orientation  
 Wildlife Conservation Order Amendment No. 7 of 2020

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:

Current regulations require successful elk drawing applicants to attend an in-person elk hunt orientation class the day before their scheduled hunt. The mandatory elk hunt orientation class is an in-person half-day training session that covers hunter safety, elk biology, bovine tuberculosis surveillance, carcass handling, hunting rules and regulations, and recommended hunt locations. Due to the uncertain timelines surrounding the global coronavirus (COVID-19) pandemic, the Department has taken numerous actions to keep Michigan residents safe and healthy. In order to allow maximum flexibility for our resource management and to continue to keep Michigan’s residents safe and healthy, the Department recommends a slight language change to the Wildlife Conservation Order (WCO) that allows the mandatory elk hunt orientation class to potentially be held in an online format for the 2020-21 elk season. The recommended WCO language will provide flexibility for the Department to decide how the elk hunt orientations will be handled in the future. This will give the Department the option to continue with the online training format or return to the in-person training format.

*Issues Pros and Cons*

The in-person half day training session has been required for successful elk drawing applicants for many years. Due to the uncertainty of the COVID-19 pandemic and how it may affect social gatherings in the future, altering WCO language to offer hunters opportunity to pursue elk without the requirement of gathering in large congregations provides flexibility for the Department to decide how elk hunt orientations will be handled (online vs. in-person). It will also aid in keeping successful elk drawing applicants safe, while still being able to provide all the necessary training materials and information.

Regardless of the training type, successful elk drawing applicants will be issued their elk license upon completion of the orientation and elk receipt purchase.

*Biological*

This change provides a safeguard that allows hunters to pursue elk if social distancing is required at the time leading up to the elk season without violating WCO language. Hunters are the only method the Department utilizes to manage elk populations in Michigan.

*Social*

The Department is hopeful that successful elk drawing applicants understand why the Department may provide an online training format for the 2020-21 mandatory elk hunt orientation. The online training format will provide flexibility to complete the training at a time that is convenient for the successful elk drawing applicants. The Department will be available to answer any questions or concerns by email or phone. The Department will evaluate how the online training format works for the 2020-21 mandatory elk orientation and will decide if modifications are needed for the future.

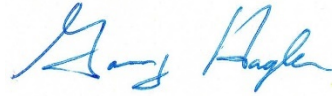
*Economic*

The Department expects that providing an online training format will save the Department time and cost of an in-person training. In addition, it will also save time and the cost of traveling to the onsite training location.

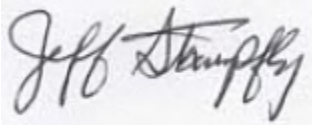
Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on June 11, 2020, at the Natural Resources Commission meeting. This item appeared on the Department's May calendar and may be eligible for approval on July 16, 2020.



Daniel Kennedy, Acting Chief  
Wildlife Division



Gary Hagler, Chief  
Law Enforcement Division



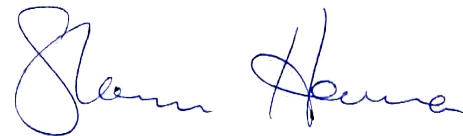
Jeff Stampfly, Acting Chief  
Forest Resources Division



Ronald A. Olson, Chief  
Parks and Recreation Division



James Dexter, Chief  
Fisheries Division



Shannon Hanna  
Natural Resources Deputy

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

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Daniel Eichinger, Director

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Date

# **WILDLIFE CONSERVATION ORDER**

## **Amendment No. 7 of 2020**

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 17, 2020, the following section(s) of the Wildlife Conservation Order shall read as follows:

### **3.4 Elk hunt, application and selection procedures; requirements; unlawful acts; ineligible persons.**

Sec. 3.4 (1) Only Michigan residents may apply for an elk license. Residents under 10 years of age must purchase a mentored youth license before applying for an elk license. A person who is not a resident of Michigan shall not hunt elk in Michigan. A person shall be ineligible to receive an elk license for more than 1 hunt period.

