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MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Chronic Wasting Disease Regulations  
Wildlife Conservation Order Amendment No. 12 of 2018

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 Natural Resources Commission (NRC) reviewed and discussed the proposed chronic wasting disease regulations (CWD) during their July 12, 2018, regularly scheduled meeting. Several topics generated a high level of feedback and discussion including:

- The recent finding of CWD in a free-ranging white-tailed deer in Spring Arbor Township, Jackson County on June 22, 2018; and
- The proposed early antlerless season for all hunters for antlerless deer on private land in the 13-county CWD Management zone for a total of four days starting the Thursday prior to the second Saturday in October and for three days thereafter.

The NRC requested that the Department add Calhoun, Jackson, and Hillsdale counties to the CWD Management Zone, creating a 16-County CWD Management Zone.

The NRC also requested that the Department remove the proposed early antlerless season for all hunters for antlerless deer on private land in the 13-county CWD Management Zone for a total of four days starting the Thursday prior to the second Saturday in October and for three days thereafter from this order.

Since the finding of chronic wasting disease (CWD) in a free-ranging white-tailed deer in Michigan on May 20, 2015, CWD-positive deer have been found in Clinton, Ingham, Ionia, Jackson, Kent, and Montcalm counties. As of mid-July 2018, after testing approximately 31,125 free-ranging deer, 58 were positively confirmed with CWD, with 48 occurring during the 2017

deer hunting season. In addition, two Privately-Owned Cervid (POC) facilities in Mecosta County were positively confirmed with CWD in 2017.

The NRC and the Department are taking aggressive action based on the *Michigan's Surveillance and Response Plan for Chronic Wasting Disease of Free-Ranging and Privately-Owned Cervids*, herein referred to as "the Plan," and the recommendations from the Chronic Wasting Disease Working Group – a panel established by the NRC to develop recommendations on further steps and actions to substantially mitigate or eliminate CWD in Michigan – to address CWD in Michigan's deer population and to maintain healthy wildlife for current and future generations. In addition, the Department and the NRC hosted a series of public engagement meetings on CWD that provided an opportunity for the NRC and the Department to hear suggestions and observations from hunters and residents interested in the health of the state's deer herd. The Department and the NRC are focused on achieving specific CWD management goals that include slowing the spread of the disease, reducing or maintaining low prevalence rates, preventing the disease from reaching new areas, and preserving Michigan's rich hunting history for future generations to enjoy.

Based on the current available state of the science, recommendations from the Chronic Wasting Disease Working Group, suggestions from the public engagement meetings, and the specific CWD management goals, the Department recommends amending the protocols and control measures in the Wildlife Conservation Order to address CWD in Michigan's deer population.

### **Statewide Regulations:**

#### ***Restrictions on The Possession and Use of Natural Cervid Urine-Based Lures and Attractants***

Chronic wasting disease is a fatal disease caused by the transmission of infectious, self-mutating proteins (prions) contained in the body and fluids of infected cervids that causes degeneration of the central nervous system of those same species. Although nervous system tissue and lymphatic tissues have the highest infectivity, these prions are also found in blood, feces and urine of infected cervids. Susceptible cervids can acquire CWD by direct exposure to these fluids or from environments contaminated with these fluids. Deer urine is used by hunters and sportspeople as an attractant and cover scent, with most commercially made products originating from POC facilities. This market is unregulated, and thus to take a pro-active approach to reduce the risk of spread or introduction of CWD to a new area, the Department recommends restricting the possession and use of non-synthetic cervid urine-based lures and attractants while hunting or trapping game species. Only synthetic cervid urine-based lures or attractants or natural cervid urine-based lures or attractants that are labeled with the official ATA (Archery Trade Association) Seal of Participation will be legal.

#### ***Issues Pros and Cons***

The ATA is the organization for manufacturers, retailers, distributors, sales representatives, and others working in the archery and bowhunting industry. The ATA developed a Deer Protection Program, which seeks to ensure that ATA-member scent manufacturers, and their product suppliers do everything possible to prevent the spread of CWD in wild deer, elk, and moose herds in the United States. Manufacturers and their product suppliers voluntarily join the program and agree to take measures to meet or exceed state and federal CWD requirements and

ensure that their products come from healthy deer herds. Manufacturers guarantee through their participation in the program, that the cervid urine utilized in their products comes only from facilities that are also participating in the ATA Deer Protection Program, and that strictly comply with the following measures:

- Participate in a federally-approved CWD program
- Have documented all cervid movement in/out of herd
- Continually monitor their herd for CWD
- Allow additional facility inspections
- Physically inspect 100 percent of the herd every three years
- Commit to advancement of sound science related to CWD
- Remain aware of CWD instances within 30 miles, and maintain minimum fence requirements

Most urine used for lures and attractants is produced and collected from captive cervid facilities at both large commercial and small-scale operations. Although Michigan POC facilities participate in the state's CWD monitoring program, products used may come from large interstate operations. There are a variety of unregulated processes used to collect urine, and they often result in the accumulation of a mixture of secretions, therefore providing concurrent contamination risks. There are currently no standard regulations to ensure that urine collected for lures and attractants are disease-free.

#### *Other States*

Alaska, Arizona, Arkansas, Pennsylvania (within CWD areas), Vermont, and Virginia have banned the use of urine-based lures or attractants.

#### *Biological*

Urine-based lures and attractants are used in several different ways, many which involve direct contact between the scent and the environment. Use of urine-based lures and attractants has the potential to spread CWD to areas where it has previously not been detected. Infectious prions present in urine can contaminate the environment, where the prions can bind to the soil and be taken up by plants and are likely to remain infectious for many years. For example, research studies indicate that as little as 10 milliliters of contaminated urine can contain enough infectious prions to risk lethal infection in 50 percent of exposed deer. Though urine is considered less infectious than saliva or feces, collection methods for many of these facilities are unlikely to exclude these materials from the final product. Though facilities approved through the ATA are enrolled in the United States Department of Agriculture (USDA) Herd Certification Program (HCP), 28 breeder facilities nationally have tested positive for CWD since 2012, with 15 of these facilities enrolled in the USDA-HCP.

#### *Social*

Regulating the use of urine-based lures and attractants may affect the business of the captive cervid industry, however, approximately 90 to 95 percent of manufacturers are certified through the ATA Deer Protection Program.

*Economic*

It's still legal to buy and sell products with cervid urine and other bodily fluids, however some businesses may see a decrease in sales.

**Lower Peninsula Regulations:**

***Baiting and Feeding Ban – Effective January 31, 2019***

Baiting is a popular practice among Michigan hunters, and its popularity has risen over the last few decades. However, research suggests that the relationships between baiting, feeding, and CWD transmission is in the risks associated with congregating animals. While natural food sources also congregate wildlife, human activities such as baiting or feeding do so at rates above natural sources, therefore the risk of transmitting CWD increases. The risks of congregating animals around bait and feed increases the probability of direct contact between infected and noninfected animals, and it also increases the risks of contaminating the food source or the surrounding environment. Therefore, the Department recommends instituting a baiting and feeding ban effective January 31, 2019, for the Lower Peninsula. A delayed implementation provides opportunity for those with economic interests to shift business models for next year.

*Issues Pros and Cons*

With the presence of CWD in the Southwest Lower Peninsula and Bovine Tuberculosis (TB) in the Northeast Lower Peninsula, the range of these two diseases now covers much of the Lower Peninsula. A proactive approach by banning baiting and feeding, with the uncertainty of the distribution of these diseases, is warranted to reduce the risk on the landscape. In addition, given that CWD is often present in areas long before it is discovered, elimination of baiting and feeding may be a strategy to lessen the spread of the disease should it be introduced in new areas.

There are both biological and social considerations to make regarding baiting and feeding. Baiting is a highly popular activity among Michigan hunters. Baiting and feeding also have economic value as a market for agricultural products. Studies suggest there may be public support for baiting regulations if they are perceived to effectively reduce transmission of a disease and if the public has been involved in the decision-making process, however studies also suggest that hunter activity may shift in response to those regulations.

*Other States and Provinces*

The Department sent out a survey to CWD-positive states and received responses from Alberta, Arkansas, Illinois, Iowa, Kansas, Maryland, Missouri, Mississippi, New York, North Dakota, Utah, Virginia, West Virginia, and Wisconsin. The results were the following:

- Alberta: Baiting and feeding is illegal throughout the province.
- Arkansas: It is illegal to feed deer within CWD affected areas, however there are certain baiting restrictions within CWD affected areas.
- Illinois: Baiting and feeding is illegal statewide.
- Iowa: Baiting is illegal, but feeding is allowed statewide.
- Kansas: Baiting and feeding is legal statewide.

- Maryland: Baiting and feeding is legal statewide.
- Missouri: Baiting and feeding is illegal in the CWD affected areas.
- Mississippi: Baiting and feeding is illegal in the CWD affected areas.
- New York: Baiting and feeding is illegal statewide.
- North Dakota: Baiting and feeding is illegal in the CWD affected areas.
- Utah: Baiting and feeding is legal statewide.
- Virginia: Baiting is legal, and feeding is allowed only in areas other than CWD affected areas.
- West Virginia: Baiting and feeding is illegal in the CWD affected areas.
- Wisconsin: Baiting and feeding is legal in counties 36 months since the last CWD confirmation or 24 months in an adjacent county; currently 48 of 72 “affected” counties remain under a baiting and feeding ban.

### *Biological*

Chronic wasting disease can be transmitted directly (e.g., saliva, urine, and feces) and indirectly (contaminated environment) among deer. Evidence suggests that baiting and feeding increases both the congregation of deer and the risk of disease transmission through increasing the probability of contact, food source contamination, and environmental contamination. In a review of 29 studies investigating the relationship between supplemental feeding and disease transmitted through close or direct contact of animals, 95 percent reported that supplemental feeding increased the risk of disease transmission. In addition, the longer the food is on the landscape, the greater the likelihood of increasing disease transmission.

### *Social*

In Michigan, while approval (71 percent) of baiting as a practice among hunters has steadily risen since the mid-1980s, most hunters do support baiting restrictions when the health of the deer herd is in jeopardy. Studies have found that hunter support for management actions to address CWD, including baiting bans, is based on the perceived efficacy of those actions. Studies have also found that hunter acceptance of management activities increases as prevalence increases and as perception of risk increases. In addition, studies have also examined hunter behavior changes in response to baiting bans. In Michigan, after the implementation of baiting regulations in the northeast Lower Peninsula due to Bovine Tuberculosis (TB), 50 percent of bowhunters and 31 percent of firearm hunters in the area reported hunting less because of the baiting ban, and 22 percent stopped hunting in the area all together. However, declines in antlerless harvest and firearm season participation in the northeast Lower Peninsula following the ban were very similar to declines statewide.

### *Economic*

Baiting and feeding have economic value as a market for agricultural products. Instituting a baiting and feeding ban effective for 2019 will allow time for those with economic interests to shift business models for next year.

### ***Baiting Exception for Hunters with Disabilities***

According to the Michigan Deer Harvest Survey Report, hunters with disabilities are, generally, some of the least satisfied hunters in Michigan. Although efforts have been made over the last decade to establish special hunt dates, equipment permits, and accessibility provisions, the success rate for hunters with disabilities continues to remain low compared to other hunters. The NRC and the Department received public input from hunters with disabilities regarding the use of bait. Hunters with disabilities rely on bait for the purposes of successfully harvesting a deer. The Department recommends granting a baiting exception for qualified hunters with disabilities outside of the 16-County CWD Management Zone and Bovine Tuberculosis (TB) Management Zone (Alcona, Alpena, Montmorency, and Oscoda counties) during the Liberty and Independence Hunts. Baiting would be limited to current regulations, allowing only two gallons of bait per site, distributed across a 10'x10' area, and baiting may only occur from the first day of the season to the last day of the season. All bait must be removed from the area prior to any additional hunting during the rest of the season.

### ***Issues Pros and Cons***

The Liberty Hunt is a two-day season in mid-September that takes place on private or public lands. The Independence Hunt is a four-day season in mid-October that takes place on private lands. During these hunts, individuals with qualifying disabilities may participate and may hunt antlered (antler point restrictions do not apply) or antlerless deer with a firearm. These hunts provide hunters with disabilities the opportunity to deer hunt under less crowded conditions when weather conditions are more likely to be favorable.

Even though granting a baiting exception during these two hunts for individuals with qualifying disabilities will offer a service to some of our constituents, baiting causes unnatural concentrations of deer and this activity increases the risk of disease infection and spread, and repeated use of baiting areas poses a long-term risk of disease transmission. Allowing this exception may not help reduce risk of disease spread and transmission.

### ***Other States***

The Department is not aware of other CWD-positive states granting a baiting exception for hunters with disabilities.

### ***Biological***

Chronic wasting disease transmission occurs when disease prions are shed by infected animals through saliva, urine and feces, and through contact between deer and contaminated environments. Research suggests that the relationships between baiting, feeding, and CWD transmission is in the risks associated with congregating animals. While natural food sources also congregate wildlife, human activities such as baiting or feeding do so at rates above natural sources, therefore the risk of transmitting CWD increases.

