



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



M. SCOTT BOWEN  
DIRECTOR

SUBMITTED: February 12, 2024

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Elk Regulations  
Wildlife Conservation Order Amendment No. 3 of 2024  
FOR INFORMATION ONLY

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 elk regulations have been in place since 2022 as part of the two-year regulatory cycle to provide consistency in regulations. Accordingly, the Department recommends that the proposed changes remain in place for the 2024 and 2025 elk seasons.

Elk Season Dates

Elk Hunt Period 1 is designed to target elk outside the core elk range in Elk Management Unit (EMU) X 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 in late September. The recommended dates for Elk Hunt Period 1 in 2024 are August 27 through August 30, September 13 through September 16, and September 27 through September 30. Dates in 2025 would remain similar in structure, with recommended dates for Elk Hunt Period 1 being August 26 through August 29, September 12 through September 15, and September 26 through September 29. This recommendation would retain the same structure for Elk Hunt Period 1 that was established in 2012 and will continue through 2025.

Elk Hunt Period 2 will focus harvest where needed within individual EMUs H and I in the core elk range and will allow for additional harvest outside the core area in EMU X. The recommended dates for Elk Hunt Period 2 in 2024 are December 14 through December 22, while the recommended hunt dates for 2025 are December 13 through December 21. This recommendation would retain the same structure for Elk Hunt Period 2 that was established in 2012 and will continue through 2025.

There have also been some administrative changes made throughout the order that provide consistency and clarification.

*Issues Pros and Cons*

This elk season structure designed in 2012 is intended to increase the number of successful hunters and to increase the effectiveness of hunters taking elk outside of the core range by allowing them more time to harvest an elk. Hunter success numbers increased over the last couple of years due to this regulation change. For the 2022-2023 seasons, hunter success

ranged from 60 to 77 percent among the hunt periods. The success rates for the first hunt period were well within the average success rate observed over the past five years of 74 percent. The second hunt period showed lower success rates (60.6 percent and 70.6 percent) relative to the five-year average (85.6 percent). In addition, the average number of days required to harvest an elk in 2022 was 7.3 days, up from 5.0 days in 2019.

The Department does not expect any negative impacts as a result of maintaining the current elk season structure.

#### *Biological*

The Department does not expect a biological impact as a result of maintaining the current elk season structure.

#### *Social*

The Department gathered public input through comments and opinion surveys when determining the elk season structure. The Department did not receive any negative feedback on this recommendation.

#### *Economic*

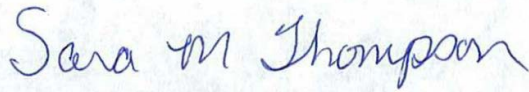
The elk herd range is concentrated in the northeast portion of the Lower Peninsula. The elk season has a positive economic impact on that region, due to the seasonal influx of elk hunters and elk hunt guiding operations. The Department does not expect an economic impact as a result of maintaining the current elk season structure.

#### Elk License Quotas and Elk Management Unit Boundaries

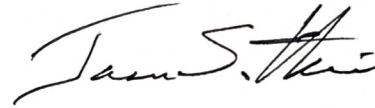
The Department is not recommending any changes to elk license quotas or EMU boundaries. Elk license quotas have been in place for four years. During that time, the Department has conducted two aerial surveys in 2022 and 2024 to estimate the impacts on the increase of license quotas in 2020. The aerial result surveys from 2022 and 2024 showed a survey midpoint of 1,227 elk (95 percent Confidence Interval = 870-1,684) in 2022 and 1,146 elk (95 percent Confidence Interval = 884-1,407) in 2024. The 2024 aerial survey is approximately 10 percent lesser than the 2022-point estimate; however, the confidence intervals are completely contained within the 2022 estimate, and this is the first year we subsampled the low-density plots. Only approximately 50 percent of the elk range was able to be surveyed in 2024, with essentially all of the high and medium density plots completed while only a subsample of the low-density plots was completed. The survey was not able to be completed due to poor flying/observing conditions. The 2024 estimate should be viewed with caution because this assumes that we were successful in identifying all low-density plots which may not be true. With the confidence intervals overlapping our elk management goal defined in our Management Plan, and the inability to complete this year's survey, maintaining existing quota numbers and continuing discussions with stakeholders and partners is the desired approach for the next two years.

The Department has not received any negative feedback on the current EMU boundaries, and the standardization of boundaries between the early hunt and the late hunt back in 2022 has proven to be more easily communicated.

Relevant Divisions have contributed to the preparation of this order. This order is being submitted for information and consideration at the March 14, 2024, Natural Resources Commission meeting. This item will appear on the Department's March 5, 2024 calendar and may be eligible for approval on April 11, 2024.



