



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: January 18, 2022
RESUBMITTED: February 14, 2022



MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Migratory Game Bird Hunting Seasons and Managed Waterfowl Area Regulations
Wildlife Conservation Order Amendment No. 2 of 2022

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. The 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 process gives biologists time to analyze survey data from the USFWS’s regulatory decisions and allows time for public comment.

Due to the Covid-19 pandemic, the 2020 and 2021 North American Waterfowl Breeding Population and Habitat Survey was cancelled, however the 2021 Michigan Breeding Waterfowl Survey was successfully conducted. To address the lack of two years of missing data on mid-continent duck populations and pond estimates, the USFWS adjusted protocols that inform duck hunting regulations based on model predictions of breeding populations and habitat conditions. In most cases, system models specific to each decision framework have been used to predict breeding population sizes from the available information (e.g., 2019 observations). For some system state variables, the USFWS used updated time series models to forecast 2020-2021 values based on the most recent information. Overall, the confidence in models remains high even without 2020 and 2021 survey estimates because of the long-term data that is available. The Department’s recommendations for the 2022-23 migratory bird seasons are based on these modeled predictions of waterfowl population status and habitat conditions, and public input

including discussion with the Citizens Waterfowl Advisory Committee (CWAC) at their January 8, 2022 meeting.

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. These population estimates are included in the models for establishing annual waterfowl hunting season frameworks for the Mississippi, Central, and Pacific Flyways. As discussed above, Michigan was able to conduct the 2021 Breeding Waterfowl Survey in mid-April to early May. The 2021 statewide wetland abundance estimate of 505,033 wetlands was 16 percent below the 2019 estimate and 4 percent above the long-term average. May 2021 Great Lakes water levels remained above long-term averages, although significantly lower than the extremely high levels experienced in 2020. May 2021 water levels were 6 inches, 18 inches, 17 inches, and 14 inches above long-term averages for Lakes Superior, Michigan-Huron, St. Clair, and Erie, respectively. Based on the water levels, wetland conditions were considered “excellent” for breeding waterfowl statewide. The 2021 estimate of total ducks was 973,051, which was 191 percent above the 2019 estimate and 58 percent above the long-term average. The 2021 estimate for mallards was 309,993, which was 73 percent above the 2019 estimate and 7.6 percent below the long-term average. The 2021 estimate for Canada geese was 295,635, which was 21 percent above the 2019 estimate and 27 percent above the long-term average.

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 8, 2022 to make recommendations for the 2022-23 waterfowl seasons. The Department’s recommendations are the same as those made by the CWAC.

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 2020 waterfowl hunting season.

Economic

Businesses located in communities near well-known waterfowl hunting areas receive economic benefits from waterfowl hunting trips.

Youth Waterfowl Season and Veterans and Active-Duty U.S. Military Personnel Waterfowl Hunting Days

The Department recommends that the Federal youth waterfowl hunting season remain the third weekend in September (September 17 and 18, 2022). These dates are consistent with 2021, avoid overlap with the Liberty Hunt, and ensures duck abundance during the youth hunting days.

The Department recommends holding the Veterans and Active Military Personnel Waterfowl Hunting Days concurrently with the Youth Waterfowl Season (September 17 and 18, 2022). These dates are consistent with 2021. States may designate two days as “Veterans and Active Military Personnel Waterfowl Hunting Days” in addition to regular duck seasons. Waterfowl regulations and bag limits set for the Youth Waterfowl Season apply to the Veterans and Active-Duty U.S. Military Personnel Waterfowl Hunting Days. Participating veterans and active-duty U.S military personnel are required to possess documentation of verification afield and must present upon request of a Michigan conservation officer, tribal conservation officer, or any law enforcement officer.

Holding this hunt concurrently with the Youth Waterfowl Season provides simplified regulations and better enforcement.

Early Teal Season

The Department recommends:

- September 1-16 statewide
- Daily bag limit of six 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.