### ***Social***

Granting a baiting exception for qualified hunters during these hunts may result in some social conflict. The Liberty Hunt is for both qualified hunters with disabilities and youths 16 years of

age and younger. In addition, the Liberty Hunt coincides with the early antlerless firearm season, which may result in conflicts between hunters during the concurring seasons. The proposed regulations are to allow those individuals with disabilities who are eligible to hunt during the Liberty Hunt the opportunity to use bait, not youth hunters without qualifying disabilities who are hunting during the Liberty hunt or those hunting during the early antlerless season.

The Independence Hunt has limited participation statewide; there were approximately 1,900 hunters in 2016 with a harvest of approximately 400 deer. The Liberty Hunt (both hunters with disabilities and youth hunters) has higher participation statewide, with approximately 22,000 hunters participating in 2016 with a harvest of approximately 6,400 deer.

#### *Economic*

There may be some local benefit to surrounding businesses that sell bait.

### **CWD Management Zone**

#### ***Define 16-County CWD Management Zone***

Chronic wasting disease has been found in a total of 58 free-ranging deer within Clinton, Ingham, Ionia, Jackson, Kent, and Montcalm counties. One of the control measures outlined in the Plan is to establish a CWD Management Zone that includes, at a minimum, any county with a boundary that is intersected by a 10-mile radius around each of the documented cases where the infected animals were located. In addition, the Plan states that if results of a local population survey or credible scientific evidence suggests that cervids from within the radius are likely to move beyond these Management Zone boundaries, those boundaries should be expanded. Accordingly, the Department recommends establishing a 16-County CWD Management Zone that includes Calhoun, Clinton, Eaton, Gratiot, Hillsdale, Ingham, Ionia, Isabella, Jackson, Kent, Mecosta, Montcalm, Muskegon, Newaygo, Ottawa, and Shiawassee counties.

In addition, the Department recommends eliminating the CWD Management Zone defined as Clinton, Eaton, Ingham, Ionia, and Shiawassee counties, also known as Deer Management Unit (DMU) 419. These counties will be included in the newly defined CWD Management Zone.

#### *Issues Pros and Cons*

The newly defined 16-County CWD Management Zone will allow the Department and the NRC to establish impactful regulations related to CWD and emphasizes those areas that will be impacted by CWD. In addition, it allows for continued management and surveillance as the development of the current state of the science related to CWD control continues. The Department and the NRC continue to support an aggressive approach and an adaptive management strategy. The Department will need continued support from the hunters and public related to CWD management. The Department will continue effective communications and customer service related to the regulatory changes.

#### *Biological*

The Department has tested approximately 31,125 free-ranging deer for CWD since May of 2015. Ten have tested positive for CWD in Clinton, Ingham, and Ionia counties, 47 have tested positive

for CWD in Kent and Montcalm counties, and one has tested positive for CWD in Jackson County. Establishing the CWD Management Zone will allow the Department to continue aggressive surveillance and management outlined in the Plan.

*Social*

There has been expressed support for the CWD Plan and the Department's implementation of the plan measures and protocols.

*Economic*

The Department does not expect an economic impact.

***Baiting and Feeding Ban Effective Immediately***

Of the 58 free-ranging deer that have been positively confirmed with CWD, 36 have been found in Montcalm County. Chronic wasting disease appears to be widespread in Montcalm county, and sampling in the surrounding areas (Kent, Mecosta, Gratiot, Isabella, and Newaygo) has been generally poor to identify the true scope of the disease. With CWD also identified in Clinton, Jackson, Kent, Ionia, and Ingham counties, a response that bans baiting and feeding in the immediate area is a responsible endeavor to reduce the immediate risk of transmission in and near affected areas. Currently, there are baiting bans in Clinton, Eaton, Ingham, Ionia, and Shiawassee counties, and there was a baiting ban in Mecosta and Kent counties through an Interim Order of the Director that expired on March 29, 2018. The Department recommends instituting a baiting and feeding ban effective immediately for the 16-County CWD Management Zone defined as Calhoun, Clinton, Eaton, Gratiot, Hillsdale, Ingham, Ionia, Isabella, Jackson, Kent, Mecosta, Montcalm, Muskegon, Newaygo, Ottawa, and Shiawassee counties.

See above for the Issues Pros and Cons, Other States, Biological, Social, and Economic matters regarding baiting and feeding.

***New Private Land License at a Reduced Cost; Expires First Sunday in November***

In 2015, the Department issued discounted antlerless licenses by 40 percent (from \$20 to \$12) in CWD-affected areas to increase samples of free-ranging deer and to increase antlerless harvest. To keep a consistent approach with the management actions the Department has taken with CWD, the Department recommends creating a new private land antlerless license at a reduced cost that expires the first Sunday in November, valid for private-land in all 16 counties in the CWD Management Zone. This will be approved through a Director's Letter of Authorization.

*Issues Pros and Cons*

This unique approach allows hunters to purchase licenses prior to the beginning of the season, that expire part way through the season, shifting antlerless harvest earlier in the season. Data supports that having a reduced cost, limited use antlerless license incentivizes hunters to increase antlerless harvest.

There may be some confusion regarding the purchase of the new license, as the license will be valid throughout all 16 counties in the CWD Management Zone. In addition, even though

hunters may have more incentive to purchase a license at a reduced cost, hunters may forget to use the license before the expiration date. The Department is optimistic that hunters will appreciate the flexibility of having both a reduced cost license as well as a regular, season long license for each county that offers them the ability to hunt nearly anywhere on private land with either license.

#### *Other States*

Ohio created a time sensitive antlerless license that was purchased prior to the season beginning, and expired part way through the season, thus shifting antlerless harvest earlier in the season and increasing total antlerless harvest (though bag limits were also increased by providing this option). According to Ohio, “the reduced price resulted in the hunter choosing to purchase the license and the expiration date resulted in the hunter choosing to harvest a deer earlier.” Ohio tracks their harvest throughout the season, and typically sees primarily antlerless deer harvest early in the year, followed by a shift to taking bucks in late October through mid-November, before ultimately finishing with a focus on antlerless deer to end the season. From Michigan’s check station data, antlerless deer do not seem to exceed antlered deer in the harvest until late November. With expiring licenses, the increased focus on antlerless deer earlier in the year, and the window of focusing on bucks was reduced in magnitude and duration. Ohio increased their antlerless harvest by 38 percent the following year. Though additional changes were made, much of this was attributed to these expiring licenses.

#### *Biological*

Although reducing deer densities does not directly translate into CWD management success, many of the areas within the 16-County CWD Management Zone have an abundance of deer and reducing the population throughout most of this range is likely to support CWD management with little downside. With hunters harvesting deer early in the season, they are more likely to continue hunting later in the year, which may increase overall harvest.

Check station data from 2016 shows that hunters in Michigan tend to focus on bucks at the beginning of the year, with that focus intensifying during early and mid-November. It is not until about the second week of firearms season when antlerless deer overtake bucks in terms of total harvest, at which point 85 percent of the harvest is finished. Although not a direct comparison to Ohio (harvest estimate vs. checked deer), our harvest estimates and proportions tend to validate these comparisons.

#### *Social*

Expanding harvest to the early season may help with barriers associated with the firearms season and subsequently reduce return time on deer test results during this peak season. In addition, this will provide hunters with more opportunities to hunt on private lands throughout the CWD Management Zone.

#### *Economic*

There are no administrative costs to the Department, however the Department may expect an increase in license sales with an option of a reduced cost license. It is unknown at this time how

hunters will respond with subsequent license purchases (deer license, deer combination license, etc.) to determine what the overall impact to license sales will be by providing this option.

### ***Public and Private Land Licenses for County Specific DMUs***

Wildlife Conservation Order Amendment No. 9 of 2018, Open/Closed Deer Management Units, made administrative changes to define DMUs that will be open or closed for the 2018 hunting season. This order did not change the status of the DMUs, but instead reverted multi-county DMUs where CWD has been identified to individual county DMUs. This order provides flexibility for the Department to issue public and private land antlerless licenses for individual county DMUs within the 16-County CWD Management Zone.

The Department recommends providing public and private land antlerless licenses for individual DMUs located in the 16-County CWD Management Zone that will be valid for the entire season.

### ***Issues Pros and Cons***

This license will provide an alternate to the new private-land reduced cost antlerless license that expires on the first Sunday in November, valid for all 16 counties in the CWD Management Zone. This will allow hunters who wish to have more time to hunt the option to purchase a private land license good for individual county DMUs. In addition, hunters may purchase a public land license to hunt on public land in the individual DMUs located in the 16-County CWD Management Zone. This also aligns with private and public antlerless licenses throughout most of the state.

There may be some confusion between the reduced cost private land antlerless license with an expiration date that is valid throughout all private land within the 16-County CWD Management Zone and a private land antlerless license that is valid in individual DMUs located in the 16-County CWD Management Zone, valid throughout the entire season. The Department will continue to provide effective communication and critical customer service to hunters.

### ***Biological***

The Department does not expect a biological impact. Many of the private land licenses within the DMUs/Counties identified do not sell out currently, so increasing quotas to unlimited levels is unlikely to have an impact. It's possible by increasing public land antlerless licenses, deer numbers are reduced on public lands in the 16-County CWD Management Zone. The Department recognizes that deer utilize both private and public land where that interface of land ownership exists and added pressure on public land could result in limited viewing or harvest opportunities over time on those properties as either the deer population is reduced or pressure influences movement away from public land.

### ***Social***

Providing the opportunity for hunters to purchase a public or private land antlerless license within individual DMUs located in the 16-County CWD Management Zone will give hunters the flexibility to hunt throughout the entire season in individual DMUs.

*Economic*

The Department does not expect an economic impact.

***Open Muzzleloader Season to All Firearms in the 16-County CWD Management Zone***

To expand opportunity in existing seasons, the Department recommends opening opportunities to more hunters in the muzzleloader season by allowing firearms, thus making a second firearms season. Opening the muzzleloader season to firearms will not change the muzzleloader season dates. In addition, all firearms that are legal during the firearms season for that respective zone will be legal during the muzzleloader season.

*Issues Pros and Cons*

Opening the muzzleloader season to legal firearms within the respected zones will increase participation and provide more opportunities for hunters. In addition, maintaining the season structure will assist with communication and provide hunters with more opportunities to harvest a deer.

Muzzleloader season maintains a small, yet vocal following and losing the exclusivity of that season would likely upset that segment of hunters greatly.

*Biological*

In 2016, approximately 150,000 hunters participated in the muzzleloader season, harvesting about 23,000 deer. Contrast that with late antlerless season, which saw 60,000 hunters (and not open statewide) and yet harvested 18,000 deer. Though participation is likely to increase, it is unknown whether harvest would increase, or whether antlerless harvest would simply be delayed by affording hunters additional opportunities.

*Social*

Success rate for 2016 muzzleloader hunters was 14.9 percent, the lowest of any season, while success rate for firearms season and late antlerless season (two seasons sandwiching muzzleloader season) were 30.1 percent and 27.8 percent respectively.

*Economic*

The Department does not expect an economic impact.

**Core CWD Area**

***Define 5-County Core CWD Area***

Chronic wasting disease has been found in a total of 58 free-ranging deer in Michigan. Of those 58 free-ranging deer, 47 have been found with CWD in Kent, Mecosta, and Montcalm counties. One of the control measures outlined in the Plan is to establish a Core CWD Area within a 10-mile radius around the location of the documented case where the infected animal was located. Accordingly, the Department recommends establishing a 5-County Core CWD Area that includes Ionia, Kent, Mecosta, Montcalm, and Newaygo counties.

The Department also recommends eliminating the current Core CWD Areas defined as DMUs 333 and 359.

#### *Issues Pros and Cons*

The newly defined 5-County Core CWD Area will allow the Department and the NRC to establish impactful regulations related to CWD and emphasizes those areas that will be impacted by CWD. In addition, it allows for continued management and surveillance as the development of the current state of the science related to CWD control continues. The Department and the NRC continue to support an aggressive approach and an adaptive management strategy. The Department will need continued support from the hunters and public related to CWD management. The Department will continue effective communications and customer service related to the regulatory changes.

#### *Biological*

The Department has tested approximately 31,125 deer for CWD since May of 2015. Ten have tested positive for CWD in Clinton, Ingham, and Ionia counties, 47 have tested positive for CWD in Kent and Montcalm counties, and one has tested positive for CWD in Jackson County. With the majority of CWD positive deer in western Montcalm County, the Department will establish the Core CWD Area in these counties for aggressive surveillance and management. Though Clinton, Ingham, and Jackson counties have identified animals with CWD, the Department has also sampled approximately 17,695 deer during the past three years. Prevalence is at very low levels, and CWD was not detected in these counties in 2017. The Department will continue to conduct surveillance and management in these areas locally where the majority of CWD positive deer have been found.