Sara Thompson, Chief  
Wildlife Division



Jason S. Haines, Chief  
Law Enforcement Division



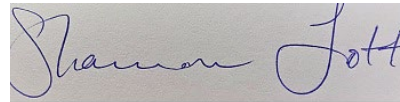
Jeffery J. Stampfly, Chief  
Forest Resources Division



Ronald A. Olson, Chief  
Parks and Recreation Division



Randall M. Claramunt, Chief  
Fisheries Division



Shannon Lott  
Natural Resources Deputy

# WILDLIFE CONSERVATION ORDER

## Amendment No. 3 of 2024

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 11, 2024, 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 and hunt periods for taking elk shall be as shown in table 1:

Hunt Period	Open Season <del>2022</del> 2024	Open Season <del>2023</del> 2025
1	August <del>30</del> 27 to <del>September 2</del> August 30 and September <del>16</del> 13 to September <del>19</del> 16 and September <del>30</del> 27 to <del>October 3</del> September 30, in elk management unit "X."	August <del>29</del> 26 to <del>September 4</del> August 29 and September <del>15</del> 12 to September <del>18</del> 15 and September <del>29</del> 26 to <del>October 2</del> September 29, in elk management unit "X."
2	December <del>14</del> 14 to December <del>18</del> 22, in elk management units "H," "I," and "X."	December <del>9</del> 13 to December <del>17</del> 21, in elk management units "H," "I," and "X."

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

### 3.6 Elk hunting, tagging, sealing, reporting, 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~~ calcaneal (Achilles) tendon 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 **may be required to** ~~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. **The licensee shall validate, register, and report their elk harvest as instructed by the department.** 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.

### **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 elk management unit X, 30 any elk licenses and 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 H, 20 any elk licenses and 40 antlerless elk licenses.

(b) Elk management unit I, 30 any elk licenses and 70 antlerless elk licenses.

~~(3) The license quota for elk hunt period 3, as specified in section 3.1(1), shall be no more than 40. The director, in consultation with and concurrence 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)~~ (3) An elk hunter shall hunt in their assigned season and elk management unit except elk hunters assigned to hunt in elk management units H or I may hunt in elk management unit X.

### **3.103 Issuance of deer or elk kill tags; validation elk kill tag; reporting deer harvest; validation of deer kill tag; unlawful acts.**

Sec. 3.103 (1) The director shall issue a kill tag as part of each deer or elk hunting license. A person who kills a deer or elk shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the antler, lower jaw, or gambrel of the deer or elk in a secure and permanent manner.

(2) Except as provided in this subsection for the removal of a kill tag, it shall be unlawful to possess or transport an elk without a validated kill tag attached. The kill tag shall remain attached to the carcass until **the animal is sealed and registered by the department. The seal must remain attached until** any 1 of the following conditions are met:

(a) The carcass is processed or butchered for consumption by an individual for their personal use.

(b) The carcass is accepted for processing and recorded by a commercial processor. If the antlers or head is returned to the person submitting the animal to the commercial processor, the ~~kill tag seal~~ shall accompany the head or antlers.

(c) The carcass is accepted for processing and recorded by a taxidermist.

(3) A person shall report their deer harvest as instructed by the department within 72 hours after retrieval of a deer or before transfer of possession of a deer, whichever comes first. All persons reporting their deer harvest must retain the associated harvest confirmation number. A person who kills a deer may designate another person to report their deer harvest. "Transfer of possession" means 1 of the following:

- (a) The entire deer carcass is transferred to another individual for consumption.
- (b) The entire deer carcass, or head, has been accepted by a processor or taxidermist.
- (c) The entire deer carcass, or head, has been submitted to the department.

(4) Except as provided in this subsection, it shall be unlawful to possess or transport a deer carcass without a validated kill tag attached. The kill tag shall remain attached to the carcass until any 1 of the following conditions are met:

- (a) The carcass is processed and butchered for consumption by an individual for their personal use.
- (b) The head is transferred to or transported by someone other than a processor or taxidermist. If the head is not attached to the carcass, the kill tag shall remain with the head.
- (c) The carcass, including the head, has been accepted for processing and recorded by a commercial processor or taxidermist. The kill tag shall remain with the head.
- (d) The carcass, not including the head, has been accepted for processing and recorded by a commercial processor or taxidermist. The kill tag shall remain with the head.

Issued on this 11th day of April, 2024.

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

Thomas Baird, Chair  
Natural Resources Commission

Approved as to matters over which the Director has authority.

M. Scott Bowen  
Director