



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



M. SCOTT BOWEN
DIRECTOR

SUBMITTED: August 12, 2024

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Resident Canada Goose Management Program Changes
Wildlife Conservation Order Amendment No. 9 of 2024
FOR INFORMATION ONLY

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director and the Natural Resources Commission to issue orders to manage wild animals in this state.

Discussion and Background:

The Wildlife Division has been working with the public to resolve human-goose conflicts for over 40 years. Because Canada geese are a migratory bird with federal protection, the Department is granted the authority to mitigate human-goose conflicts from the United States Fish and Wildlife Service (USFWS) under a USFWS Special Canada Goose Permit. The once nearly extinct giant Canada goose has experienced population growth throughout North America, including Michigan, in part due to the success of wildlife management programs and the adaptability of these birds. In Michigan, Canada goose population estimates have peaked over 300,000 and are currently managed with a population goal between 175,000 and 225,000. The statewide population is generally managed through a hunting season structure; however, the adaptability of Canada geese has allowed populations to thrive in urban and suburban areas and has resulted in increasing human-goose conflicts. Managing human-goose conflicts in urban and suburban areas has become increasingly challenging because of municipal development and ordinances that limit hunting, reduced human tolerance of geese, and increased disease concerns (e.g., Highly Pathogenic Avian Influenza (HPAI)).

In general, geese have benefited from the way humans have altered the landscape. Canada geese are attracted to areas that provide food, water, and protection. Urban areas with lakes and ponds offer all the resources that geese need to survive. During the summer months, Canada geese can be a problem for some property owners. Birds often find refuge on lakes and golf course ponds, taking advantage of the lush lawns, while experiencing their annual wing molt (loss of flight feathers). Most human-goose conflict is associated with situations where manicured lawns are located in close proximity to water and molting geese that leave droppings and feathers on lawns, beaches, docks, sidewalks, and golf courses. Occasionally geese will nest in inappropriate sites, such as shrubbery near buildings or parking lots, and can become aggressive toward people who enter the territory around the nest. Canada geese may also cause damage to agricultural crops through consumption or trampling.

The resident Canada Goose Management Program gives landowners (including businesses and other commercial entities) options to address human-goose conflicts on their sites. The program was developed to outline procedures for permit issuance to landowners and nuisance animal control operators. There are two types of permits offered under the Canada Goose Management Program to help mitigate human-goose conflicts when other non-lethal control

techniques are not effective (e.g., habitat modification and scare tactics) – 1) Nest and Egg Destruction Permits and 2) Goose Roundup Permits.

Nest and egg destruction permits allow landowners to request a free permit to destroy nests and eggs, which then encourages the geese to migrate north to molt. Applicants for this program must meet eligibility requirements and attend training. Applicants may also hire a contractor to perform this service. Nest and egg destruction permits have previously had geographic requirements for eligibility; however, the Department is eliminating these requirements beginning in 2025 to provide this tool statewide to help address local Canada goose conflicts.

If landowners are still experiencing conflicts with Canada geese after they have tried a variety of control methods including nest and egg destruction, they may request a permit to have geese on their lake or site rounded up and removed from their site. Most sites are charged a non-refundable \$200 DNR permit fee (\$100 for single family residents) and must meet permit requirements. Most participants in this program hire a licensed nuisance animal control company to remove the birds. In the past, most geese that were rounded up were relocated to suitable sites such as State Game Areas. In recent years, the Department has suspended Canada goose round up and relocation due to the presence of HPAI and only allowed round up on sites with an approved situation where there were human health and safety concerns and all birds were euthanized. In addition to continued concerns about disease transmission (HPAI), there are other issues with the effectiveness and sustainability of the round up and relocation of Canada geese. Relocation of geese only provides a short-term resolution of the conflict because geese typically return to the capture site once they can fly, and there is a lack of suitable release sites because relocating geese risks moving the conflict from one location to another. In order to adapt to these challenges, beginning in 2025, the Department will no longer allow relocation of Canada geese. All birds rounded up will be euthanized and either disposed of or processed for donation to charitable organizations.

Sites requesting round up of Canada geese will need to meet eligibility requirements (e.g., approved situations where there are human health and safety concerns; sites that meet a minimum number of geese indicating severity of problem; must have conducted nest and egg destruction program under a permit; and must have tried non-lethal harassment techniques). The United States Department of Agriculture – Wildlife Services (USDA-Wildlife Services) will be conducting all of the goose roundup because of logistical barriers related to round up efforts (euthanasia, contaminant testing, and meat processing and distribution). This will create a more effective and efficient program and the Department will include this work into existing inter-agency agreements. Nuisance animal control operators will no longer be permitted to conduct goose round up; however, they will still be permitted to destroy nests and eggs; conduct non-lethal harassment; and capture, hold, and euthanize individual aggressive geese. Other states have similar programs with USDA-Wildlife Services and the Department has modeled these programmatic changes after successful programs in other states.

