



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



DANIEL EICHINGER  
DIRECTOR

SUBMITTED: February 16, 2021  
RESUBMITTED: March 24, 2021



MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Bear Regulations and License Quotas  
Wildlife Conservation Order Amendment No. 3 of 2021

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:

To stabilize bear regulations and quotas, reduce confusion, and enhance communications, the Natural Resources Commission (NRC) and the Wildlife Division agreed to begin a two-year regulatory cycle in 2014. Maintaining consistent regulations and quotas for multiple years aids in evaluating the impact of regulation changes and removes one variable in bear population trend analysis (harvest quota changes). By keeping regulations consistent, the public is better able to understand regulations, and law enforcement is better able to enforce compliance.

Accordingly, the Department recommends that regulations and license quotas set in 2021 remain in effect for two years.

It has come to the Department's attention that there were some minor discrepancies in 2020 hunter success rates. The Department migrated to a new license system in early 2020, which required several data management and reporting systems to be upgraded to integrate with the new license system. Due to the complexity of these systems, the Department is still identifying some errors in those upgrades. Problems with integrating with the new license system led to problems with identifying the number of bears harvested for each hunt period in 2020. As a result, the Department is recommending a slight change to the desired harvest for the Northern Lower Peninsula (NLP) Bear Management Units (BMUs) and license quotas for the Upper Peninsula (UP) BMUs, as explained on pages 8 and 10 of this memorandum.

Regulation Changes Considered

Based on stakeholder requests and subsequent feedback from Bear Forum members and the internal Department Bear Workgroup, the Department reviewed the current regulations and considered for the following possible changes: 1) allow bear baiting

earlier in Michigan; 2) implement a youth bear season; 3) use of bait barrels on Department-managed lands; 4) expand Red Oak BMU archery-only season to Baldwin and Gladwin BMUs; 5) diversionary feeding of bears to reduce bear-human conflicts; and 6) spring bear hunt without the use of dogs.

The Bear Forum is an advisory body consisting of representatives from the Michigan Bear Hunters Association, Michigan Hunting Dog Federation, UP Bear Houndsmen Association, Michigan United Coon Hunters Association, Michigan State Fox Hunters Association, Michigan Archery Bear Hunters Association, Michigan Bow Hunters Association, Michigan Longbow Association, Michigan Traditional Bowhunters, Michigan United Conservation Clubs, UP Sportsmen's Alliance, Michigan Commercial Beekeepers Association, Black Bear Bowhunters Society of Michigan, Michigan Farm Bureau, and Safari Club International. In addition, the Forum also includes a representative from the United States Forest Service (which represents all three Federal forests in Michigan), as well as four unaffiliated members.

The internal Department Bear Workgroup consists of Cody Norton (Large Carnivore Specialist), Monica Joseph (Biologist, UP Region), Tim Riley (Technician, NLP Region), Julie Oakes (Biologist, Southeast Lower Peninsula [SELP] Region), Nik Kalejs (Biologist, Southwest Lower Peninsula [SWLP] Region), Erin Largent (Research Technician) and Sgt. Brian Bacon (Law Enforcement Division [LED]).

#### Item 1 – Allow Bear Baiting Earlier in Michigan

The Department and the Bear Forum reviewed a proposal to begin baiting earlier in Michigan. After further discussions with stakeholders and staff during and after Bear Forum meetings, the Department has decided not to support this proposal.

#### *Issues Pros and Cons*

Some Bear Forum groups wanted earlier baiting to allow for strike bait sites when dog training begins on July 8. However, it is currently legal to begin baiting 31 days before the season opener; the Department concludes that this is a sufficient amount of time to attract bear to a bait site.

#### *Biological*

In Wisconsin, bear hunters can begin baiting bears in mid-April. Research conducted in Wisconsin shows that beginning baiting earlier may lead to an increase in wolf predation on hunting dogs in the UP of Michigan. Research conducted in Wisconsin also shows that a longer baiting period may cause a bear population to exceed ecological carrying capacity, which may exacerbate nuisance issues in the NLP of Michigan. Bait contributes up to more than 40 percent of bear diets in Wisconsin.

### *Social*

Evidence from Wisconsin shows that beginning baiting earlier may lead to additional territorial conflict among bear hunters.

Majority of the Bear Forum members did not support this proposal.

The Department conducted an online survey of bear hunters on proposed desired bear harvest levels and regulation changes for the 2021-22 bear seasons, with 2,345 people responding. When asked if they support or oppose an earlier start date (July 8<sup>th</sup>) to the bear baiting period: 44 percent opposed, 43 percent supported, 11 percent had no opinion, and two percent supported with modification to the existing regulations.