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 2022-2024. If federal frameworks change during this period, then opening dates will be revisited:

- North Zone:
 - 2022: September 24
 - 2023: September 30
 - 2024: September 28
- Middle Zone:
 - 2022: October 8
 - 2023: October 7
 - 2024: October 5
- South Zone:
 - 2022: October 15
 - 2023: October 14
 - 2024: October 12

The USFWS offered a 60-day season and six-duck daily limit framework for 2022-23. The Department developed the following duck season dates for 2022 based on feedback from CWAC, analysis of data on hunter opinions, migration timing, and hunter success.

The recommended dates for the 2022 duck season are:

- North Zone: September 24 to November 20 and November 26 to November 27
- Middle Zone: October 8 to December 4 and December 17 to December 18
- South Zone: October 15 to December 11 and December 31 to January 1

Duck Bag Limits

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, two black ducks, two redheads, two canvasbacks, two scaup for 45-days and one scaup for 15-days, 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.

Similar to 2021, there is a split scaup bag limit. Scaup harvest restrictions are implemented under a Scaup Harvest Strategy which is based on the current scaup population model and an objective to achieve 95 percent of the maximum, long-term cumulative harvest. Based on a restrictive regulatory alternative selected for the 2021 hunting season and a 2021 model prediction of 3.53 million scaup, the optimal regulatory choice for the 2022 hunting season for all four Flyways is the restrictive regulatory alternative. This restrictive framework allows for a 60-day season with a limit of two birds for 45 days and one bird for 15 days. The 45 and 15-day segments must be consecutive hunting days.

Based on fall diving duck abundance measures from Lake St. Clair and western Lake Erie as well as an analysis of scaup harvest in Michigan, the Department recommends the following dates for the hybrid scaup bag limits which reflect a two-bird limit for the first 45 days of the

season in the North Zone and a one-bird limit for the first 16 days of the season in the Middle and South Zones (an additional day of a one-bird limit is included so that a bag limit change doesn't occur during a weekend). The Department believes that this will maximize scaup harvest opportunity in each zone:

- North Zone: September 24 to November 7 (two-bird limit); November 8 to November 20 and November 26 to November 27 (one-bird limit)
- Middle Zone: October 8 to October 23 (one-bird limit); October 24 to December 4 and December 17 to December 18 (two-bird limit)
- South Zone: October 15 to October 30 (one-bird limit); October 31 to December 11 and December 31 to January 1 (two-bird limit)

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 goose frameworks for the Mississippi Flyway are unchanged from 2021. 2022-23 Canada goose hunting frameworks allow for a 107-day Canada goose season with a daily bag limit of five for the entire season. 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.

Michigan's Canada goose population estimates for the last 6 years were all above Michigan DNR's long-term desired abundance range (175,000-225,000 birds). We continue to make full use of hunting season days and daily limits available within Federal hunting season regulation frameworks and this decision is supported by high goose abundance and productivity over the last 5 years. Federal frameworks for Canada geese in the Mississippi Flyway are liberal and allow for 107 days of hunting, the maximum allowed under the Migratory Bird Treaty Act. The recommended season dates and bag limits take advantage of the most days and highest bag limits possible. September dates of the Canada goose season are timed so that resident geese are most susceptible to harvest. This is a good tool to help maintain Michigan's Canada goose population at or near the goal range, which will help address human-goose conflicts.

The Department and the CWAC recommend the following dates for goose seasons:

- North Zone: September 1 to December 16
- Middle Zone: September 1 to September 30 and October 8 to December 23
- South Zone: September 1 to September 30; October 15 to December 11; December 31 to January 8, 2023; and February 4 to February 13, 2023
- Allegan Goose Management Unit: September 1 to September 30; November 5 to November 13; November 26 to December 4; and December 17 to February 13, 2023
- Muskegon County Wastewater Goose Management Unit: October 15 to December 22

Falconry

For the falconry season, the recommended dates for the additional days outside the gun hunting seasons for ducks, mergansers, coots, and common gallinule are January 2 to January 15, 2023 and February 24 to March 10, 2023. The daily and possession limits remain unchanged.