Establishing the Core CWD Area will allow the Department to continue aggressive surveillance and management outlined in the Plan.

#### *Social*

There has been expressed support for the Plan and the Department's implementation of the plan measures and protocols.

#### *Economic*

The Department does not expect an economic impact.

#### *Carcass Transportation*

The transportation and subsequent disposal of deer carcasses by hunters is an important consideration for the transmission of CWD due to the risk of environmental contamination from prions in tissues such as the brain, spinal cord, lymph nodes, and spleen. Major concerns have been raised about carcasses of hunter-killed cervids from affected areas as a possible source of CWD introduction elsewhere in the state. These concerns are based on the improper disposal of infected carcasses at locations outside of CWD areas. Chronic wasting disease prions from infected carcasses may remain in the soil and retain the capacity to infect animals for many years, therefore considering proper movement to avoid environmental contamination is

important for reducing CWD introduction and spread. The Department recommends restricting carcass transportation, except for deboned meat, quarters or other parts of a cervid that do not have any part of the spinal column or head attached, antlers, antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, upper canine, or finished taxidermy mounts outside of the 5-County Core CWD Area, unless the carcass has been submitted to a designated drop-off location within 24 hours of harvest for testing.

#### *Issues Pros and Cons*

Interstate carcass transportation restrictions are currently in place for the importation of carcasses into Michigan. Expanding intrastate carcass transportation restrictions will keep a consistent message and provide consistency within regulations.

#### *Other States and Provinces*

The following states and provinces have a carcass transportation restriction within CWD affected areas: Alberta, Colorado, Illinois, Kansas, Nebraska, North Dakota, New Mexico, New York, Saskatchewan, Utah, Virginia, West Virginia, and Wisconsin.

#### *Biological*

Hunter harvested deer carcasses are often moved across geographic barriers. Human-assisted movement of deer carcasses is an important route of transmission and geographic spread for CWD, as it may potentially spread the disease beyond what is expected to occur naturally. Though the primary cause of spread is likely due to improper burial of infectious carcass materials, rather than simply transporting that same material, restricting the movement of carcasses harvested within the 5-County Core CWD Area is also a safeguard to keep infectious material contained to a small geographic area.

#### *Social*

Restricting carcass transportation is likely to be met with resistance by venison processors but may be mitigated if the carcasses are tested prior to transporting the carcass out of the 5-County Core CWD Area.

#### *Economic*

There may be some economic loss to local processors or taxidermists.

#### *Late Season Hunts*

Current regulations state that the Director may authorize a disease management hunt, lasting no longer than nine days between January 2 and March 31 where additional harvest is deemed necessary to meet disease management objectives. The Department recommends maintaining this regulation and recommends the Director authorize a disease management hunt based on surveillance goals that are supported by CWD management or if certain prevalence rates or thresholds are being exceeded.

*Issues Pros and Cons*

The Director authorized a disease management hunt within the 14 townships in Ionia and Montcalm counties this past year to provide an additional opportunity for hunters to harvest deer to support the Department's surveillance efforts. Adding this late season likely increased available samples for testing.

Harvests are likely to be minimally additive, especially if decisions are made to add seasons after the traditional hunting seasons have begun since these are viewed as bonus opportunities to use a license whereas established seasons are viewed as "expanded opportunities" that may continue to delay harvest decisions.

*Biological*

During the disease management hunt authorized in 14 townships in Ionia and Montcalm counties this past year, approximately 300 deer were taken and submitted for testing. Of note, about 74 percent of the deer submitted for testing were female, a stark contrast to what is reported harvested earlier in the year. Expansion of seasons typically yields diminishing returns in terms of harvest (i.e., fewer animals per day due to the lack of interest/participation) but may help increase surveillance efforts. In addition, hunters receive quicker disease testing results due to a higher capacity at the Wildlife Disease Lab.

*Social*

Adding a late season, and communicating sampling efforts throughout the season, will show hunters where the Department is in terms of reaching surveillance goals that are supported by CWD management. By communicating the progress of these goals, the Department expects that hunters will be motivated to reach the goals as the season progresses.

*Economic*

The Department does not expect an economic impact.

***Take of Either Sex on Deer License and Deer Combination License During Firearms Seasons***

Current regulations allow for individuals possessing a deer license to harvest an antlerless or antlered deer during firearms seasons in currently established Core CWD Areas. In addition, hunters possessing a combination deer license can harvest an antlerless or antlered deer on both their regular tag or restricted tag. To maintain consistency and flexibility for hunters in how they use these licenses, the Department recommends this regulation in the 5-County Core CWD Area.

*Issues Pros and Cons*

Allowing hunters to harvest either sex deer during the firearms season in the 5-County Core CWD Area will provide additional flexibility for hunters to use their deer or deer combination license on either sex during the firearms season. It will also provide consistency and familiarity for hunters.

*Biological*

Despite the decreasing number of participants in firearms season, that season makes up a majority of the total harvest. In 2016, 55 percent of all bucks harvested, and 40 percent of all antlerless deer harvested came from the 16-day firearm season. Michigan hunters currently harvest approximately 320,000 to 340,000 deer per year. Since 2000, Michigan has only seen antlerless harvest exceed antlered harvest in one year (2009). Allowing antlerless deer to be taken on deer and combination licenses concurrently may increase antlerless harvest, which is desirable in the CWD management areas.

*Social*

Hunters will be allowed to choose purchasing a \$20 deer license, good for any deer in any season, or a \$40 deer combination license, good for two bucks, two does, or one buck and one doe. This provides hunters with additional opportunities to harvest a deer within the 5-County Core CWD Area.

*Economic*

The Department does not expect an economic impact.

***Resume 4-Point Antler Point Restriction on Restricted Tag of the Deer Combination License***

Since the identification of CWD in 2015, the Department removed the 4-point restriction from the restricted tag of the deer combination license. Though DMU 333 has changed each year, making between year comparisons challenging, the Department has not had any evidence that removing antler point restrictions from the restricted tag has changed either the yearling buck harvest percentage or increased the harvest of total antlered deer. The Department recommends resuming the 4-point antler point restriction on the restricted tag of the deer combination license.

*Issues Pros and Cons*

This change will provide consistency and familiarity between the 5-County Core CWD Area, the 16-County CWD Management Zone, and the rest of Zone 3. At first, this may result in some pushback by hunters who are already familiar with no antler point restrictions in the Core CWD Areas, but the Department will provide clear communication to the hunting community.

*Biological*

Resuming the 4-point antler point restriction on the restricted tag of the deer combination license is not likely to impact overall harvest.

*Social*

There are some who are likely to be opposed to this regulation, believing that any deer within a Core CWD Area should be able to be harvested on a deer or deer combination license. Likewise, there are others who will desire additional antler point restrictions on the deer license or deer combination license. The information to date does not support the addition of antler point restrictions to all tags within a Core CWD Area for managing CWD. Additionally, there seemingly has been no impact on antlered harvest with the removal of the restricted tag on the

combination license in the previous three years but adding back the original antler point restriction will create continuity and consistency for hunters.

#### *Economic*

The Department does not expect an economic impact.

### **Early/Late Antlerless Firearm Season**

#### ***Areas to be Open for Early and Late Antlerless Seasons***

The Department is recommending expansion of areas open to both the early and late antlerless seasons in the Northern Lower Peninsula (NLP) Region. Clare, Gladwin, Mason, and Osceola counties are recommended to be open for these seasons. The Department is also recommending expansion of areas open to the early antlerless season in the Southwest Lower Peninsula Region. Calhoun, Oceana, Newaygo, Mecosta, Montcalm, Gratiot, Kent, Muskegon, and Ottawa counties are recommended to be open for the early antlerless season.

#### *Issues Pros and Cons*

Opening Clare, Gladwin, Mason, and Osceola counties for both the early and late antlerless season will provide additional opportunities to harvest antlerless deer and will support CWD management along a broader area. In addition, these counties were already going to be recommended for opening to these seasons due to increased deer numbers and higher incidence of crop damage. Opening Calhoun, Gratiot, Kent, Mecosta, Montcalm, Newaygo, Oceana, and Ottawa counties to the early antlerless season will also provide hunters with additional opportunities to harvest antlerless deer and will support CWD management where there is a more immediate concern with CWD spread.

#### *Biological*

In 2016, approximately 2 percent of the antlerless deer harvest occurred during the early antlerless season and approximately 12 percent of the antlerless deer harvest occurred during the late antlerless season. Although reducing deer densities does not directly translate into CWD management success, many of these counties have an abundance of deer and reducing the population throughout most of this range during the early and late antlerless season is likely to support CWD management. This may also reduce the number of heads being submitted for disease testing during high-volume times, relieving some of the pressure put on Department staff at the Wildlife Disease Lab.

#### *Social*

Among 260,602 NLP hunters and 293,541 Southern Lower Peninsula hunters, approximately 13,770 have participated in the early antlerless season and approximately 58,429 in the late antlerless season according to the 2016 Deer Harvest Report Survey. Participation is less in the early antlerless season, however providing this additional opportunity will aid in CWD Management.

*Economic*

The Department does not expect an economic impact.

**Rehabilitation of Deer**

The Department's wildlife rehabilitator permitting process allows individuals to rehab sick, injured, and orphaned wildlife. The intention of wildlife rehabilitation is to release all animals back to the wild, or humanely euthanize, if necessary. With respect to CWD, the primary human-caused factor identified in its geographic spread is human-assisted movement of live animals. The Department recommends updating existing regulations on the rehabilitation and movement of wild deer to continue to prevent the unintentional spread of CWD through the rehabilitation of deer, specifically:

- All wild deer, except fawns, positively confirmed to be from inside a county with a confirmed case of CWD shall not be possessed unless:
  - Euthanized and sent or taken at the earliest possible time to the wildlife disease laboratory by direct arrangement with the wildlife disease laboratory or by arrangement with a local conservation officer, or
  - Obtained by a permittee located inside a county with a confirmed case of CWD who humanely euthanizes the animal within 24 hours of receipt
- All wild fawns positively confirmed to be from inside a county with a confirmed case of CWD shall be possessed and released only if the capture and release point of the wild fawn is within a 10-mile radius of a licensed permittee
- All deer, except fawns, located outside of a confirmed county with CWD shall not be possessed unless:
  - Euthanized and sent or taken at the earliest possible time to the wildlife disease laboratory by direct arrangement with the wildlife disease laboratory or by arrangement with a local conservation officer, or
  - Obtained by a permittee located outside of a county with a confirmed case of CWD who humanely euthanizes the animal within 24 hours of receipt
- All wild fawns located outside of a confirmed county with CWD shall not be moved to a county with a confirmed case of CWD and shall only be released in the county of origin
- All deer shall be released by October 1

*Issues Pros and Cons*

The movement of live animals is one of the greatest risk factors in spreading disease into new areas. Although natural movements of wild deer contribute to the spread of the disease, human-aided transportation of wild animals greatly exacerbates this risk factor. Restricting live animal movement is likely to control the highest risk of distributing CWD into previously uninfected areas.

Orphaned, sick, or injured deer are recovered every year by the public and are placed with wildlife rehabilitators. Restricting the rehabilitation to fawns only will help minimize risk from CWD, however, evidence from other states indicate that more than three-quarters of rehabilitated fawns do not survive.

*Other States*

New York and other eastern states have banned deer rehabilitation as part of their CWD containment regulations.

*Biological*

Geographic movement of infected live animals without symptoms is frequently the most effective way to establish infections in new areas because they can both transmit to uninfected animals and contaminate the environment. The primary human-caused factor identified in its geographic spread is not only the human-assisted movement of live animals, but to date is the only confirmed contributing activity linked to spread to distant locations. Because there is currently no reliably sensitive and logistically feasible live animal test for CWD, routine testing of animals prior to movement is not practical.

*Social*

There may be some pushback from the public and some rehabilitators, but the Department plans to continue to educate the public about CWD and CWD management.

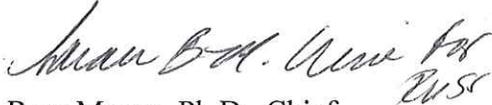
*Economic*

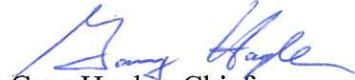
The Department does not expect an economic impact.

**Administrative Changes:**

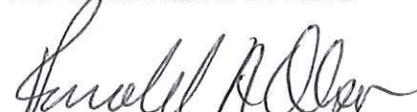
There have been many administrative changes made throughout the order that provide consistency and clarification.

Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on June 14, 2018, at the Natural Resources Commission meeting. This item appeared on the Department's June calendar and may be eligible for approval on August 9, 2018.