### *Economic*

The Department does not expect an economic impact.

### Item 2 – Implement a Youth Bear Hunt

The Department and the Bear Forum reviewed a proposal to implement a youth bear hunt. After further discussions with stakeholders and staff during and after the Bear Forum meeting, the Department has decided not to support this proposal.

Under the proposed youth bear hunt structure, Hunter Safety instructors in each of Michigan's 83 counties would randomly select one youth Hunter Safety graduate out of any interested current-year graduates. The 83 selected graduates could then choose to enter an additional drawing for one of 18 bear licenses or a set of hunting licenses for other species. The 18 bear licenses available for selected graduates would include two licenses from all Michigan BMUs, except Drummond Island.

The current Mentored Youth Hunting Program and Apprentice Hunting License allow youth hunters to begin accumulating preference points and applying for bear licenses at any age. Additionally, the current Bear Hunt Transfer Program allows successful bear drawing applicants to transfer their drawing success to youth hunters, ages 16 and younger, who applied for a bear license and were unsuccessful in the current-year license drawing.

### *Issues Pros and Cons*

The Department recognizes that this proposal was developed in an attempt to provide additional opportunity for youth hunters. However, the Department does not feel that the proposed youth hunting season will significantly increase recruitment of, or opportunity for, youth hunters. There are already programs in place that provide an abundance of opportunities for both resident and non-resident youth hunters interested in hunting bear and other game species. Also, the proposed structure involves organizations other than the Department conducting multiple drawings in 83 different counties, which could lead to logistical and ethical concerns.

### *Biological*

The Department does not expect a biological impact.

### *Social*

The Bear Forum reviewed and discussed multiple versions of this proposal. Some members supported the proposal because they support getting young people involved in hunting and believe this could help recruit additional youth hunters. Others felt the structure was complicated and few youth hunters would be impacted by the proposed hunt, stating that current or alternative opportunities were more effective.

### *Economic*

The Department does not expect an economic impact.

### Item 3 – Use of Bait Barrels on Department-managed Lands

In 2019, the NRC approved the use of barrels for bear baiting on Department-managed lands under specific conditions with a two-year sunset clause. These regulations were rescinded on December 31, 2020. The Department and the Bear Forum reviewed the bait barrel regulations and after further discussions, the Department has decided not to support continuing the use of bait barrels on Department-managed lands.

### *Issues Pros and Cons*

The Department received feedback from bear hunters that current regulations for using a bait barrel on Department-managed lands are complex and confusing. Most hunters using bait did not use a bait barrel on Department-managed lands. Law Enforcement Division staff reported that the majority of bait barrels encountered on Department-managed lands were illegal in some fashion, with a majority of officers encountering barrels that violated the regulations for proper identification, lid attachment, hole number, and hole diameter requirements. Law Enforcement Division staff also felt the majority of barrels are left on Department-managed lands after the bear season. Also, the poor compliance with proper identification made it very difficult to take enforcement action on illegal barrel use.

Even though baiting was the most common hunting method used to harvest bears in 2019 (approximately 85 percent of hunters relied on bait and hunters harvested about 80 percent of the bears with bait only), the Department did not see a significant increase in the number of hunters who use bait barrels to attract bears.

The NRC approved certain conditions that barrels had to meet to be used on Department-managed lands, however the Department still has concerns associated with barrels on Department-managed lands. Barrels can cause litter issues, damage to trees, illegal off-road vehicle use, and territorial issues among hunters.

### *Biological*

In areas where it is unlawful to bait or feed deer on Department-managed lands, baits that attract or entice deer are illegal to use unless placed in a barrel. Even though regulations require bait barrels to have a secure lid and no more than three open holes no greater than one inch in diameter, small quantities of the bait can spill when bears investigate them, allowing animals to congregate. This creates risk of disease transmission associated with the congregation of animals.

### *Social*

The Bear Forum voted on whether to remove, modify, or keep the use of barrels on Department-managed lands. Nine members voted to completely remove the regulation, eight voted to modify the regulation, and one voted to keep the regulation the same. The Michigan Bow Hunters Association, Michigan Longbow Association, Michigan Traditional Bowhunters, UP Bear Houndsmen Association, Black Bear Bowhunters Society of Michigan, Safari Club International, United States Forest Service, and three unaffiliated members do not support barrels on Department managed lands. However, Michigan United Conservation Clubs, Michigan Bear Hunters Association, Michigan Hunting Dog Federation, Michigan State Fox Hunters Association, UP Sportsmen's Alliance, Michigan Farm Bureau, Michigan Commercial Beekeepers Association, and Michigan Archery Bear Hunters Association were supportive of either modifying or keeping the regulations as they were during the two-year trial period, both because it is legal to use bait barrels on private lands and because there are a variety of current regulations that allow structures on public lands for aiding in hunting and fishing, such as deer and bear blinds, elevated platforms, and shanties for ice fishing. Those groups requesting the regulation be modified requested the maximum distance from nearest road restriction be removed.