Migratory Game Bird Name Changes

In April 2020, the USFWS revised the list of migratory birds protected by the Migratory Bird Treaty Act that included changing some migratory game bird names to conform to accepted use. The common snipe has been changed to the Wilson's snipe and the common moorhen has been changed to common gallinule to reflect the recent split of the two species. All four bird species exist, but the common moorhen and common snipe are not likely to be encountered other than occasionally in Alaska. The Department will continue effective communications and customer service related to the new name changes.

Managed Waterfowl Areas

Managed waterfowl areas serve several important functions. They provide high-quality and secure habitats for migrating waterfowl and other wetland species, as well as excellent recreational hunting opportunities. Although waterfowl hunting is generally the primary focus in these areas, hunting other species is also encouraged where conflicts do not arise with waterfowl habitat or hunting. Each area is unique based on the local habitat, species utilizing the area, ownership acreage, and social traditions. Where possible, the Department attempts to have consistent regulations between these areas, while still acknowledging local public desires.

In 2016, the Department made the wildlife refuge season date closures September 1 through January 1 at Nayanquing Point State Wildlife Area, Fish Point State Wildlife Area, and St. Clair Flats State Wildlife Area (Harsens Island Unit). This closure restricts access to the areas for unauthorized purposes so it can reduce disturbance to waterfowl and other wildlife. Due to a technical error, the wildlife refuge season date closure for St. John's marsh was omitted. The Department is recommending changing the wildlife refuge season date closure at the St. John's Marsh from September 1 to the end of the waterfowl season to September 1 to November 30. This will provide clear refuge closure dates, which will improve the ability to enforce unauthorized refuge access. Opening the refuge on December 1 will provide additional hunting opportunities during the white-tailed deer muzzleloader season and the December pheasant season dates while still conserving the benefits of the refuge to waterfowl and other wildlife during fall migration.

Administrative Changes

On January 7, 2022, the USFWS published a rule that made administrative changes to certain parts of the Code of Federal Regulations that refer to the Migratory Bird Treaty Act and Golden Eagle Protection Act. These changes are administrative and do not change the substance of the federal regulations. The Wildlife Conservation Order references sections of the Migratory Bird Treaty Act. The Department recommends updating the references in the Wildlife Conservation Order to align with the new administrative changes to the Code of Federal Regulations.

Migratory Game Bird Hunting Seasons and Managed Waterfowl Area Regulations
Wildlife Conservation Order Amendment No. 2 of 2022

Page 7

February 14, 2022

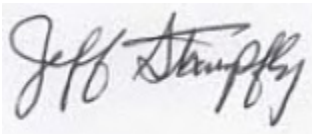
Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on February 10, 2022, at the Natural Resources Commission meeting. This item appeared on the Department's January calendar and may be eligible for approval on March 10, 2022.



Jared Duquette, Chief
Wildlife Division



Gary Hagler, Chief
Law Enforcement Division



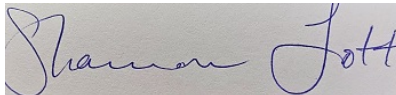
Jeff Stampfly, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
Fisheries Division



Shannon Lott
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. 2 of 2022

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 11, 2022, 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 24 to November 20 and November 26 to November 27
	Middle Zone	October 8 to December 4 and December 17 to December 18
	South Zone	October 15 to December 11 and December 31 to January 1, 2023
Merganser		Same dates as ducks in the respective zones
Coots		Same dates as ducks in the respective zones
Common 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 8 to December 23
	South Zone, excluding GMUs listed below in the table	September 1 to September 30, October 15 to December 11, December 31 to January 8, 2023, and February 4 to February 13, 2023
	Alleghen County GMU	September 1 to September 30, November 5 to November 13, November 26 to December 4, and December 17 to February 13, 2023
	Muskegon County W.W. GMU	October 15 to December 22

3.415a Youth waterfowl hunting weekend, season established, limits defined, adult requirements, hunting hours; exceptions.

Sec. 3.415a The youth waterfowl hunting weekend shall be 2 consecutive days starting the third Saturday in September and within the guidelines approved by the United States fish and wildlife service. Except for persons taking Canada goose during the September segment of the Canada goose season in

each zone, the following rules shall apply to a person taking ducks, mergansers, Canada goose, coot, or common gallinule on the youth waterfowl hunting weekend:

(1) Youth 16 years of age and under may take duck, merganser, Canada goose, coot, or common gallinule provided the youth is licensed to take waterfowl as required by part 435, hunting and fishing licensing, of the natural resources and environmental protection act, 1994 PA 451. The daily and possession limit for each species shall be as provided in section 3.416.