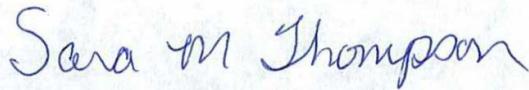
The Department is implementing a pilot program for 2025 with a limited number of sites permitted for round up to assess costs, logistics, landowner interest, and capacity. The goal is for an operational program to be in place for 2026.

Recommendations:

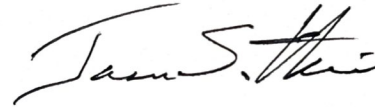
To align with the changes described above for the Canada Goose Management Program, several Wildlife Conservation Order (WCO) changes are recommended. The WCO amendments include:

- Remove language allowing for Canada goose relocation (transport) by sites as this will no longer be allowed.
- Revise language to no longer allow nuisance animal control operators to round up Canada geese; include language to allow them to capture, hold, and euthanize aggressive geese; and remove language for transportation of geese.
- Reduce the annual permit fee from \$200 to \$100 for nuisance animal control operators to participate in capture, holding, and euthanizing aggressive Canada geese and the destruction of nests and eggs. The Department recommends this reduction because of the removal for nuisance animal control operators to round up and relocate Canada geese.
- Remove the \$300 permit fee for a site permit to participate in the transport of Canada geese because this activity will no longer be allowed.
- Remove the \$300 permit fee for nuisance animal control operators to transport geese because this activity will no longer be allowed.

Relevant Divisions have contributed to the preparation of this order. This order is being submitted for information and consideration on September 12, 2024, at the Natural Resources Commission meeting. This item will appear on the Department's September 3, 2024 calendar and may be eligible for approval on October 10, 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



Jon Spieles, Chief
Marketing and Outreach Division



Dan Lord, Chief
Finance and Operations Division



Shannon Lott
Natural Resources Deputy



Kristin Phillips
Chief Administrative Officer

WILDLIFE CONSERVATION ORDER

Amendment No. 9 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 October 10, 2024, the following section(s) of the Wildlife Conservation Order shall read as follows:

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

(1) To **transport, capture, and hold, and euthanize** 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.~~ **Successfully** complete ~~ion~~ 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, **capture, hold, egg/nest destruction, and euthanasia** of geese. **This must be** signed by a minimum of 70 percent of the riparian **lake front landowners** on the involved water body.

(ii) A signed ~~request~~ **resolution** for transport, **capture, hold, egg/nest destruction, and euthanasia** of geese from a governmental agency representative of the riparian **lake front landowners**.

(iii) Proof of sole ownership of the site.

(c) Ensure all program related requirements are met.

~~(d)~~ **(d)** 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)~~ **(e)** 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.~~

5.51d Damage and nuisance animal control permit; common merganser, eggs, nests, site permit, requirement, issuance, reporting.

(1) For permission to capture and relocate common merganser, destroy common merganser eggs and nests, or conduct harassment activities with lethal reinforcement under the authority granted to the state of Michigan by the federal special purpose permit a permittee must:

(a) Provide a letter of authority documenting the swimmer's itch lifecycle present on the lake, as described in the department's policy and procedures for common merganser control.

(b) Provide the name of a department permitted nuisance animal control businesses, public nuisance animal control agency, or non-profit nuisance animal control organization to conduct merganser control activities.

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

(i) A petition requesting common merganser control signed by a minimum of 70 percent of the riparian landowners on the involved water body.

(ii) A resolution for common merganser control from a governmental agency representative of the riparian landowners.

(iii) Proof of sole riparian ownership of the body of water.

(c) Make application for and be issued a common merganser site permit by the wildlife permit specialist on a form provided by the department at the fees noted in section 5.110 **(9)** ~~(11)~~.

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

(2) A common merganser site permit shall be valid for no more than three years or until the control needs are no longer applicable. Failure of the permittee to comply with the permit provisions will make the permittee ineligible to receive a 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 landowners, lessees, or lake representatives and shall not be transferable.

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, and euthanize aggressive Canada geese, 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 **(4)** ~~(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)~~ (4) 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.