The Department conducted an online survey of bear hunters on proposed desired bear harvest levels and regulation changes for the 2021-22 bear seasons, with 2,345 people responding. When asked if regulations for using bear bait barrels on DNR-managed lands should remain the same as the 2019-20 trial period, be modified, or bear bait barrels should not be allowed on DNR-managed lands: 56 percent supported allowing barrels with the same regulations as the trial period, 32 percent opposed having barrels on DNR-managed lands, and 12 percent supported allowing barrels with modifications to the trial period regulations.

Other hunters that reached out to provide input have stated the regulations are confusing. Many bait hunters feel that they cannot use bait barrels on Department-managed lands with the current regulations because barrels must be placed within 100 yards of a state forest road or roadway.

### *Economic*

The Department does not expect an economic impact.

#### Item 4 - Expand Red Oak BMU Archery-only Season to Baldwin and Gladwin BMUs

The Department and the Bear Forum reviewed a proposal to expand the Red Oak BMU archery-only season to the Baldwin and Gladwin BMUs. After further discussions with stakeholders and staff during and after Bear Forum meetings, the Department supports this regulation.

##### *Issues Pros and Cons*

The archery-only (bow and arrow or crossbow) season in the Red Oak BMU takes place each year from the first Friday following October 1 through six days thereafter and does not allow the use of dogs to pursue bear. This hunt provides additional bait-only hunting opportunities for archery hunters.

Expanding the Red Oak BMU archery-only season to the Baldwin and Gladwin BMUs provides consistency across all three NLPBMUs and allows for additional bear hunting opportunities, specifically for archery hunters. Currently, the first day of the Baldwin and Gladwin bear season is the only period reserved for bait-only hunting. This recommendation provides additional opportunities for bait hunters without the conflict of dogs in the woods.

##### *Biological*

Providing this additional opportunity in the Baldwin and Gladwin BMUs may help increase harvest, which is necessary to achieve the NLP four-year population trajectory goal of stabilizing the bear population. During 2018-20, an average of 13 percent of bears harvested in the Red Oak BMU were taken during the archery-only season. A majority of this increased harvest may take place on private lands, which could help reduce nuisance conflicts. During 2018-20, an average of 60 percent of the bears harvested during the Red Oak BMU archery-only season were on private lands, compared to an average of 53 percent of the bears harvested during the Red Oak BMU regular season.

##### *Social*

The Bear Forum was in support of this regulation; however, the majority of Bear Forum members wanted a modification to allow hound hunters to participate. The Department does not support this currently because the archery-only season for Red Oak does not allow the use of dogs and has been that way for many years. The Department will evaluate the impact of the expansion of the regulation during the next regulatory cycle, which will allow a better understanding of the impacts of allowing hound hunters to participate in the archery-only hunts, as well as gain additional input from stakeholders.

The Department conducted an online survey of bear hunters on proposed desired bear harvest levels and regulation changes for the 2021-22 bear seasons, with 2,345 people responding. When asked if they support or oppose expanding the Red Oak BMU archery-only season to other NLP BMUs: 57 percent fully supported, 23 percent had no

opinion, 18 percent opposed, and two percent supported with modification to the existing regulations.

### *Economic*

The Department does not expect an economic impact.

### Item 5 – Diversionary Feeding to Reduce Conflicts

The Department and the Bear Forum reviewed a proposal to use diversionary feeding during the spring near towns in the NLP in an attempt to reduce bear-human conflicts. The Department and the Bear Forum agreed to table this proposal at the Bear Forum meeting to allow for additional discussions. Therefore, the Department is not bringing forward a recommendation.

### Item 6 – Spring Bear Hunting Season

The Department and the Bear Forum reviewed a proposal to implement a spring bear hunting season without the use of dogs as an attempt to decrease conflicts between hunters that use dogs to hunt bears and those that do not. The Department and the Bear Forum agreed to table this proposal at the Bear Forum meeting to allow for additional discussions. Therefore, the Department is not bringing forward a recommendation.

### License Quotas

Michigan uses recreational hunting as part of bear population management through a zone and quota system of license and harvest allocation. Factors considered in recommending license quotas include bear population estimates using mark/recapture techniques, the statistical catch-at-age (SCAA) model, hunter success rates, hunter effort per harvested bear, recreational opportunities, and social concerns about bear-related conflicts.