  
Russ Mason, Ph.D., Chief  
Wildlife Division

  
Gary Hagler, Chief  
Law Enforcement Division

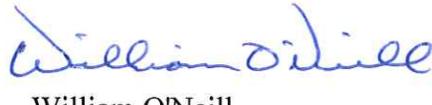
  
For Deb Begalle, Chief  
Forest Resources Division

  
Ronald A. Olson, Chief  
Parks and Recreation Division

  
James Dexter, Chief  
Fisheries Division

  
Sharon Schafer, Chief  
Finance and Operations Division

  
Kristin Phillips, Chief  
Marketing and Outreach Division

  
William O'Neill  
Natural Resources Deputy

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

  
Keith Creagh, Director

  
Date

# WILDLIFE CONSERVATION ORDER

## Amendment No. 12 of 2018

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 August 10, 2018, the following section(s) of the Wildlife Conservation Order shall read as follows:

### **1.2 Definitions.**

Sec. 1.2 (1) Definitions in part 3 of 1994 PA 451, as amended, MCL 324.301; part 401, wildlife conservation, 1994 PA 451, as amended, MCL 324.40101 to 324.40119; and part 435, hunting and fishing licenses, 1994 PA 451, as amended, MCL 324.43501 to 324.43561, and in this order shall have the same meanings in this order. Additional definitions for terms used in this order are as defined in this section.

(2) "Advanced illness" means a medical or surgical condition with significant functional impairment that is not reversible by curative therapies and that is anticipated to progress toward death despite attempts at curative therapies or modulation, the time course of which may or may not be determinable through medical prognostication.

(3) "Antlered deer" means a deer having at least 1 antler that extends 3 inches or more above the skull. For the purposes of determining if an antler extends 3 or more inches above the skull, the measurement shall be taken on the longest antler beginning at the line where the antler and pedicel join, along the back of the antler, following the curve, if any, to the tip of the longest antler point. For the purposes of this section, "pedicel" means the bone of the skull to which the antler is attached.

(4) "Antlerless deer" means a deer without antlers or a deer with antlers where the longest antler extends less than 3 inches above the skull.

(5) "CWD management zone" means an area defined in chapter XII of this order subject to Michigan's surveillance and response plan for chronic wasting disease.

(6) "Core CWD area" means an area defined in chapter XII for the control and surveillance of chronic wasting disease.

(7) "Deer and elk feeding" shall have the same meaning as defined by section 40102 of 1994 PA 451, MCL 324.40102.

(8) "Feed" shall have the same meaning as defined by section 40102 of 1994 PA 451, MCL 324.40102.

(9) "Game" means any animal designated as game under the authority of section 40110 of 1994 PA 451, as amended, MCL 324.40110, and any of the following animals: badger, bear, beaver, bobcat, brant, coot, coyote, crow, deer, duck, elk, fisher, Florida gallinule, fox, geese, hare, Hungarian partridge, marten, mink, moose, muskrat, opossum, otter, pheasant, quail, rabbit, raccoon, ruffed grouse, sharptailed grouse, skunk, snipe, sora rail, squirrel, Virginia rail, weasel, wild turkey, wolf, woodchuck, and woodcock. "Game" does not include privately owned cervidae species located on a cervidae livestock facility registered under 2000 PA 190, MCL 287.951 to 287.969.

(10) "Migratory game bird" means a bird as defined by 50 C.F.R. §20.11 (1988).

(11) "Modified bow" means a bow, other than a crossbow, that has been physically altered so that the bow may be held, aimed, and shot with one arm.

(12) "New world camelids" means animals belonging to the genus llama and vicuna of the family camelidae of the order artiodactyla including, but not limited to, the llama, alpaca, vicuna, and guanaco.

(13) "Physical therapist" means the same as defined in article 15 of the public health code, 1978 PA 368, MCL 333.17801.

(14) "Physician" the same as defined in article 15 of the public health code, 1978 PA 368, MCL 333.17001.

(15) "Raptor" means any bird species of the orders strigiformes, accipitriformes, and falconiformes.

(16) "Residence" shall have the same meaning as defined by section 40103 of 1994 PA 451, MCL 324.40103.

(17) "Limited firearms deer zone" means that area south of a line beginning at a point on the Wisconsin-Michigan boundaryline directly west of the west end of highway M-46; then east to M-46 and east along M-46 to its junction with freeway US-131; then south along freeway US-131 to M-57; then east along M-57 to its intersection with Montcalm road on the Kent-Montcalm county line; then south along that county line and the Ionia-Kent county line to its intersection with M-44; then east along M-44 to its intersection with M-66; then north along M-66 to its intersection with M-57; then east along M-57 to its intersection with M-52; then north along M-52 to its intersection with M-46; then east along M-46 to its intersection with M-47; then north along M-47 to its junction with US-10; then east along US-10 to its junction with I-75; then north along I-75 and US-23 to its junction with beaver road, Kawkawlin township, Bay county; then east along beaver road to Saginaw bay; then north 500 east to the international boundary with Canada.

(18) "Waterfowl hunting north zone" or "north zone" means all of the Upper Peninsula.

(19) "Waterfowl hunting middle zone" or "middle zone" means that area of the Lower Peninsula north of a line beginning at the Michigan-Wisconsin boundary line in Lake Michigan, due west of the mouth of Stoney creek in section 31, T14N R18W, Oceana county, then easterly and southerly along the south shore of Stoney creek to Scenic drive, easterly and southerly on Scenic drive to Stoney lake road in section 5, T13N R18W, Oceana county, easterly on Stoney lake and Garfield roads to highway M-20 (Hayes road) in section 33, T14N R17W, Oceana county, easterly on highway M-20 through Oceana, Newaygo, Mecosta, Isabella, and Midland counties to highway US-10 business route in the city of Midland, easterly on highway US-10 business route to highway US-10 at the Bay county line, easterly on highway US-10 to highway I-75/US-23, northerly on highway I-75/US-23 to the highway US-23 exit at Standish, easterly on highway US-23 to the center line of the Au Gres river, southerly along the center line of the Au Gres river to Saginaw bay of Lake Huron, and from that point on a line directly east 10 miles into Saginaw bay, and from that point on a line directly northeast to the international boundary with Canada in Lake Huron.

(20) "Waterfowl hunting south zone" or "south zone" means all of that area of the Lower Peninsula south of the line described in middle zone.

(21) "Zone 1" means all of the Upper Peninsula.

(22) "Zone 2" means all of that part of the Lower Peninsula north of a line beginning at the Michigan-Wisconsin boundary line due west of the Lake Michigan shoreline which is north of Muskegon lake and due west of the western terminus of memorial drive at Scenic drive in Muskegon county, then easterly to said western terminus of memorial drive at Scenic drive, easterly on memorial drive to Ruddiman drive, northeasterly on Ruddiman drive to lake avenue, northeasterly on lake avenue to highway M-120 (also known as Holton road) in North Muskegon, northeasterly and then northerly on highway M-120 to highway M-20, easterly on highway M-20 to highway business route US-10 in the city of Midland, easterly on combined highway M-20 and highway business route US-10 to highway US-10 at the Midland-Bay county line, easterly on highway US-10 to Garfield road in Bay county, northerly on Garfield road to Pinconning road, easterly on Pinconning road to seven mile road, northerly on seven mile road to the Bay-Arenac county line (where seven mile road changes name to Lincoln school road), northerly on Lincoln school road (also known as county road 25) in Arenac county to highway M-61, easterly on highway M-61 to highway US-23, northeasterly then easterly on highway US-23 to the center line of the Au Gres river, southerly along the center line of the Au Gres river to Saginaw bay of Lake Huron, easterly 90° east for 7 miles into Saginaw bay, then northerly 78° east (dividing Arenac county islands from Huron county islands) to the international boundary line between the United States and the dominion of Canada.

(23) "Zone 3" means all that part of the Lower Peninsula south of the line described in zone 2.

(24) "Skull cap" means any part of the skull that includes the pedicel and the antlers originating from the frontal bones, that has been removed from the rest of the skull of the animal.

## **2.1 Taking of animals; prohibited methods, devices, and weapons; exceptions.**

Sec. 2.1 Unless otherwise specified in this order, a person shall not do any of the following:

(1) Make use of a pit, pitfall, deadfall, scaffold, raised platform, tree, cage, snare, trap, net, baited hook, or similar device, or a drug, poison, anti-coagulant, smoke, gas, explosive, weasel, ferret, fitchew, arbalest, spear, or mechanical device, for the purpose of taking an animal or driving an animal out of their hole or home. For the purpose of this order, a mechanical device shall not be construed to mean a firearm, crossbow, slingshot, or bow and arrow. When used in this order, "raised platform" means a horizontal surface constructed or manufactured by a person that increases the field of vision of a person using the horizontal surface beyond the field of vision that would normally be attained by that person standing on the ground.

(2) Use in taking an animal, or have in the persons possession in an area frequented by animals, a semiautomatic shotgun or rifle other than .22 caliber or smaller rimfire, capable of holding more than six shells at one time in the magazine and barrel combined, or use a cartridge containing a tracer bullet, or a cartridge containing an explosive bullet, or a firearm capable of firing more than one shot with a single pull or activation of the trigger.

(3) During the five days immediately preceding November 15, transport or possess in an area frequented by deer a rifle or shotgun with buckshot, slug load, ball load, or cut shell. A person may transport a rifle or shotgun to or from a hunting camp if the rifle or shotgun is unloaded and securely encased or carried in the trunk of a vehicle. This section shall not prohibit a resident who holds a fur harvesters license from carrying a rimfire firearm .22 caliber or smaller while hunting or checking a trap line during the open season for hunting or trapping fur-bearing animals.

(4) Use in hunting, or, subject to section 43510, 1994 PA 451, MCL 324.43510, possess afield in an area inhabited by wild birds and animals within the "limited firearms deer zone" from November 15 to November 30, or use to take a deer during any firearm deer season in the "limited firearms deer zone," a firearm other than:

(a) A shotgun with a smooth or rifled barrel.

(b) A .35 caliber or larger pistol capable of holding no more than nine shells at one time in the barrel and magazine combined and loaded with straight-walled cartridges.

(c) A muzzle-loading rifle or black-powder pistol loaded with black-powder or a commercially manufactured blackpowder substitute.

(d) A .35 caliber or larger rifle loaded with straight-walled cartridges with a minimum case length of 1.16 inches and a maximum case length of 1.80 inches.

(e) A .35 caliber or larger air rifle or pistol charged only from an external high-compression power source such as an external hand pump, air tank, or air compressor.

(5) Injure, destroy, or rob the eggs of birds protected by the laws of this state or this order, or molest, harass, or annoy those birds upon their nests.

(6) Make use of a sink box or battery as these devices are defined by the United States fish and wildlife service.

(7) Set afire or assist in setting afire a marshland or other lands for the purpose of driving out wild birds or wild animals, or take or attempt to take a wild bird or wild animal so driven out of a marshland or other land.

(8) Take any animal at any time other than during the hunting hours and open seasons established in this order, except as may otherwise be provided in chapter VI.

(9) Take in 1 day more than the daily limit, or possess at one time more than the possession limit, or possess on the first day of the open season more than the daily limit, or possess more than the season limit of any animal.

(10) Destroy, disturb, or molest at any time any bear, beaver, muskrat, raccoon, squirrel, mink, badger, or rabbit house, hole, burrow, nest, dam, or den which may be used by such animals.

(11) Make use of a dog in hunting deer, except as noted in section 2.1a of this order.

(12) Affix any device to a bow, which aids in the cocking or holding of a bow string in a drawn position. This

subsection shall not prohibit the use of a hand-held device to release the bow string. This subsection shall not apply to a permanently or temporarily disabled person who holds a special permit provided for in section 40101 to 40119 of 1994 PA 451, MCL 324.40101 to 324.40119, or section 5.95 of this order.

(13) Use aircraft to aid in the taking of a wild bird or wild animal.

(14) Take game with a crossbow unless the hunter possesses a valid license to take game and uses only arrows, bolts, and quarrels for taking deer, bear, elk, wolf, and turkey with a broadhead hunting type of point not less than 7/8 of an inch wide with a minimum of 14 inches in length.

(15) Take deer with a crossbow or a modified bow in zone 1 from December 1 to March 31. This subsection shall not apply to a person who holds a special permit provided for in part 401, wildlife conservation, natural resources and environmental protection act, 1994 PA 451, as amended, MCL 324.40101 to 324.40119, or section 5.95 of this order.

(16) Subject to section 40116, 1994 PA 451, MCL 324.40116, take game during the established daylight shooting hours from August 15 through April 30 unless the individual wears a cap, hat, vest, jacket, rain gear of hunter orange. Hunter orange includes camouflage that is not less than 50 percent hunter orange. The garments that are hunter orange must be the hunter's outermost garment and be visible from all sides of the hunter. This does not apply to an individual engaged in the taking of deer with a bow or crossbow during archery deer season, an individual taking bear with a bow or crossbow, an individual engaged in the taking of turkey or migratory birds other than woodcock, an individual engaged in the sport of falconry, or an individual who is stationary and in the act of hunting bobcat, coyote, or fox.

(17) Possess or use natural cervid urine-based lures or attractants not marked with the official archery trade association seal of participation stamp in an area frequented by game.