5.52d Nuisance animal control businesses, public nuisance animal control agencies and non-profit nuisance animal control organizations; common merganser control permit, requirements, issuance, reporting.

(1) To capture and relocate common merganser or destroy common merganser eggs and nests under the authority granted to the state of Michigan by the federal special purpose permit, a permittee must:

(a) Make application for and be issued a common merganser control permit by the wildlife permit specialist as instructed by the department at the fee noted in section 5.110 (10) ~~(12)~~.

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

(2) An annual common merganser control permit shall be valid for one year. Failure of the permittee to comply with the permit provisions will make the permittee ineligible to receive common merganser control permits for a period of one year.

(3) To capture, transport, and relocate common merganser a permittee must:

(a) Ensure that the landowner, land lessee, or representative of the site from which common mergansers are to be removed holds a valid permit under section 5.51d of this order.

(b) Conduct all control activities in compliance with the department's policy and procedures for common merganser control.

(4) To conduct egg and nest destruction out of natural cavities, the permittee must:

(a) Verify that the landowner, land lessee, or representative of the site from which eggs or nests are to be removed holds a valid permit under section 5.51d of this order.

(b) Adhere to recommended methods for destruction as provided by the department's policy and procedures for common merganser control.

(c) Refrain from any egg and nest disturbance or destruction of eggs and nests in artificial nest boxes.

(5) To conduct harassment activities with lethal reinforcement, the permittee must:

(a) Obtain a letter of authorization from the department to conduct a limited amount of take.

(b) Verify that the landowner, land lessee, or representative of the site from which common merganser will be harassed holds a valid permit under section 5.51d of this order.

(c) Adhere to recommended methods for harassment as provided by the department's policy and procedures for common merganser control.

(6) 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.

5.110 Special permits; fees; disposition.

Sec. 5.110 The following fees are established for permits issued by the director:

(1) A fee of \$100 shall be collected for each taxidermy permit issued. Taxidermy specimen identification tags shall be \$10 per fifty.

(2) A fee equivalent to the fee charged for a resident antlerless deer hunting license shall be collected for each managed deer hunting permit.

(3) An annual fee of \$200 shall be collected for a site permit to participate in the capture and holding of Canada geese, as specified in section 5.51b of this order, except as follows:

(a) An annual fee for a single family residence shall be \$100.

~~(4) An annual fee of \$300 shall be collected for a site permit to participate in the transport of Canada geese as specified in section 5.51b of this order.~~

~~(5)~~ (4) An annual fee of ~~\$200~~ \$100 shall be collected from a nuisance animal control business, public nuisance animal control agency, or non-profit nuisance animal control organization to participate in the following, as specified in section 5.52b of this order:

(a) Capture, holding or ~~killing~~ euthanasia of aggressive Canada geese.

(b) Destruction of Canada goose nests and eggs.

~~(6) An annual fee of \$300 shall be collected from a nuisance animal control business, public nuisance animal control agency, or non-profit nuisance animal control organization to participate in the transport of Canada geese as specified in section 5.52b of this order.~~

~~(7)~~ (5) A fee of \$100.00 shall be collected for each falconry permit issued as described in section 10.3(7) of this order.

~~(8)~~ (6) A fee of \$10 shall be collected for each deer management assistance permit purchased by a permittee.

~~(9)~~ (7) All moneys received from the sale of permits and licenses as provided in this section shall be turned over to the state treasurer and credited to the game and fish protection fund.

~~(10)~~ (8) No fee shall be collected for any of the following permits:

(a) Highway killed deer/bear permit.

(b) Deer damage shooting permit.

(c) Damage and nuisance animal control permit, except as noted in section 5.110(3) and section 5.110(4) of this order, including disease control and disease control replacement permits.

(d) Rehabilitation permit.

(e) Permit to take game with a crossbow.

(f) Permit to hunt from a standing vehicle.

(g) Permit to hunt using a laser sighting device.

~~(14)~~ **(9)** A fee of \$200 shall be collected for a common merganser site permit as specified in section 5.51c of this order, except as follows:

(a) A fee for a single-family residence shall be \$100.

~~(12)~~ **(10)** An annual fee of \$500 shall be collected from a nuisance animal control business, public nuisance animal control agency, or non-profit nuisance animal control organization to participate in the following, as specified in section 5.52d of this order, except as follows:

(a) An annual fee for the capture and transport only of common merganser shall be \$300.

(b) An annual fee for the egg and nest destruction of common merganser shall be \$200.

(c) An annual fee for the harassment of common merganser with lethal reinforcement shall be \$200.

Issued on this 10th day of October, 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