The average success rate for the previous three years is used to calculate the license quota for each hunt period, based upon the total desired harvest for each BMU. This calculation is used so that single-year effects of hunter success (due to changes in food availability, weather, and other outside factors) do not result in large annual fluctuations in harvest and license quotas.

In accordance with the 2007 Inland Consent Decree, the Department has conferred with the five Tribes covered by the 1836 Treaty on bear issues before making these recommendations. At this time, only the Sault Tribe of Chippewa Indians and the Grand Traverse Bands of Ottawa and Chippewa Indians have provided input on black bear population trajectories. Proposed desired harvest levels and license quotas are generally consistent with both State and Tribal population trajectory goals. The Tribes may authorize up to 12.5 percent of the available harvest in BMUs within the 1836 ceded territories with the exception of the Drummond Island, Gwinn, and Gladwin

BMUs, where the Tribes may authorize up to ten percent. The remaining harvest is allocated to state regulated hunters as recommended in this amendment. Proposed harvests and associated license quotas are recommended for both the 2021 and 2022 hunting seasons.

In accordance with license-application practices implemented in the previous seasons, hunters may continue to make a second choice on their application, with all first choices having priority in each hunt period. Any remaining licenses will be distributed first to comprehensive lifetime license holders, then to unsuccessful applicants and finally, if available, to the general public to allow for full distribution of available licenses.

### NLP Recommendations

Some minor discrepancies were found in 2020 hunter success rates due to some errors resulting from upgrading several related data-management and reporting systems to integrate with the new license system. As a result, the Department is recommending a slight change in desired harvest for the NLP BMUs from 480 bears to 509 bears, an increase of 29 bears (6%). At the Bear Forum meeting in December 2020, initial recommendations were made using 2017-2019 average hunter success rates (before 2020 data was available) for a license quota of 1,229 (1,230 rounded) and a desired harvest of 505. The majority of the Bear Forum members supported these recommendations that are almost identical to the corrected values. The corrected values do not change the Department's proposed license quota recommendations for the NLP.

### *Biological*

The habitat quality and capacity of the NLP has supported robust growth of the bear population over time. The 2019 NLP-wide bear population estimate is 2,402 bears, based on the SCAA, and has risen by 69 percent since 2012. This estimate is from prior to the 2019 hunting season and includes yearlings and adults only. Numerous indicators at the BMU scale are also monitored and used in allocating harvests between BMUs to address local bear abundance concerns. The four-year population trajectory goal in the NLP is to slow the annual population growth to eventually achieve a stable population. Even with an increased harvest, SCAA projections suggest difficulty in stabilizing the population by 2024. Department experts will continue to use the SCAA estimator and local indicators on an annual basis to assess the population trend, and harvests will be closely monitored, with quota recommendations adjusted accordingly during subsequent two-year cycles. The recommended desired state-licensed harvest of 509 bears (109 more than in 2020) in the NLP will require a 15 percent increase in licenses. This recommendation would allow for continued growth in the bear population, albeit at a marginally slower rate, in order to stabilize the population in coming years.

### *Social*

Nuisance complaints across the NLP region have experienced a four-fold increase in recent years. An increasing number of complaints are received each year from beekeepers and agricultural producers. Notable complaints such as bluff charges and

domestic dog kills have become more common and have created a higher level of concern among the public and Department staff. Although it is extremely rare for a bear to attack a human in Michigan, there was an incident in 2013 where a jogger was injured. As public complaints have risen, the perceived value of black bear has declined in communities such as Cadillac. Evidence suggests that the social carrying capacity has been exceeded and the intrinsic value of this iconic species has declined in areas of the NLP and southern Michigan.

Most members of the Bear Forum support the continued growth and eventual stabilization of the NLP bear population over the next four years. The Bear Forum supported initial recommendations using the 2017-2019 average hunter success rates for a license quota of 1,229 (1,230 rounded) and a desired harvest of 505 bears, which are almost identical to the corrected proposed values using 2018-20 average hunter success rates. The recommended increase in desired harvest is necessary to begin stabilizing the NLP population and is quite conservative according to SCAA projections. In January, the three-year average success rates were updated by incorporating the success rate from the previous hunting season. When the three-year average success rate rises, fewer licenses are necessary to achieve the desired harvest of a particular BMU, and vice versa.