### **3.100 Take of deer; prohibited firearms, legal weapons, "bait" and "baiting" defined, conditions for baiting established in certain area(s); unlawful acts.**

Sec. 3.100 (1) "Take" means the same as defined in section 40104, 1994 PA 451, MCL 324.40104.

(2) An individual must possess while hunting deer the unused kill tag issued with the deer license, pursuant to section 3.103, and provide it to a conservation officer, a law enforcement officer, or a tribal conservation officer upon request.

(3) Unless otherwise specified in this order, an individual shall not do any of the following:

(a) Take a deer without possessing a valid license with kill tag.

(b) Take a deer other than during the open seasons established in this order.

(c) Take a deer outside of lawful hunting hours.

(d) Take a deer by any method other than by firearm, bow and arrow, or crossbow.

(e) Take a deer with a rimfire firearm .22 caliber or smaller.

(f) Take a deer during any firearm deer season in the "limited firearms deer zone," with a firearm other than a shotgun with a smooth or rifled barrel, a .35 caliber or larger pistol capable of holding no more than nine shells at one time in the barrel and magazine combined and loaded with straight-walled cartridges, a .35 caliber or larger rifle loaded with straight-walled cartridges with a minimum case length of 1.16 inches and a maximum case length of 1.80 inches, a .35 caliber or larger air rifle or pistol charged only from an external high-compression power source, or a muzzleloading rifle or black-powder pistol loaded with black-powder or a commercially manufactured black-powder substitute.

(g) Take a deer, or have in possession while hunting deer, a semiautomatic shotgun or rifle, capable of holding more than six shells in the magazine and barrel combined, or use a cartridge containing a tracer or explosive bullet, or a firearm capable of firing more than one shot with a single pull or activation of the trigger.

(h) Take a deer using an arrow, bolt, or quarrel with a broadhead hunting type of point less than 7/8 of an inch wide and/or a length less than 14 inches.

(i) Take a deer with a crossbow or a modified bow in zone 1 from December 1 to March 31 unless issued a disability crossbow permit by the department.

(j) Take a deer while the deer is swimming in a pond, lake, stream, or other body of water.

(k) Make use of a dog in hunting a deer, except as noted in section 2.1a of this order.

(l) Use aircraft to aid in the taking of a deer.

(m) Set afire or assist in setting afire any land for the purpose of driving out a deer, or take or attempt to take a deer so driven out of any land.

(n) Purchase a deer license unless the individual holds a current base license.

(o) Possess or use natural cervid urine-based lures or attractants not marked with the official archery trade association seal of participation stamp in an area frequented by deer.

(4) For the purposes of this section and sections 3.100a, and 3.205, "bait" means a substance composed of grains, minerals, salt, fruits, vegetables, hay, or any other food materials, whether natural or manufactured, which may lure, entice or attract deer. "Bait" does not include the establishment and maintenance of plantings for wildlife, foods found scattered solely as the result of normal agricultural planting or harvesting practices, foods available to deer through normal agricultural practices of livestock feeding if the area is occupied by livestock actively consuming the feed on a daily basis, or standing farm crops under normal agricultural practices. For the purposes of this section, "baiting" means to place, deposit, tend, distribute, or scatter bait to aid in the taking of a deer.

(a) "Single bite bait" shall mean shelled corn, nuts, beet pulp, deer feed or pellets, or wheat or other grain.

(5) Except as otherwise provided in this subsection, it shall be unlawful for a person to make use of bait to aid in the taking of a deer within Alcona, Alpena, Calhoun, Clinton, Eaton, Gratiot, Hillsdale, Ingham, Ionia, Isabella, Jackson, Kent, Mecosta, Montcalm, Montmorency, Muskegon, Newaygo, Oscoda, Ottawa, and Shiawassee counties. Except as otherwise provided in this subsection, effective January 31, 2019, it shall be unlawful for a person to make use of bait to aid in the taking of a deer within zone 2 and zone 3.

(a) Eligible individuals participating in the Liberty Hunt described in section 3.101e, may make use of bait to aid in the taking of a deer if the baiting occurs only from the first day of the season to the last day of the season and the provisions of subsection (6b), (6c), and (6d) are met except in the CWD management zone, core CWD area and Alcona, Alpena, Montmorency, and Oscoda counties where only single bite bait shall be used. All bait shall be removed prior to any additional hunting during this season. This does not apply to youth hunters participating in the Liberty Hunt who only meet the eligibility requirements of section 3.101e (2a).

(b) Eligible individuals participating in the Independence Hunt as described in section 3.101g, may make use of bait to aid in the taking of a deer if the baiting occurs only from the first day of the season to the last day of the season and the provisions of subsection (6b), (6c), and (6d) are met except in the CWD management zone, core CWD area and Alcona, Alpena, Montmorency, and Oscoda counties where only single bite bait shall be used. All bait shall be removed prior to any additional hunting during this season.

(6) In remaining portions of Michigan not described in subsection (5), a person may engage in baiting only if all of the following conditions apply:

(a) The baiting occurs only from September 15 to January 1.

(b) The bait material may be of any food type.

(c) The bait is scattered directly on the ground by any means, including mechanical spin-cast feeders, provided that the spin-cast feeder does not distribute on the ground more than the maximum volume allowed as described in

subdivision (d) of this subsection. "Scattered" means that the bait is dispersed or thrown over a minimum of a 10-foot by 10-foot or equivalent area so that individual pieces of bait are separated and not placed in piles. The purpose of scattering is to mimic natural feeding conditions.

(d) The volume of bait used at any 1 point in time shall not exceed 2 gallons at any 1 hunting site.

(e) Subsection (6) is subject to Section 3.100a (2) of this order.

(7) Except as otherwise provided by subsection 5, It shall be unlawful for a person to make use of bait to aid in the taking of a deer if the bait and baiting does not meet all of the conditions specified in subsection (6) unless specifically authorized.

### **3.100a Deer and elk feeding; prohibitions and conditions; words and phrases.**

Sec 3.100a (1) A person shall not engage in deer and elk feeding within DMU 487 or within Calhoun, Clinton, Eaton, Gratiot, Hillsdale, Ingham, Ionia, Isabella, Jackson, Kent, Mecosta, Montcalm, Muskegon, Newaygo, Ottawa, and Shiawassee counties.

(a) Effective January 31, 2019, it shall be unlawful for a person to engage in deer and elk feeding within zone 2 and zone 3.

(2) Deer and elk feeding prohibited except for recreational viewing and supplemental feeding, conditions for baiting and feeding in certain areas. In remaining portions of Michigan not described in subsection (1), a person shall not engage in deer and elk feeding except for recreational viewing and supplemental feeding conducted as prescribed in this section. In the event chronic wasting disease (CWD) is documented within Michigan, outside of the areas described in subsection (1), within 10 miles of Michigan's border with another state or Canadian province, or as determined by the director, the director shall issue an interim order banning the use of bait and banning the feeding of deer and elk, at a minimum, within the relevant CWD management zone.

(3) Recreational viewing in areas not closed to feeding, conditions. In remaining portions of Michigan not described in subsection (1) or identified by provisions of subsection (2), a person may engage in deer and elk feeding for recreational viewing only if all of the following conditions are met:

(a) The feed is placed not more than 100 yards from a residence of the person and upon land owned or possessed by that person.

(b) The feed is placed, scattered, or dispersed at least 100 yards from any area accessible to cattle, goats, sheep, new world camelids, bison, swine, horses, or captive cervidae and no more than 100 yards from a residence.

(c) The feed is scattered directly on the ground by any means, including mechanical spin-cast feeders, provided that the spin-cast feeder does not distribute on the ground more than the maximum volume allowed as described in subdivision (d) of this subsection.

(d) The volume of feed placed, scattered, or distributed does not exceed 2 gallons per residence at any 1 point in time.

(e) The feed placed, scattered, or distributed may be of any food type.

(4) Deer or elk feeding on property under a person's ownership or lease, prohibited conduct, "person" defined. A person shall not allow deer or elk feeding on property under their ownership or control in violation of this section. For the purposes of this subsection, "person" means an individual, partnership, corporation, association, or other nongovernmental legal entity except if the property is leased it shall mean the individual, partnership, corporation, association, or other non-governmental legal entity with control or authority over the property except it shall not include the owner of lands enrolled under the provisions of Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.51101 to 324.51120.

(5) Supplemental feeding of deer, counties listed, conditions. A person may engage in the supplemental feeding of deer in Ontonagon, Houghton, Keweenaw, Baraga, Alger, Luce, Gogebic, and those portions of Marquette and Chippewa counties north of the T43N-T44N boundary line if all of the following conditions are met:

(a) The placement of feed shall not extend beyond May 15 unless otherwise specified in the supplemental deer feeding permit.

(b) All conditions in section 3.100a (8) of this order are met.

(6) A person may engage in the supplemental feeding of deer in Iron, Dickinson, Delta, Menominee, and that portion of Marquette county south of T43N-44N boundary line if all the following apply:

(a) The placement of feed shall not extend beyond May 15 unless otherwise specified in the supplemental deer feeding permit.

(b) All conditions in section 3.100a (8) of this order are met.

(7) A person may engage in the supplemental feeding of deer in Schoolcraft, Mackinac and that portion of Chippewa county south of T43N-44N boundary line if all the following apply:

(a) The placement of feed shall not extend beyond May 15 unless otherwise specified in the supplemental deer feeding permit.

(b) All conditions in section 3.100a (8) of this order are met.

(8) The following conditions must be met to engage in the supplemental feeding of deer in areas noted in section 3.100a (5) to (7) of this order:

(a) Prior to placing any feed, the person first acquires permission of the respective public land administrator and private property owner and a supplemental deer feeding permit issued by a department wildlife biologist. A person engaged in supplemental deer feeding shall possess a copy of the supplemental deer feeding permit and shall produce the permit upon the request of a conservation officer or a law enforcement officer.

(b) The supplemental deer feeding is conducted in compliance with all of the following criteria:

(i) All feed shall be placed  $\frac{1}{4}$  mile or more from the nearest paved public highway unless otherwise specified in the supplemental deer feeding permit.

(ii) All feed shall be placed at least 1 mile from cattle, goats, sheep, new world camelids, bison, swine, horses, or captive cervidae unless otherwise specified in the supplemental deer feeding permit.

(iii) All feed shall be placed at least 1 mile from wheat fields, potato fields, commercial fruit orchards, commercial plantings of nursery stock or Christmas trees, unless otherwise specified in the supplemental deer feeding permit.

(iv) The feed shall consist solely of grains, second cut alfalfa and clover, and pelletized food materials containing no animal protein which is scattered or dispersed directly upon the ground to a depth which shall not exceed 3 inches.

(v) The feed shall not be placed or used as bait to take deer.

(c) A person issued a supplemental deer feeding permit shall agree to assist the department in the collection of deer tissue samples for disease surveillance.

(d) A person issued a supplemental deer feeding permit shall report by May 30 the quantity and type of feed used, dates and duration of feeding, and other information as may be specified in the supplemental feeding permit. The department shall report to the commission the number of permits issued, quantity of feed used, and other relevant supplemental deer feeding information.

(e) Failure to comply with all provisions of a supplemental deer feeding permit shall make the permittee ineligible for any future supplemental deer feeding permits.

(f) A person shall not hunt or attempt to hunt over feed placed for deer under a supplemental deer feeding permit.

(g) A permittee or landowner shall not allow an individual to hunt or attempt to hunt over feed placed for deer under a supplemental deer feeding permit.

**3.100b Prohibition on possession of free-ranging deer carcasses or parts thereof; reporting and checking requirements; movement of deer carcasses or parts thereof.**

Sec. 3.100b (1) A person killing a deer within a core CWD area shall not do any of the following:

(a) Possess or transport the carcass or parts thereof, of the deer outside of the core CWD area except for deboned meat, quarters or other parts of a cervid that do not have any part of the spinal column or head attached, antlers, antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, upper canine teeth, or a finished taxidermist mount.

(i) This does not apply to a hunter who has presented the head at a designated drop off location within 24 hours after killing the deer.

(2) A person killing a deer within the CWD management zone shall not do any of the following:

(a) Possess or transport the carcass or parts thereof, of the deer outside of the CWD management zone except for deboned meat, quarters or other parts of a cervid that do not have any part of the spinal column or head attached, antlers, antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, upper canine teeth, or a finished taxidermist mount.

(i) This does not apply to a hunter who has presented the head at a designated drop off location within 24 hours after killing the deer.

(b) A deer taken within the core CWD area shall not be possessed or transported outside of the core CWD area, as provided in subsection (1).

(3) Materials requested by the department shall be surrendered to the department for CWD testing and must be affixed with a department-issued CWD survey tag. The hunter retains at least a portion of the department-issued CWD survey tag.

**3.101 Deer hunting open seasons; type of deer that may be taken; carrying of firearms, season limit.**

Sec. 3.101. (1) The open firearm deer season shall be from November 15 to November 30.