(2) A parent or legal guardian shall not allow a youth hunter 10 through 16 years of age to go afield to hunt duck, merganser, Canada goose, coot, or common gallinule unless the youth hunter is accompanied by an adult at least 18 years of age or older, regardless of property ownership. A youth less than 10 years of age must be accompanied by an adult at least 21 years of age or older and meet the requirements of the mentored youth hunting program. An adult accompanying a youth waterfowl hunter may take other game for which the season is open while the youth is exercising the privileges of the youth waterfowl hunting weekend.

(3) The hunting hours shall be one-half hour before sunrise to sunset, local time.

(4) Except as otherwise specifically provided in this section, all regulations of state law and this order regarding the taking, possession, transportation, and storage of waterfowl, shall apply on youth waterfowl hunting weekend.

3.415c Veterans and active-duty U.S. military personnel waterfowl hunting days, season established, limits defined, requirements, hunting hours, exceptions.

Sec. 3.415c The veterans and active-duty U.S. military personnel waterfowl hunting days shall be 2 consecutive days starting the third Saturday in September and within the guidelines approved by the United States fish and wildlife service. Except for persons taking Canada goose during the September segment of the Canada goose season in each zone, the following rules shall apply to a person taking ducks, mergansers, Canada goose, coot, or common gallinule on the veterans and active-duty U.S. military personnel waterfowl hunting days:

(1) Participating veterans and active-duty U.S. military personnel shall possess afield documentation verifying that they are an active-duty member of the military or documentation from the US Department of Veterans Affairs verifying that they are a veteran. The documentation must be presented upon request of a Michigan conservation officer, tribal conservation officer, or any law enforcement officer.

(2) Participating veterans and active-duty U.S. military personnel may take duck, merganser, Canada goose, coot, or common gallinule provided the veteran or active military personnel is licensed to take waterfowl as required by part 435, hunting and fishing licensing, of the natural resources and environmental protection act, 1994 PA 451. The daily and possession limit for each species shall be as provided in section 3.416.

(3) The hunting hours shall be one-half hour before sunrise to sunset, local time.

(4) Except as otherwise specifically provided in this section, all regulations of state law and this order regarding the taking, possession, transportation, and storage of waterfowl, shall apply during the veterans and active-duty U.S. military personnel waterfowl hunt.

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, and no more than 2 may be canvasbacks.

(a) As part of the total daily limit for ducks as described in section (1), the daily limit for scaup for the zones and dates specified shall be as follows:

Zone or Management Unit	Dates	Daily Limit
North Zone	September 24 to November 7	No more than 2 scaup
	November 8 to November 20 and November 26 to November 27	No more than 1 scaup
Middle Zone	October 8 to October 23	No more than 1 scaup
	October 24 to December 4 and December 17 to December 18	No more than 2 scaup
South Zone	October 15 to October 30	No more than 1 scaup
	October 31 to December 11 and December 31 to January 1, 2023	No more than 2 scaup

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

(3) Dark geese (Canada, white-fronted and Brant), north, middle, and south zones, including GMUs, daily limit. 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.

(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 gallinule, daily limit. The daily limit of common gallinule shall be 1.

3.420 Wilson's snipe, rails, and woodcock seasons; exceptions; king rails.

Sec. 3.420 (1) The statewide open season for woodcock shall be a total of 45 days beginning on September 15.

(2) The open season for Wilson's snipe, Virginia and sora rails shall be September 1 to November 9 statewide.

(3) There is no open season for king rails.

3.421 Wilson's snipe, rails, and woodcock, daily and possession limits.

Sec. 3.421 (1) The daily limit for Wilson's snipe shall be 8 and the possession limit shall be 24.

(2) The daily limit for Virginia and Sora rails (singly or in the aggregate) shall be 25 and the possession limit shall be 75.