The Department conducted an online survey of bear hunters on proposed desired bear harvest levels and regulation changes for the 2021-22 bear seasons, with 2,345 people responding. When asked if they support or oppose the proposed 2021-22 desired harvest in each NLP BMU:

- Red Oak BMU: 61 percent fully support, 21 percent oppose, harvest should be decreased, and 19 percent oppose, harvest should be increased.
- Baldwin BMU: 65 percent fully support, 21 percent oppose, harvest should be decreased, and 15 percent oppose, harvest should be increased.
- Gladwin BMU: 67 percent fully support, 20 percent oppose, harvest should be decreased, and 13 percent oppose, harvest should be increased.

The Department does not expect hunter opinions to significantly change with the new desired harvest number of 509 bears.

### *Economic*

The proposed increase of available licenses will increase the revenue generated by the Department and is expected to have a small but measurable positive economic impact on the NLP Region.

### *Recommendations*

All three BMUs in this region are subject to the 2007 Inland Consent Decree, and the State-licensed desired harvest is adjusted for Tribal harvest, including Red Oak BMU (12.5 percent), Gladwin BMU (ten percent), and Baldwin BMU (12.5 percent). The license quota recommendations for the 2021 and 2022 seasons in Red Oak, Baldwin, and Gladwin BMU are:

- Red Oak BMU: a total of 770 state licenses; an increase of 70 licenses from 2020. The Tribal allocated harvest is 45 bears.
- Baldwin BMU: a total of 340 licenses; an increase of 80 licenses from 2020. The Tribal allocated harvest is 24 bears.
- Gladwin BMU: a total of 120 licenses; an increase of ten licenses from 2020. The Tribal allocated harvest is three bears.

These license allocation recommendations are intended to achieve a total desired state-licensed harvest of 509 bears for the NLP Region, which is an increase of 109 bears from the desired harvest in 2020.

### UP Recommendations

Some minor discrepancies were found in 2020 hunter success rates due to some errors resulting from upgrading several related data-management and reporting systems to integrate with the new license system. As a result, the Department is recommending a slight change in license quotas for the UP BMUs from 5,986 licenses to 5,771 licenses, a decrease of 215 (4%). Bear Forum members and the results of our online survey all supported our proposed desired harvest levels for UP BMUs. The Department does not expect this slight change in license quotas to significantly change hunter opinions.

### *Biological*

The habitat quality and capacity of the UP has supported growth of the bear population in recent years. The 2019 UP-wide bear population estimate is 9,902 bears, based on the SCAA model, and has risen 16 percent since 2012. This estimate is from prior to the 2019 hunting season and includes yearlings and adults only. Numerous indicators at the BMU scale are also monitored and used in allocating harvests between BMUs to address local bear abundance concerns. Additionally, bear predation on deer fawns has been considered. The four-year population trajectory goal in the UP is to continue to increase the bear population but at a slower growth rate, by increasing harvest slightly. Even with an increase in harvest, SCAA projections suggest continued growth in the population. Department experts will continue to use the SCAA estimator and local indicators on an annual basis to assess the population trend, and harvests will be closely monitored, with quota recommendations adjusted accordingly during subsequent two-year cycles. The recommended desired state-licensed harvest of 1,185 bears (five more than in 2020) in the UP would require a four percent decrease in licenses, due to slightly increased success rates. This recommendation would allow for continued growth in the bear population, albeit at a slower rate, over the next two years.

### *Social*

Most members of the Bear Forum support the recommended desired harvest and continued growth of the bear population over the next four years. In January, the three-year average success rates were updated by incorporating the success rate from the previous hunting season. When the three-year average success rate rises, fewer licenses are necessary to achieve the desired harvest of a particular BMU, and vice versa. Nuisance and crop damage complaints across the UP region fluctuate annually,

primarily due to varying availability of natural foods, but remain manageable by field staff.

The Department conducted an online survey of bear hunters on proposed desired bear harvest levels and regulation changes for the 2021-22 bear seasons, with 2,345 people responding. When asked if they support or oppose the proposed 2021-22 desired harvest in each UP BMU:

- Amasa BMU: 61 percent fully support, 16 percent oppose, harvest should be decreased, and 23 percent oppose, harvest should be increased.
- Baraga BMU: 61 percent fully support, 17 percent oppose, harvest should be decreased, and 21 percent oppose, harvest should be increased.
- Bergland BMU: 63 percent fully support, 17 percent oppose, harvest should be decreased, and 21 percent oppose, harvest should be increased.
- Carney BMU: 63 percent fully support, 17 percent oppose, harvest should be decreased, and 20 percent oppose, harvest should be increased.
- Gwinn BMU: 61 percent fully support, 18 percent oppose, harvest should be decreased, and 22 percent oppose, harvest should be increased.
- Newberry BMU: 62 percent fully support, 19 percent oppose, harvest should be decreased, and 19 percent oppose, harvest should be decreased.
- Drummond Island BMU: 68 percent fully support, 18 percent oppose, harvest should be decreased, and 14 percent oppose, harvest should be increased.