(2) The open muzzle-loading and black-powder firearms deer season in zone 1 and zone 2 shall be a total of 10 days from the first Friday in December to nine days thereafter. The open muzzle-loading and black-powder firearms deer season in zone 3 shall be a total of 17 days from the first Friday in December to 16 days thereafter.

(3) Subject to section 43510(2) and (3), 1994 PA 451 MCL 324.43510, except as provided in subsection (5), an individual hunting deer with a muzzleloading firearm during the muzzle-loading and black-powder firearms season shall only possess or carry afield, or take a deer with a muzzle-loading rifle, muzzle-loading shotgun, or black-powder pistol, loaded with black-powder or a commercially manufactured black-powder substitute, or a crossbow.

(a) Subject to section 43510(2) and (3), 1994 PA 451 MCL 324.43510, except as provided in subsection (5), an individual hunting deer within the CWD management zone or the core CWD area during the muzzle-loading and black-powder firearms season shall only possess or carry afield, or take a deer with a weapon that is legal to possess or carry afield, or to take a deer with during the open firearm deer season for that respective zone.

(4) The open bow and arrow season shall be from October 1 through November 14 and from December 1 through January 1.

(a) Subject to all other provisions of this order, in the urban deer management zone, as defined in chapter XII of this order, the open bow and arrow season shall be from October 1 through November 14 and from December 1 through January 31.

(b) Subsection (4)(a) shall be rescinded June 12, 2020.

(5) Subject to section 43510(2) and (3), 1994 PA 451 MCL 324.43510, during the open bow and arrow season, as described in subsection (4), an individual hunting deer with a bow and arrow or a crossbow shall not possess or carry afield a pistol, revolver, or any other firearm unless:

(a) The individual is properly licensed to hunt deer with a firearm and is hunting in an area open to firearm deer hunting.

(b) The individual is properly licensed to hunt deer with a firearm and is hunting in an area open to the muzzleloading and black-powder firearms deer season in zone 2 and zone 3.

(c) An individual taking a deer under the terms and conditions of a disease control permit authorized under section 5.77 of this order may possess or carry a bow and arrow or crossbow, and a firearm, if applicable.

(6) An early antlerless firearm deer season shall be a 2-day hunt starting the Saturday following September 15 upon privately owned lands within Alcona, Alpena, Antrim, Arenac, Bay, Benzie, Calhoun, Clare, Clinton, Eaton, Genesee, Gladwin, Grand Traverse, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Isabella, Jackson, Kent, Lapeer, Leelanau, Lenawee, Livingston, Macomb, Manistee, Mason, Mecosta, Midland, Monroe, Montcalm, Montmorency, Muskegon, Newaygo, Oakland, Oceana, Osceola, Oscoda, Ottawa, Presque Isle, St. Clair, Saginaw, Sanilac, Shiawassee, Tuscola, Washtenaw, and Wayne counties and upon privately owned lands within that portion of Charlevoix county within deer management unit 015. Only an individual possessing a valid private land antlerless deer license issued for the deer management unit in which they are hunting or a mentored youth hunting license may take a deer during this season, except an individual possessing any valid deer hunting license may take an antlerless deer during this season on private land in the core CWD area, CWD management zone, DMU 452, and DMU 487.

(7) A late antlerless firearm deer season shall be from the first Monday following the third Saturday in December through January 1 upon privately owned lands within Alcona, Allegan, Antrim, Alpena, Arenac, Barry, Bay, Benzie, Berrien, Branch, Calhoun, Cass, Clare, Clinton, Eaton, Genesee, Gladwin, Grand Traverse, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Isabella, Jackson, Kalamazoo, Kent, Lapeer, Leelanau, Lenawee, Livingston, Macomb, Manistee, Mason, Mecosta, Midland, Monroe, Montcalm, Montmorency, Muskegon, Newaygo, Oakland, Oceana, Osceola, Oscoda, Ottawa, Presque Isle, St. Clair, St. Joseph, Saginaw, Sanilac, Shiawassee, Tuscola, Van Buren, Washtenaw, and Wayne counties, and upon privately-owned lands within that portion of Charlevoix county within deer management unit 015. Only an individual possessing a valid antlerless deer license issued for the deer management unit in which they are hunting may take a deer during this season, except an individual possessing any valid deer hunting license may take an antlerless deer during this season on private land in the core CWD Area, CWD management zone, DMU 452, and DMU 487.

(8) The deer management assistance firearm hunt period shall be from the first Monday following the third Saturday in December through January 1 upon lands owned by federal, state, county, or local units of government, non-profit organizations, and other urban or suburban properties in zone 3. Only those areas with a wildlife division approved deer population management plan will be considered for issuance of these special deer management assistance permits. Only an individual possessing a valid deer management assistance permit issued for this hunt period may take a deer with a firearm or a crossbow during this season.

(9) The season limit shall be 1 deer per deer license.

(10) Except as provided by sections 3.101a, 3.101c and 3.101i, the kind of deer which may be taken during the respective open seasons for each combination of season and deer license, except antlerless deer license, shall be as shown in table 2:

**TABLE 2**

**License, Season, Deer to be Taken**

Type of license	Season in which used	Kind of deer that may be taken
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Deer license, deer combination regular license	Bow and arrow only seasons (zone 1)	Antlered deer. Antler point restrictions apply.
Deer license, deer combination regular license	Bow and arrow only seasons (zones 2 and 3)	Antlerless or an antlered deer. Antler point restrictions apply.
Deer license, deer combination regular license	Firearm deer season, muzzleloading and black-powder firearms only season	Antlered deer or antlerless deer in the core CWD area and deer management unit 487. Antler point restrictions apply.
	Liberty hunt and independence hunt	Antlerless or antlered deer.
Deer combination restricted license	Bow and arrow only (zone 1)	A deer which has at least 1 antler with 4 or more antler points 1 or more inches in length.
Deer combination restricted license	Bow and arrow only (zones 2 and 3)	Antlerless deer or a deer which has at least 1 antler with 4 or more antler points 1 or more inches in length. Antler point restrictions do not apply in the CWD management zone or core CWD area.
Deer combination restricted license	Firearm deer season or muzzleloading and black-powder firearms only season	Antlerless deer in the core CWD area and DMU 487. A deer which has at least 1 antler with 4 or more antler points 1 or more inches in length. Antler point restrictions do not apply in the CWD management zone or core CWD area.
	Liberty hunt and independence hunt	Antlerless or antlered deer.
Mentored youth deer license	Bow and arrow only seasons, firearm deer season, muzzleloading and black-powder firearms only season, or liberty hunt	Antlerless or antlered deer. Antler point restrictions do not apply.

(11) The director may authorize a disease management hunt lasting no longer than nine days between January 2 and March 31 where additional harvest is deemed necessary to meet disease management objectives.

### **3.102 Antlerless deer license; validity; authority; types; restrictions; units.**

Sec. 3.102. (1) Antlerless deer licenses are only valid in their specified deer management unit when the unit has a season open to the taking of deer, unless otherwise specified. Antlerless deer licenses do not grant permission to hunt on private property without the permission of the landowner.

(2) It shall be unlawful for an individual to purchase an antlerless deer license unless the individual holds a current base license or mentored youth license.

(3) Antlerless deer licenses shall only be valid for taking an antlerless deer.

(4) Except as otherwise provided in this subsection, the holder of a valid public land antlerless deer license shall only take a deer from publicly owned lands within the deer management unit specified on the antlerless deer license. Public land antlerless deer licenses shall not be valid on any privately owned lands except lands open to hunting by the general public under the provisions of Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.51101 to 324.51120.

(5) The holder of a valid private land antlerless deer license shall only take a deer from privately owned lands within the deer management unit specified on the private land antlerless deer license. The private land antlerless deer license shall not be valid on publicly owned lands and lands open to hunting by the general public under the provisions of Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.51101 to 324.51120.

(6) The deer management units, as defined in chapter XII, listed in section 3.105a are open to the taking of antlerless deer by public land antlerless deer license or private land antlerless deer license, or any combination.

(7) The director, in consultation with and concurrence of the natural resources commission, may require an application to obtain an antlerless deer license or may issue antlerless deer licenses through the retail sales system on a first-come, first-served basis for use in designated deer management units.

(8) The director in consultation with and concurrence of the natural resources commission may issue antlerless deer licenses through the retail sales system on a first-come, first-served basis for use in designated deer management units when the director determines that antlerless deer licenses remain unsold after the drawing, provided for in section 3.104, has been held or where such issuance is in the best interest of deer management. An application for the current year is not required to purchase an antlerless deer license that remains after the drawing, provided for in section 3.104, has been held.

(9) Requirements; restrictions for young hunters:

(a) A hunter under the age of 10 must be licensed through the mentored youth hunting program and accompanied by a qualified mentor. Youth under 10 years of age may hunt antlerless deer subject to the mentored youth hunting program as described in section 2.14 of this order. A deer kill tag issued under the mentored youth hunting license shall be valid for any deer in any open deer management unit, except during antlerless-only seasons when only an antlerless deer may be taken. When used to harvest an antlered deer, antler point restrictions do not apply.

(b) A hunter 16 years of age or younger on or before the 4th Saturday in September may purchase 1 private or public land antlerless deer license, over the counter, on a first-come, first-served basis, during the application period for antlerless licenses for any deer management unit with antlerless licenses available.

(10) For the core CWD area and the CWD management zone, an individual may purchase up to a season limit of 10 private land antlerless deer licenses until the quota has been met. For deer management unit 487, an individual may purchase up to a season limit of 10 private land antlerless deer licenses until the quota has been met. For all other deer management units an individual may purchase up to a season limit of 5 private land antlerless deer licenses until the quota has been met.

### **3.105 Antlerless-only license quotas.**

Sec. 3.105 (1) The director in consultation with and concurrence with the natural resources commission may make appropriate minor changes to antlerless deer quotas established in 3.105(2) to meet disease control, population goal, or other management objectives.

(2) Notwithstanding any other provision of this section, the antlerless deer license quotas are as shown in table 3:

**TABLE 3**

**Deer Management Unit (DMU) License Quotas**

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DMU	DMU Name	Public licenses	Private licenses	Total licenses
003	Allegan County	50	4,000	4,050
005	Antrim County	800	7,000	7,800
006	Arenac County	500	7,000	7,500
007	Big Bay Unit	0	0	0
008	Barry County	1,000	7,500	8,500
009	Bay County	200	3,000	3,200
010	Benzie County	400	1,600	2,000
011	Berrien County*	0	0	0
012	Branch County*	0	0	0
013	Calhoun County	100	7,500	7,600
014	Cass County*	0	0	0
015	Charlevoix County	900	6,000	6,900
016	Cheboygan County	800	1,000	1,800
017	Sault Ste. Marie Unit	0	0	0
018	Clare County	1,000	8,000	9,000
019	Clinton County	1,600	***	1,600***
020	Crawford County	1,000	1,100	2,100
021	Manistique Unit	0	0	0
022	Crystal Falls Unit	0	0	0
023	Eaton County	200	***	200***
024	Emmet County	600	2,200	2,800
025	Genesee County	0	7,000	7,000
026	Gladwin County	1,200	8,000	9,200
027	Watersmeet Unit	0	0	0
028	Grand Traverse County	400	1,600	2,000
029	Graiot County	2,200	***	2,200***
030	Hillsdale County	400	12,000	12,400
031	Nissula Unit	0	0	0
032	Huron County*	0	0	0
033	Ingham County	800	***	800***
034	Ionia County	1,200	***	1,200***
036	Amasa/Michigamme Unit	0	0	0
037	Isabella County	100	***	100***
038	Jackson County	1,600	16,000	17,600
039	Kalamazoo County*	0	0	0
040	Kalkaska County	400	600	1,000
041	Kent County	1,400	***	1,400***
042	Keweenaw Unit	0	0	0
043	Lake County	500	5,000	5,500
044	Lapeer County	2,000	12,000	14,000
045	Leelanau County	200	1,600	1,800
046	Lenawee County	400	7,500	7,900
047	Livingston County	2,000	10,000	12,000
048	Newberry Unit	0	0	0
050	Macomb County	200	4,000	4,200
051	Manistee County	500	3,500	4,000
053	Mason County	400	7,000	7,400
054	Mecosta County	400	***	400***
055	Menominee Unit	850	6,500	7,350
056	Midland County	1,500	7,500	9,000
057	Missaukee County	400	3,200	3,600
058	Monroe County	100	1,000	1,100
059	Montcalm County	1,600	***	1,600***
061	Muskegon County	800	***	800***
062	Newaygo County	1,000	***	1,000***
063	Oakland County	2,500	6,000	8,500
064	Oceana County	1,000	5,500	6,500

065	Ogemaw County	700	6,000	6,700
066	Ontonagon County	0	0	0
067	Osceola County	300	9,000	9,300
069	Otsego County	800	1,000	1,800
070	Ottawa County	450	***	450***
072	Roscommon County	600	1,000	1,600
073	Saginaw County	200	6,500	6,700
074	St. Clair County	700	9,500	10,200
075	St. Joseph County*	0	0	0
076	Sanilac County*	0	0	0
078	Shiawassee County	200	***	200
079	Tuscola County*	0	0	0
080	Van Buren County*	0	0	0
081	Washtenaw County	1,500	15,000	16,500
082	Wayne County	100	1,200	1,300
083	Wexford County	1,000	3,700	4,700
115	Beaver Island	200	300	500
117	Drummond Island	0	0	0
121	Bay De Noc	300	600	900
122	Norway Unit	100	850	950
127	Ironwood Unit	0	0	0
131	Twin Lakes Unit	0	0	0
145	North Manitou Island	**	0	**
149	Round/Bois Blanc Island	100	100	200
152	Gwinn Unit	0	0	0
155	Gladstone Unit	250	1,650	1,900
162	South Newaygo County*	0	0	0
174	St. Clair Flats	**	300	300**
245	South Fox Island	**	0	0
249	Trout Lake Unit	0	0	0
252	Rock Unit	0	0	0
255	LaBranche Unit	375	750	1,125
273	Shiawassee Unit	**	0	**
311	Keeler Unit (Berrien - Cass - Van Buren)	560	8,000	8,560
312	Sherwood Unit (Branch - Kalamazoo - St. Joseph)	1,000	16,000	17,000
332	Greenleaf Unit (Huron - Sanilac - Tuscola)	5,200	35,000	40,200
349	Engadine Unit	0	0	0
452	TB Core Area	3,000	0	3,000
487	Northern Multi-County	21,000	30,000	51,000
-	CWD Management Zone	0	***	***
	Total	73,835***	327,850***	401,685***

\*License quotas for these individual units are reflected as part of multi-county units.