(2) A person issued an antlerless-only elk license valid for taking an antlerless elk subsequent to the 2003 license year shall be ineligible to apply for, obtain, or purchase an elk license for 10 license years subsequent to receiving the license. A person issued an elk license valid for taking a bull elk on or after February 1, 2004, shall subsequently be ineligible to apply for, obtain, or purchase an elk hunting license.

(3) Eligible residents wishing to participate in the hunting of elk must apply for a license through the retail sales system in accordance with instructions provided by the department. If more applications are received than the number of licenses to be issued, a random weighted lottery will be held for the selection of successful applicants. The director shall establish provisions for the transfer of application success to an unsuccessful youth applicant or any individual with an advanced illness.

(4) All elk drawing applicants shall be eligible for a license which is valid for the harvest of a bull elk. Those who are not selected may be considered for an antlerless-only elk license at their option, indicated at the time they make application.

(5) All successful applicants must participate in a training session before the hunt as determined by the department. Upon completion of this training, each successful applicant will be issued their elk license along with other pertinent information and materials.

### **3.6 Elk hunting, tagging, sealing, requirements; unlawful acts.**

Sec. 3.6 (1) The department shall issue a kill tag as part of the elk hunting license. An individual shall not kill or attempt to kill an elk unless the individual has a valid elk kill tag issued in the individual's name for the elk management units in which the individual is hunting. The licensee must provide the kill tag and elk license to a conservation officer upon request.

(2) The licensee shall complete the elk hunt information sheet, as directed by the department, prior to participating in any elk hunting activity.

(3) (a) A person who kills an elk shall immediately validate the kill tag by notching out the appropriate areas of the kill tag and shall immediately attach the kill tag to the antler, lower jaw, or gambrel of the elk in a secure and permanent manner. The kill tag shall remain attached to the elk until the animal is registered and sealed by the department.

(b) A person who attempts to kill or kills an elk shall clearly mark the kill site and other locations as instructed in the training session. Any elk that are wounded or killed with an improper tag and not recovered must be reported to a department employee as instructed in the training session.

(4) Within 24 hours of killing an elk and before removing any elk from the area open to elk hunting, the carcass shall be presented, by the licensee that killed the elk, to the department for examination, sealing, and registration. An examination will be made for such biological or other information as may be desired. The carcass need not be entire, but all parts must be readily identifiable and presented for sealing.

(5) Within 2 weeks of killing an elk, a licensee shall take the head of the animal to a department management unit or field office for submission to the department.

(6) It shall be unlawful to possess or transport an elk or parts of an elk without a kill tag or confirming seal attached. A confirming seal shall remain attached to the elk until the conditions in section 3.103(2) are met. A person, corporation, or common carrier shall not receive for transportation or have in possession at the initial billing station the carcass or dead body of an elk more than 48 hours after the closing time when the taking of elk is authorized by law.

(7) It shall be unlawful to take an elk over bait. For the purposes of this section, "bait" means a substance composed of grain, fruit, vegetables, or other food placed to lure or entice elk. This does not apply to standing farm crops under normal agricultural practices or other natural growing grains, fruits, or vegetables.

(8) It shall be unlawful for a hunter with an antlerless-only license to take or possess an elk with antlers. It shall be unlawful for an individual to take more than 1 elk per valid kill tag.

(9) It shall be unlawful for an individual to pursue, capture, shoot, kill, chase, follow, harass, or harm an elk while the elk is swimming in a pond, lake, stream, or other body of water.

(10) It shall be unlawful for an individual to hunt an elk with a dog.

(11) It shall be unlawful to take an elk by any method other than by firearm, bow and arrow, or crossbow.

Issued on this 16th day of July, 2020.

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

David Nyberg, Acting Chair  
Natural Resources Commission

Approved as to matters over which the Director has authority.

Daniel Eichinger  
Director