### *Economic*

The proposed increase in harvest is unlikely to have significant economic impacts to the UP Region.

### *Recommendations*

License quota recommendations are designed to spread the bear harvest evenly among the three hunt periods in the UP BMUs. Four of the seven BMUs within the UP Region are outside of the 1836 Ceded Territories and no adjustments to license quotas have been made for Tribal harvest in those units. Ten percent of the desired harvest is allocated to the Tribes in the Gwinn BMU, 12.5 percent is allocated to Tribes in the Newberry BMU and ten percent is allocated to Tribes in the Drummond Island BMU.

The license quota recommendations for the 2021 and 2022 seasons in the UP Region are:

- Amasa BMU: a total of 500 licenses for the three hunt periods; an increase of 10 licenses from 2020.
- Baraga BMU: a total of 1,545 licenses for the three hunt periods; a decrease of five licenses from 2020.
- Bergland BMU: a total of 1,050 licenses for the three hunt periods; a decrease of 145 licenses from 2020.
- Carney BMU: a total of 550 licenses for the three hunt periods; a decrease of 50 licenses from 2020.

- Gwinn BMU: a total of 950 licenses for the three hunt periods; a decrease of 110 licenses from 2020. The Tribal allocated harvest is 17 bears.
- Newberry BMU: a total of 1,170 licenses for the three hunt periods; an increase of 60 licenses from 2020. The Tribal allocated harvest is 37 bears.
- Drummond Island BMU: a total of six licenses; an increase of one license from 2020. The Tribal allocated harvest is one bear.

These license allocation recommendations are intended to achieve a total desired state-licensed harvest of 1,185 bears for the UP Region, which is an increase of five bears from the desired harvest in 2020.

#### Technical Change

In 2019, the NRC approved a new season structure for the UP and NLP bear seasons. The Wildlife Conservation Order currently only has the bear season dates for the 2019 and 2020 seasons. At the request of the Tribal Wildlife Technical Committee, state-licensed hunters, and Department staff, the Department recommends adding in the season structure formula instead of the 2021 and 2022 bear season dates to provide clarification and consistency.

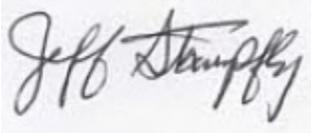
Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on March 11, 2021, at the Natural Resources Commission meeting. This item appeared on the Department's February calendar and may be eligible for approval on April 15, 2021.



Jared Duquette, Chief  
Wildlife Division



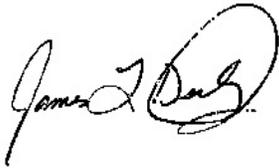
Gary Hagler, Chief  
Law Enforcement Division



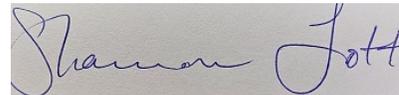
Jeff Stampfly, Chief  
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Ronald A. Olson, Chief  
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James Dexter, Chief  
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Shannon Lott  
Natural Resources Deputy

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



Daniel Eichinger, Director

Date: April 15, 2021

# WILDLIFE CONSERVATION ORDER

## Amendment No. 3 of 2021

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 16, 2021, the following section(s) of the Wildlife Conservation Order shall read as follows:

### 3.200b Bear population, harvest quotas.

Sec. 3.200b (1) The black bear hunt seasons and quotas for general licenses valid on all land within the listed units are as shown in table 5:

**TABLE 5**

**Bear Management Unit (BMU) Hunt Periods and License Quotas**

<b>BMU Name</b>	<b>Hunt Period</b>	<b>Licenses</b>	<b>Total</b>
<b>Amasa</b>	First	105	
	Second	125	
	Third	270	
<b>Unit total</b>			500
<b>Baraga</b>	First	285	
	Second	410	
	Third	850	
<b>Unit total</b>			1,545
<b>Bergland</b>	First	185	
	Second	265	
	Third	600	
<b>Unit total</b>			1,050
<b>Carney</b>	First	90	
	Second	110	
	Third	350	
<b>Unit total</b>			550
<b>Drummond</b>	First	6	6
<b>Gwinn</b>	First	150	
	Second	215	
	Third	585	
<b>Unit total</b>			950
<b>Newberry</b>	First	220	
	Second	265	
	Third	685	
<b>Unit total</b>			1,170
<b>UP Total</b>			5,771
<b>Baldwin</b>	First	340	
<b>Gladwin</b>	First	120	
<b>Red Oak</b>	First	770	
<b>NLP total</b>			1,230
<b>State-wide total</b>			7,001