\*\*Public land license quotas for these individual units are issued locally as permits for special deer hunts.

\*\*\*License quotas for these units located in the CWD Management Area are unlimited due to active disease surveillance protocols.

### 3.600 Fur-bearing animals; use of firearms; traps and catching devices; use of bait; unlawful acts.

Sec. 3.600 It shall be unlawful for any person: (1) To use a firearm, crossbow, or bow and arrow to take marten, muskrat, beaver, otter, mink, fisher, or badger, except as permitted by authority of a nuisance control permit issued by the department. Rimfire firearms .22 caliber or smaller may be used to kill coyote, fox, raccoon, bobcat, and badger in traps except if the trapper is an individual that cannot lawfully hunt with a firearm, crossbow, or bow and arrow.

(2) Except as provided by subsection (3), to use or have in possession in areas frequented by animals, a catching device of any kind for the taking of animals unless the name and address in legible English or the complete Michigan driver license number or DNR sportcard number of the user or individual possessing the device is permanently etched in the catching device, or there shall be securely fastened to each catching device a metallic

plate or tag bearing the name and address in legible English or the complete Michigan driver license number of the user or individual possessing the catching device.

(3) To use, carry afield, or have in possession 1 or more snares or 1 or more cable restraints unless they have attached a metallic tag or plate securely fastened which bears the name and address in legible English or the complete Michigan drivers license number or DNR sportcard number of the user or individual possessing the catching device.

(4) To use or have in possession 1 or more snares or 1 or more cable restraints securely attached to a pole unless the uppermost end of the pole has a metallic plate or tag securely fastened which bears the name and address in legible English or the complete Michigan driver license number or DNR sportcard number of the user or individual possessing the catching device.

(5) To use a multiple catch or colony trap except for the taking of muskrat and provided that the trap is completely submerged below the water. Colony traps must be constructed of steel and shall be no larger than 8 inches in height, 8 inches in width, and 36 inches in depth. This order shall not be construed to prohibit use of colony or multiple catch traps used by nuisance control operators for species other than muskrat.

(6) To stake, put out, or set a catching device of any kind for the taking of a fur-bearing animal at any time preceding the day on which the open season for the taking of such fur-bearing animal begins.

(7) To use a foothold trap with a jaw spread exceeding a number 2 foothold trap for the taking of mink or muskrat except as may be provided by this order for the incidental take of muskrat during the beaver and otter season. It shall also be unlawful to use any kind of a trap other than a foothold or body gripping or conibear type trap to take furbearing animals except as permitted under the provisions of subsection (4).

(8) To use any portion of any protected animal or protected bird as bait for the purpose of trapping any animal in this state. This subsection shall not be construed to prohibit an individual from using the carcasses and parts thereof of game animals or game birds, lawfully taken and possessed during their open season, as bait, except as stated in Section 5.31 of this order.

(9) To set a trap or snare on a beaver dam or lodge unless it meets at least one of the following provisions:

(a) The trap is totally submerged below the water.

(b) The trap is a duffer-type, egg-type, or similarly designed foothold trap which by construction will selectively capture raccoon. This trap may be set above the water.

(c) The trap is a body gripping or conibear type trap 5 inches or less in width as measured inside the jaw hinges. This trap may be set above the water.

(d) The trap is a body gripping or conibear type trap less than 8 inches above the ground at the highest point, and set in a way that does not use bait, lure, or attractant to entice an animal, and the trap is between 5 inches and 6 and one half inches as measured inside the jaw hinges. This trap may be set above the water.

(10) To set a body gripping or conibear type trap larger than 5 and one half inches in width as measured inside the jaw hinges on dry land or over frozen submerged bottomlands, unless the trap is placed as follows:

(a) On private land, except lands open to hunting by the general public under the provisions of Part 511, commercial forests, of the natural resources and environmental protection act, 1994 PA 451, MCL 324.51101 to 324.51120, and less than 7 and one half inches as measured inside the jaw hinges.

(b) On public or private lands 4 feet or more above dry ground or the frozen surface of ice, as applicable.

(c) On public lands and lands open to hunting by the general public under the provisions of Part 511, commercial forests, of the natural resources and environmental protection act, 1994 PA 451, MCL 324.51101 to 324.51120, and is:

(i) Less than 8 inches above the ground at the highest point, and in a way that does not use bait, lure, or attractant to entice an animal and the trap is between 5 and one half and 6 and one half inches as measured inside the jaw hinges.

(ii) In a box or similar container that is placed vertically on a tree or other structure so that the trap trigger is at least 4 inches from the container opening and the opening of the container is no more than 6 inches from the ground.

(iii) In a box or similar container with a maximum fixed opening of 6 inches measured from the inside bottom of the container opening to the lower edge of the top of the container opening with 8 inch slots to allow trap placement so that no part of the trap trigger is closer than 6 inches to the opening edge of the container and the trap is between 5 and one half inches and 7 and one half inches as measured inside the jaw hinges.

(11) To set a trap within 50 feet of any water in zone 1 before October 25, or within 50 feet of any water in zone 2 before November 1, or within 50 feet of any water in zone 3 before November 10, except for the following catching devices:

(a) A duffer-type, egg-type, or similarly designed foothold trap which by construction will selectively capture raccoon.

(b) A body gripping or conibear trap placed 4 feet or more above the ground.

(12) To set a catching device designed to hold an animal alive unless:

(a) Any catch is released or removed upon checking the catching device. Restraining type traps set in a manner to hold an animal alive shall be checked at least once daily in zones 2 and 3 and within a 48 hour period in zone 1, except as noted in Section 5.52 (8) or in (ii) below.

(b) Using a live-restraining cage trap, other than a trap designed to catch more than 1 animal at 1 time, for the taking of furbearing animals, in season, by a licensed trapper, or person permitted by the Department.

(i) A person using a live-restraining cage trap, other than a trap designed to catch more than 1 animal at 1 time, shall release or kill an animal captured in a live-restraining cage trap immediately upon finding that animal in a trap.

(ii) A person using a live-restraining cage trap, other than a trap designed to catch more than 1 animal at 1 time, shall tend the trap daily statewide.

(13) To use, carry afield, or set a trap with teeth or serrations.

(14) A person shall not set or maintain any foothold trap within 20 feet of bait located in such a manner that it is visible from 4 feet or more above the bait. This shall not be construed to prohibit the use of completely submerged foothold traps located within 20 feet of any bait.

(a) As used in this subsection, "bait" is any animal or animal parts, including dead fish, except that pieces of less than 36 square inches and comprised of dried hide, fur, feathers or bones and entirely free of meat may be used as a visible attractant.

(15) Possess or use natural cervid urine-based lures or attractants not marked with the official archery trade association seal of participation stamp in an area frequented by furbearers.

#### **4.1 Possession of animals; duty to retrieve game animals; exceptions.**

Sec. 4.1 A person may possess any animal or parts of any animal, from this state, or from outside of this state, whether living or dead, only as provided by this section:

(1) Game lawfully taken, acquired, and transported may be possessed by any person.

(2) Live game taken from the wild shall not be possessed. Wounded game, reduced to possession, shall be immediately killed and included in the daily limit. A person shall not kill or wound any game animal without making a reasonable attempt to retrieve the animal and include it in their daily limit.

(3) Dead game lawfully taken in another state, territory, or country, and lawfully imported into this state, may be possessed by any person.

(4) Game lawfully taken may be possessed afield, or in or upon a motorized vehicle, if the identification of species and sex is readily identifiable as provided by section 40109 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.40109. Waterfowl may be transported or possessed only in accordance with sections 3.403 to 3.406 of this order. For the purposes of identification under section 40109, the species and sex of a butchered or processed deer, bear, or elk shall be considered readily identifiable if the carcass or parts thereof are accompanied by the head of the animal with the validated tag or seal as required for the species by this order.

(5) Animals, dead or alive, and parts thereof may be possessed by educational institutions, public agencies, and public zoological gardens. A qualified person may obtain a permit from the department to possess a live animal for expressed purpose of ultimately returning the sick or injured animal to the wild.

(6) Except as otherwise provided in this subsection, live game or protected species, and any other animals which closely resemble game or protected species, and can reasonably be confused with game or protected species as determined by the department, which have been lawfully acquired from within this state, or lawfully imported, may be possessed if the person first applies for and has been issued 1 or more of the following licenses or permits specifically authorizing the species to be possessed by that person:

(a) A shooting preserve license.

(b) A permit to hold game in captivity.

(c) A federally recognized falconry permit.

(d) A federal raptor propagation permit, except that the possession of a threatened or endangered species must be in compliance with part 365, endangered species protection, of the natural resources and environmental protection act, 1994 PA 451. A person shall not possess any species under the authority of a federal raptor propagation permit unless that species may be legally used for falconry in this state.

(e) A federal special purpose education permit or state scientific collector's permit.

(7) Nothing in this section shall be construed to prohibit the possession of a hawk, owl, or eagle, or parts thereof, by an American Indian for ceremonial or religious purposes or for the preservation of tribal customs and heritage. For the purposes of this section, proof of American Indian lineage shall be a Bureau of Indian Affairs countersigned identification card or a tribal identification card issued by a tribe recognized by the United States government.

(8) A licensed taxidermist may possess lawfully acquired dead game and protected animals only under the following conditions:

(a) Game and protected animals must be tagged with a taxidermist specimen identification tag supplied by the department and the information requested on the tag must be completely and legibly recorded.

(b) A copy of the taxidermist specimen identification tag shall be maintained by the taxidermist on the premises for inspection by a conservation officer or a law enforcement officer for 1 year following disposal of any specimen.

(c) Receipt of any cervid carcass or parts thereof, other than deboned meat, quarters or other parts of a cervid that do not have any part of the spinal column or head attached, antlers, antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, and upper canine teeth originating from another state or province must be reported to the department, within the business hours of the next 72 hours of receipt unless at least one of the following conditions is met:

(i) The carcass or parts thereof is affixed with a department-issued CWD survey tag.

(ii) The hunter presents a portion of the department-issued CWD survey tag for that animal.

(d) A licensed taxidermist located outside of the core CWD area that receives a carcass or parts thereof, other than deboned meat, quarters or other parts of a cervid that do not have any part of the spinal column or head attached,

antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, and upper canine teeth, from a deer, which originated within the core CWD area, must be reported to the department, within 24 hours of receipt unless at least one of the following conditions is met:

- (i) The carcass or parts thereof is affixed with a department-issued CWD survey tag.
- (ii) The hunter presents a portion of the department-issued CWD survey tag for that animal.

(e) A licensed taxidermist located outside of the CWD management zone that receives a carcass or parts thereof, other than deboned meat, quarters or other parts of a cervid that do not have any part of the spinal column or head attached, antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, and upper canine teeth, from a deer, which originated within the CWD management zone, must be reported to the department, within 24 hours of receipt unless at least one of the following conditions is met:

- (i) The carcass or parts thereof is affixed with a department-issued CWD survey tag.
- (ii) The hunter presents a portion of the department-issued CWD survey tag for that animal.

(iii) A licensed taxidermist located outside of the core CWD area but inside the CWD management zone shall not possess a carcass from the core CWD area, as provided in subsection (8)(d).