(3) The daily limit for woodcock shall be 3 and the possession limit shall be 9.

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

Sec. 3.422. (1) The open season for taking Wilson's snipe, 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 gallinule shall be the same dates as the firearm seasons in the respective zones for these species, plus the season shall be open statewide January 2 to January 15, 2023 and February 24 to March 10, 2023.

(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.

3.424 September teal hunt; open season; areas defined.

Sec. 3.424 (1) The open season for teal shall be September 1 to September 16 statewide.

(2) All state parks shall be closed.

3.425 September teal hunt; daily limit; possession limit.

Sec. 3.425 (1) The daily limit for teal shall be 6 and the possession limit shall be three times the daily limit.

4.3 Buying and selling.

Sec. 4.3 A person may buy, offer to buy, sell, offer to sell, or exchange for anything of value animals or parts of animals only as provided in this section:

(1) The fur, hide, pelt, plumage, or skin of game, lawfully taken during the open season or raised under the authority of a permit to hold wildlife in captivity, may be sold or offered for sale by the person licensed to take the game or the person permitted to hold wildlife in captivity.

(2) The carcass and parts thereof, of fur-bearing animals lawfully taken during their open season or lawfully imported from another state, territory, or country, may be bought or sold.

(3) The antlers of deer, elk, and moose lawfully taken by a hunter or shed by the animal may be bought or sold. The skull of black bear lawfully taken may be bought or sold. The teeth, claws, flesh, bones, or internal organs of game, other than those species listed in subsection (2), shall not be bought or sold.

(4) A person engaged in the business of buying or selling animals, or parts thereof, other than tanned skins, hides, or manufactured products, may be required to obtain a fur dealer's license as required by part 425, furs, hides, and pelts, of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being sections 324.42501 to 324.42507 of the Michigan Compiled Laws. A taxidermist, licensed by the department, is not required to obtain a fur dealer's license to purchase animals, or parts thereof, which may be legally bought or sold under subsections (1) to (3), part 427, breeders and dealers, of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being sections 324.42701 to 324.42714 of the Michigan Compiled Laws, or part 417, private shooting preserves, of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being sections 324.41701 to 324.41712 of the Michigan Compiled Laws.

(5) A dealer in meats, restaurateur, private club manager, shooting preserve licensee, or the sponsor of a field dog trial may sell for food the carcasses of game listed in subsection (2), game lawfully purchased from a captive wildlife permittee, and/or game lawfully imported from another state, territory, or country provided that the seller maintains on the premises documents, receipts, bills of lading, invoices, or customs declarations which identify the number, origin, poundage, species, and cost of the game being sold. Such records must be maintained on the premises and made available to any conservation officer during normal business hours for at least 30 days following the sale of the game.

(6) A person with a permit to hold wildlife in captivity may buy and sell any animals listed on their permit in accordance with the provisions of part 427, breeders and dealers, of the natural resources and environmental protection act, Act No. 451 of the Public Acts of 1994, being sections 324.42701 to 324.42714 of the Michigan Compiled Laws, and orders issued under the authority of that part.

(7) A licensed taxidermist may sell a permanently preserved specimen other than a migratory bird if the animal was lawfully obtained and, upon transfer, is lawfully possessed by the buyer. Documentation of lawful purchase or lawful importation must be maintained by the taxidermist and transferred to the buyer upon sale. A licensed taxidermist may sell a mounted, properly marked, captive bred, migratory bird if it was lawfully obtained and is sold in compliance with federal regulations.

(8) Dead game, or parts thereof, imported from another state, territory, or country and offered for sale must be labeled or stamped as a product of that state, territory, or country and the name of the producer clearly identified in legible English on the exterior of any packaging.

(9) The state will allow the buying and selling of raptors as provided by 50 C.F.R. 21.85. No person shall purchase, sell or barter any raptor eggs, any raptors taken from the wild, any raptor semen collected from the wild, or any raptors hatched from eggs taken from the wild.

5.51b Damage and nuisance animal control permit; Canada goose, eggs, nests, site permit, requirement, issuance, reporting.