**3.203 Bear hunting, open seasons, defined.**

Sec. 3.203. (1) The open season for taking bear with a firearm, crossbow, or bow and arrow, on all land within the listed units, shall be as shown in the table below except as otherwise provided in subsection (2):

<b>BMU Name</b>	<b>Hunt Period</b>	<b>Open Season</b>
Amasa	First	The open season shall be the Wednesday before the second Saturday in September through October 21.
	Second	The open season shall be the Monday following the second Saturday in September through October 26.
	Third	The open season shall be September 25 to October 26.
Baraga	First	The open season shall be the Wednesday before the second Saturday in September through October 21.
	Second	The open season shall be the Monday following the second Saturday in September through October 26.
	Third	The open season shall be September 25 to October 26.
Bergland	First	The open season shall be the Wednesday before the second Saturday in September through October 21.
	Second	The open season shall be the Monday following the second Saturday in September through October 26.
	Third	The open season shall be September 25 to October 26.
Carney	First	The open season shall be the Wednesday before the second Saturday in September through October 21.
	Second	The open season shall be the Monday following the second Saturday in September through October 26.
	Third	The open season shall be September 25 to October 26.
Drummond Island	First	The open season shall be the Wednesday before the second Saturday in September through October 21.
Gwinn	First	The open season shall be the Wednesday before the second Saturday in September through October 21.
	Second	The open season shall be the Monday following the second Saturday in September through October 26.

	Third	The open season shall be September 25 to October 26.
Newberry	First	The open season shall be the Wednesday before the second Saturday in September through October 21.
	Second	The open season shall be the Monday following the second Saturday in September through October 26.
	Third	The open season shall be September 25 to October 26.
Baldwin	First	The open season shall be the Sunday following the second Saturday in September through 8 days thereafter and from the first Friday following October 1 through 6 days thereafter.
Gladwin	First	The open season shall be the Sunday following the second Saturday in September through 8 days thereafter and from the first Friday following October 1 through 6 days thereafter.
Red Oak	First	The open season shall be the Sunday following the second Saturday in September through 8 days thereafter and from the first Friday following October 1 through 6 days thereafter.
Dansville	First	No Open Season

(2) A person shall not take a bear on Bois Blanc island.

(3) During the first hunt period in zones 2 and 3, it shall be unlawful to take a bear by any method other than by crossbow or bow and arrow from the first Friday following October 1 through 6 days thereafter.

### **3.205 Bear; unlawful acts.**

Sec. 3.205 (1) It shall be unlawful for an individual to purchase a bear license unless the individual holds a current base license or a mentored youth license.

(2) It shall be unlawful for any nonresident to assist in any manner another person in taking bear for a fee or other consideration or service of value, either directly or indirectly.

(3) It shall be unlawful for an individual that transfers their success in the bear lottery to a minor hunter or adult hunter with an advanced illness to assist the minor hunter or adult hunter with an advanced illness in any manner in taking bear for a fee or other consideration or service of value, either directly or indirectly.

(4) It shall be unlawful for an individual to buy or sell success in the bear license lottery, or an adult to acquire a license after being unsuccessful in the lottery, unless the individual has received from a physician a written statement of advanced illness which shall be produced upon the request of a peace officer.

(5) It shall be unlawful to take a cub bear. "Cub bear" means a bear less than 1 year of age. It shall be unlawful to take a female bear accompanied by a cub bear.

(6) It shall be unlawful to disturb, harm, or molest a bear in its den at any time.

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

(8) It shall be unlawful for an individual to use a snare, cable restraint, conibear, or any other kind of trap for the taking of bear. This subsection shall not apply to authorized employees of the department performing official job responsibilities or individuals officially authorized by the department or this order.

(9) It shall be unlawful to take a bear by any method while hunting other than by firearm, bow and arrow, crossbow, with the aid of dogs, or with the aid of baiting as described in this order and the regulations of state law.

(10) It shall be unlawful for an individual to take more than 1 bear per valid kill tag in a bear hunting season.

(11) Bear baiting, unlawful acts, definitions.

(a) It shall be unlawful to establish or tend a bait station that attracts bear prior to 31 days before the bear hunting season in any bear management unit. It also shall be unlawful to tend or establish a bait station for the purposes of attracting bear after the close of bear season in any management unit. For the purposes of this section, "bait station" means a site where food or lure is placed that may attract bear.

(b) It shall be unlawful to hunt over bait that attracts bear that was established prior to 31 days before the bear hunting season in any bear management unit.