(1) To capture and hold Canada geese, destroy Canada goose eggs and nests under the authority granted to the state of Michigan by the federal special Canada goose permit a permittee must:

(a) Possess written certification of the successful completion of a department sponsored training to handle and/or destroy Canada goose eggs and nests.

(b) Provide the department with one of the following:

(i) A petition requesting transport of geese signed by a minimum of 70 percent of the riparian owners on the involved water body.

(ii) A signed request for transport of geese from a governmental agency representative of the riparian owners.

(iii) Proof of sole ownership of the site.

(c) Make application for and be issued a Canada goose site permit by the wildlife permit specialist on a form provided by the department at the fees noted in section 5.110 (3).

(d) Submit an annual report as required by section 5.54 of this order.

(2) An annual Canada goose site permit shall be valid for the period from March 11 through August 31 per federal regulation 50 CFR 21.120. Failure of the permittee to comply with the permit provisions will make the permittee ineligible to receive a Canada goose control permit for a period of one year.

(3) The department shall not be liable for any damage suffered by a complainant as a result of the performance of the permittee operating under the authority of a permit.

(4) Permits shall be issued only to bona fide landowners or lessees, and shall not be transferable.

(5) To transport Canada geese under this section a permittee must do the following:

(a) Possess written certification of the successful completion of department sponsored training to handle and transport geese.

(b) Make application for and be issued a goose permit by the wildlife permit specialist on a form provided by the department at the fee noted in section 5.110 (4).

(c) Possess and employ state inspected and approved transportation cages.

(d) Transport geese to locations and within timeframes specified by the department.

(e) Submit an annual report as required by section 5.54 of this order.

5.52b Nuisance animal control businesses, public nuisance animal control agencies and non-profit nuisance animal control organizations; Canada goose permit, requirements, issuance, reporting.

(1) To capture and hold or kill Canada geese, destroy Canada goose eggs and nests under the authority granted to the state of Michigan by the federal special Canada goose permit, a permittee must:

(a) Possess written certification of the successful completion of a department sponsored training to handle and/or destroy Canada goose eggs and nests.

(b) Make application for and be issued a Canada goose permit by the wildlife permit specialist on a form provided by the department at the fee noted in section 5.110 (5).

(c) Submit an annual report as required by section 5.54 of this order.

(2) An annual Canada goose permit shall be valid for the period from March 11 through August 31 per federal regulation 50 CFR 21.120. Failure of the permittee to comply with the permit provisions will make the permittee ineligible to receive Canada goose control permits for a period of one year.

(3) The department shall not be liable for any damage suffered by a complainant as a result of the performance of the permittee operating under the authority of a permit.

(4) To transport Canada geese under this section a permittee must do the following:

(a) Ensure that the landowner or land lessee of the site from which geese are to be removed holds a valid permit under section 5.51b of this order.

(b) Possess written certification of the successful completion of a department sponsored training to handle and transport geese.

(c) Make application for and be issued a Canada goose permit by the wildlife permit specialist on a form provided by the department at the fee noted in section 5.110 (6).

(d) Possess and employ state inspected and approved transportation cages.

(e) Transport geese to locations and within timeframes specified by the department.

(f) Submit a site report to the department on form provided by the department.

(5) An annual Canada goose permit shall be valid for the period from March 11 through August 31 per federal regulation 50 CFR 21.120. Failure of the permittee to comply with the permit provisions will make the permittee ineligible to receive Canada goose control permits for a period of one year.

13.7 St. John's marsh; additional rules.

Sec. 13.7 Within the St. John's marsh unit, St. Clair county, being that portion of state-owned lands and waters lying in sections 19, 30, and 31, T3N R16E; sections 24, 25, 35, and 36, T3N R15E; and sections 1 and 2, T2N R15E:

(1) It is unlawful to use or possess any shot, whether loose or loaded in shotshells, of a material other than those specified in section 3.411, subsections (1) to (3) except single projectile loads.

(2) Entry into an area posted "wildlife refuge" is prohibited from September 1 to November 30.

Issued on this 10th day of March, 2022.

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

Carol Moncrieff Rose, Chair
Natural Resources Commission

Approved as to matters over which the Director has authority.

Daniel Eichinger
Director