(c) It shall be unlawful to hunt over bait that is not placed on the ground on public or commercial forest lands as defined in Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.51101 to 324.51120.

(d) It shall be unlawful to hunt over bait that contains plastic, any wood products, paper, glass, rubber, concrete, or metal on public or commercial forest lands.

(e) It shall be unlawful to hunt over bait that has, within 100 yards of the bait site, any containers used to transport bait to the baiting site.

(f) It shall be unlawful to establish, tend, or hunt over a bait containing chocolate or any cocoa derivative.

(g) In an area where it is unlawful to feed deer or elk or bait deer, it shall be unlawful to hunt over bait that contains any food materials other than meats, meat products, fish, fish products, or bakery products.

(h) In an area where the baiting of deer, or feeding of deer or elk, is lawful, a person may hunt over, place, establish or tend a bait station using food materials that lure, entice or attract deer or elk only if the person uses these food materials in compliance with the season, volume, bait type, placement, scattering and other requirements which apply to the baiting or feeding of deer. In an area in which it is lawful to bait for deer, a person may use up to 2 gallons of grains at any 1 point in time per bait station prior to the legal deer baiting season if the grains are placed on the ground in such a manner as to exclude wild, free-ranging white-tailed deer and elk from gaining access to the grains.

(i) It shall be unlawful to use metal containers, tires, plastic, wood, glass, fabric, cloth, concrete, or paper at a bait station on public or commercial forest lands as defined in Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.51101 to 324.51120.

(j) It shall be unlawful to place bait other than on the ground at bait stations on public or commercial forest lands as defined in Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.51101 to 324.51120.

(k) Any containers used to transport bait to the bait station must be removed and disposed of properly.

(l) It shall be unlawful for any licensed bear hunter or their designee to establish or tend more than 3 bait stations per hunter.

(m) It shall be unlawful for any individual to establish or tend more than a total of 12 bait stations.

(n) It shall be unlawful to establish, tend, or hunt over bait contained in a container that has a hole diameter greater than one inch.

#### **6.4 Hunting with dogs, unlawful acts.**

Sec. 6.4 (1) It shall be unlawful for any person to hunt bear with dogs in zone 1 starting the Wednesday before the second Saturday in September through the Sunday following the second Saturday in September.

(2) It shall be unlawful for any person to hunt bear with dogs in zones 2 and 3 on the Sunday following the second Saturday in September.

(3) It shall be unlawful for any person to hunt coyote with the aid of dogs from April 16 through July 7.

(4) In zones 2 and 3 it shall be unlawful to take a bear without the aid of dogs on the seventh and eighth day after the Sunday following the second Saturday in September.

#### **6.5 Dog training, unlawful acts.**

Sec. 6.5 (1) It shall be unlawful for any person to dog train on bear in zone 1 starting five days prior to the Wednesday before the second Saturday in September through the Sunday following the second Saturday in September.

(2) It shall be unlawful for any person to dog train on bear in zones 2 and 3 starting five days prior to the Sunday after the second Saturday in September, through the Sunday following the second Saturday in September.

#### **6.6 Hunting with dogs, unlawful acts; nonresident owners required to register dogs.**

Sec. 6.6 (1) Except as provided in subsection 2.5(2), it shall be unlawful to start dogs on an animal at any time other than the hours open to hunting for that animal.

(2) It shall be unlawful to hunt bear with the aid of more than 8 dogs in a single pack regardless of the ownership of the dogs.

(3) It shall be unlawful for a person, either individually or with other persons, to hunt bear using 2 or more consecutive packs of dogs on the trail of the same bear.

(4) It shall be unlawful for a person to hunt bear with dogs unless each dog is wearing a collar which has affixed a tag bearing the owner's name and address and/or the current year's dog license tag issued for that dog. A nonresident owner of dogs used to hunt bear in Michigan shall register those dogs upon a permit form prescribed by the department. The permit shall list the dogs to be covered by the permit and the owner's name, address, and bear hunting license number. A permit shall not cover more than 10 dogs and shall not be issued unless the owner satisfies the department that each dog is immunized and licensed as provided by law.

(5) It shall be unlawful for any person to chase bear with dogs in zones 2 and 3 during the crossbow or bow and arrow only bear seasons defined in section 3.203(3).

Issued on this 15th day of April, 2021.

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

A handwritten signature in black ink, appearing to read 'Carol Moncrieff Rose', with a stylized flourish at the end.

Carol Moncrieff Rose, Chair  
Natural Resources Commission

Approved as to matters over which the Director has authority.

A handwritten signature in blue ink, appearing to read 'Daniel Eichinger', with a long horizontal flourish extending to the right.

Daniel Eichinger  
Director