(9) A person shall not possess the carcass or parts thereof, of a cervid originating from another state or province except for the following:

(a) Deboned meat, quarters or other parts of a cervid that do not have any part of the spinal column or head attached, antlers, antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, and upper canine teeth.

(b) A finished taxidermist mount.

(c) Tissues imported for use by a diagnostic or research laboratory.

(10) A person may possess antlers that have been shed by a cervid. "Shed" means to cast off as part of a natural process.

(11) An individual is exempt from obtaining a permit or license under this section for captive sourced:

(a) Pheasants (*phasianus colchicus*) if there are 12 or fewer in number.

(b) Quail if there are 12 or fewer in number.

(c) Hungarian partridge if there are 12 or fewer in number.

#### **4.2 Importation.**

Sec. 4.2 A person may import any animal, whether living or dead, or parts of any animal, into this state only as provided in this section:

(1) Dead bear or wild turkey, and parts thereof, lawfully taken or purchased in another state, territory, or country, and lawfully exported from that state, territory, or country, may be imported into this state if the bear or turkey is clearly and permanently tagged as to the state, territory, or country of origin. A person causing a dead animal or parts thereof to be imported shall maintain documentation of the lawful taking, purchase, and/or importation of the animal until the animal is consumed, or if prepared as a trophy, the documentation must remain with the trophy.

(2) Except as otherwise provided in this subsection, live game or protected animals, lawfully taken or acquired in another state, territory, or country, and lawfully exported from that state, territory, or country, may be imported into this state if the person causing the game or protected animal to be imported complies with sections 5.2 and 5.5 of this order and has first applied for and been issued one or more of the following licenses or permits specifically authorizing possession of the species being imported:

(a) A shooting preserve license.

(b) A permit to hold game in captivity.

(c) A federally recognized falconry permit.

(d) A federal raptor propagation permit, except that the importation of a threatened or endangered species must be in compliance with part 365, endangered species protection, of the natural resources and environmental protection act, 1994 PA 451. A person shall not import any species under the authority of a federal raptor propagation permit unless that species may be legally used for falconry in this state.

(e) A federal special purpose possession education permit or state scientific collector's permit.

(3) A person shall not import the carcass or parts thereof, of a cervid into this state except as described in section 4.1 (9) of this order. The carcass or parts thereof must be clearly and permanently tagged as to the state, territory, or country of origin. Documentation must be maintained of the lawful taking, purchase, and/or importation of the animal until the animal is consumed, or if prepared as a trophy, the documentation must remain with the trophy.

(4) A person who is notified by mail or other means that a carcass or parts thereof, imported into Michigan tested positive for CWD, shall report such finding within 72 hours to the Michigan department of natural resources, wildlife disease laboratory, and shall provide such information as may be requested by the laboratory.

(5) Nothing in this subsection shall be construed to prohibit an American Indian from importing a hawk, owl, or eagle for ceremonial or religious purposes or for the preservation of tribal customs and heritage. For the purposes of this section, proof of American Indian lineage shall be a Bureau of Indian Affairs countersigned identification card or a tribal identification card issued by a tribe recognized by the United States government.

#### **4.4 Commercial processing and storage; records required; maintenance and inspection; exceptions.**

Sec. 4.4 (1) The owner, operator, or agent of any commercial processing operation, refrigeration plant, or frozen food locker plant, shall obtain a free permit from the department and maintain records of all wild animals accepted for processing or storage for 90 days following receipt of the animal. Such records shall include the name and address of the owner of the animal, the date accepted, and the number of the license or permit authorizing possession. These records shall be maintained on the premises and be available for inspection by a conservation officer or a law enforcement officer at any reasonable time.

(2) A commercial processing operation that receives a carcass or parts thereof, other than deboned meat, quarters or other parts of a cervid that do not have any part of the spinal column or head attached, antlers, antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, and upper canine teeth, from a cervid which originated from another state or a province shall report such acquisition to the Michigan department of natural resources, wildlife disease laboratory, within 72 hours.

(3) A commercial processing operation located outside the core CWD area that receives a carcass or parts thereof, other than deboned meat, quarters or other parts of a cervid that do not have any part of the spinal column or head attached, antlers, antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, and upper canine teeth, from a deer, which originated within a core CWD area shall report such acquisition to the department within the 24 hours, unless at least one of the following conditions is met:

(a) The carcass or parts thereof is affixed with a department-issued CWD survey tag.

(b) The hunter presents a portion of the department-issued CWD survey tag for that deer.

(c) A not detected test result for CWD is reported by the department for that deer.

(3) A commercial processing operation located outside the CWD management zone that receives a carcass or parts thereof, other than deboned meat, quarters or other parts of a cervid that do not have any part of the spinal column or head attached, antlers, antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, and upper canine teeth, from a deer, which originated within a core CWD area shall report such acquisition to the department within the 24 hours, unless at least one of the following conditions is met:

(a) The carcass or parts thereof is affixed with a department-issued CWD survey tag.

(b) The hunter presents a portion of the department-issued CWD survey tag for that deer.

(c) A not detected test result for CWD is reported by the department for that deer.

(d) A commercial processing operation located outside of the core CWD area but inside the CWD management zone shall not possess a carcass outside of the core CWD area, as provided in subsection (3).

#### **4.5 Wild animal killed by motor vehicle; possession; permit; issuance, disposal.**

Sec. 4.5 An individual may possess a wild animal killed by collision with a motor vehicle, or so injured that it must be euthanized as allowed under law, only as provided for by the following: (1) For purposes of this section “nongame” means all wild birds and wild mammals not defined as game by Part 401, wildlife conservation, 1994 PA 451, MCL 324.40103(1).

(2) Nongame mammals killed by collision with a motor vehicle, except for mammals protected by section 9.3 of this order and by Part 365 endangered species protection, 1994 PA 451, MCL 324.36503, may be possessed by an individual at any time without a permit. Mammals protected by the endangered species protection act may be possessed only in compliance with Part 365.

(3) Nongame birds killed by collision with a motor vehicle, except for house (English) sparrows, European starlings, feral pigeons, or endangered or threatened species, may be possessed pursuant to section 5.21 of this order. House (English) sparrows, European starlings, or feral pigeons may be possessed by an individual at any time without a permit. Protected birds may be possessed only in compliance with Part 365, endangered species protection, 1994 PA 451.

(4) An individual may possess game as defined MCL 324.40103, other than badger, bobcat, brant, coot, crow, cub bear, duck, elk, fisher, Florida gallinule, geese, marten, moose, otter, snipe, sora rail, spotted fawn deer, Virginia rail, wild turkey, wolf, and woodcock under the following conditions:

(a) For the purposes of this section, the driver of the motor vehicle has first priority to take possession of a wild animal killed by a collision with a motor vehicle.

(b) A spotted fawn, cub bear, migratory game bird, and all game animals listed in subsection (4), except deer originating from within a core CWD area, killed by a motor vehicle collision may only be possessed pursuant to section 5.21 of this order.

(c) A deer originating from within a core CWD area or within a CWD management zone killed by a motor vehicle collision may only be possessed under the following:

(i) The individual obtains a permit from the department or by a police officer investigating the motor vehicle collision;

(ii) The individual notifies the department or a local law enforcement agency of his or her intent to maintain possession of the deer under subsection (4); or,

(iii) If the individual is the driver of the motor vehicle involved in the collision and as a result of that collision is calling 9-1-1 to report the collision, the individual must state his or her intent to maintain possession of the deer under subsection (4) pursuant to 2014 PA 255, MCL 324.40115; and,

(iv) The individual shall not possess the carcass of parts thereof, of the animal outside of the core CWD area except for deboned meat, quarters or other parts of a cervid that do not have any part of the spinal column or head attached, antlers, antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, upper canine teeth, or a finished taxidermist mount, unless the hunter has submitted the head within 24 hours of pick-up at a designated drop off location. Materials requested by the department shall be surrendered to the department for CWD testing and must be affixed with a department-issued CWD survey tag. The hunter retains at least a portion of the department-issued CWD survey tag.

(v) The individual shall not possess the carcass of parts thereof, of the animal outside of the CWD management zone, except for deboned meat, quarters or other parts of a cervid that do not have any part of the spinal column or

head attached, antlers, antlers attached to a skull cap cleaned of all brain and muscle tissue, hides, upper canine teeth, or a finished taxidermist mount, unless the hunter has submitted the head within 24 hours of pick-up at a designated drop off location. Materials requested by the department shall be surrendered to the department for CWD testing and must be affixed with a department-issued CWD survey tag. The hunter retains at least a portion of the department-issued CWD survey tag.

(A) A deer originating within the core CWD area shall not be possessed outside of the core CWD area, as provided in subsection (c)(iv).

(d) An individual in possession of beaver, coyote, fox, mink, muskrat, opossum, raccoon, skunk, weasel, or small game under subsection (4) shall prepare and maintain a written record as described by 2014 PA 255, MCL 324.40115 until the individual obtains a permit from the department or until the game and its parts are consumed, composted, or no longer possessed by any individual.

(e) Notwithstanding the provisions of subsection (4)(b) and (c), an individual in possession of a deer killed by collision with a motor vehicle under subsection (4), or so injured that it must be euthanized, shall do one of the following:

(i) Obtain a permit from the department or by a police or peace officer investigating the motor vehicle collision;

(ii) Notify the department or a local law enforcement agency of his or her intent to maintain possession of the deer under subsection (4); or,

(iii) If the individual is the driver of the motor vehicle involved in the collision and as a result of that collision is calling 9-1-1 to report the collision, the individual must state his or her intent to maintain possession of the deer under subsection (4) pursuant to 2014 PA 255, MCL 324.40115.

(5) Notwithstanding the provisions of subsection (4)(b), an individual in possession of a bear killed by collision with a motor vehicle under subsection (4), or so injured that it must be euthanized, shall obtain a permit from the department or a peace officer for that bear.

(6) The permit issued for the salvage of a bear may be issued by a police or peace officer investigating the motor vehicle collision upon a form prescribed by the director and all of the following apply:

(a) A person possessing a bear killed by collision with a motor vehicle shall immediately produce the bear permit upon the demand of a conservation officer or peace officer.

(b) Immediately following the issuance of a bear permit, a person possessing bear killed by collision with a motor vehicle carcass shall securely attach the permit to the carcass. The permit shall remain attached until the carcass is processed or butchered for consumption. If the carcass is used as bait, the permittee may remove the permit while the carcass is in use, but shall produce the permit upon the request of a peace officer.

(c) A permit authorized under this subsection may be issued by a department conservation officer to dispose of the carcass of a deer, pursuant to subsection (4)(b) and (c), or bear which was otherwise accidentally or unlawfully taken, or unlawfully possessed.

(7) A wild animal killed by collision with a motor vehicle from outside the state of Michigan may be kept only by an individual meeting the provisions of section 4.1 and 4.2 of this order.

#### **5.74a Animals of special concern, possession, transportation and disposal.**

Sec. 5.74a Animals of special concern are as follows: (1) Deer of special concern, all wild free-ranging deer. Live wild deer shall not be possessed without a permit from the department, subject to the following:

(a) All wild deer, positively confirmed to be from Alcona, Alpena, Iosco, Montmorency, Oscoda, Otsego, and Presque Isle counties shall not be possessed unless:

(i) euthanized and sent or taken at the earliest possible time to the wildlife disease laboratory by direct arrangement with the wildlife disease laboratory or by arrangement with a local conservation officer.

(ii) obtained by a permittee located inside Alcona, Alpena, Iosco, Montmorency, Oscoda, Otsego, and Presque Isle counties who humanely euthanizes the animal within 24 hours of receipt.

(b) All wild deer, except fawns, positively confirmed to be from inside a county with a confirmed case of CWD shall not be possessed unless:

(i) euthanized and sent or taken at the earliest possible time to the wildlife disease laboratory by direct arrangement with the wildlife disease laboratory or by arrangement with a local conservation officer.

(ii) obtained by a permittee located in a county with a confirmed case of CWD who humanely euthanizes the animal within 24 hours of receipt.

(c) All wild fawns positively confirmed to be from inside a county with a confirmed case of CWD shall be possessed and released only if the capture and release point of the wild fawn is within a 10-mile radius of a licensed permittee.

(d) All wild deer, except fawns, positively confirmed to be from outside of a county with a confirmed case of CWD shall not be possessed unless:

(i) euthanized and sent or taken at the earliest possible time to the wildlife disease laboratory by direct arrangement with the wildlife disease laboratory or by arrangement with a local conservation officer.

(ii) obtained by a permittee located outside of a county with a confirmed case of CWD who humanely euthanizes the animal within 24 hours of receipt.

(e) All wild fawns positively confirmed to be from outside of a county with a confirmed case of CWD shall:

(i) not be moved to a county with a confirmed case of CWD.

(ii) be released only in the county of origin. Each cage shall be tagged by the permittee with the county of origin and date of capture for each deer.

(f) If the capture point of a wild deer cannot be positively confirmed to be from a particular county, the deer shall be isolated in a manner to prevent physical contact with other deer and humanely euthanized within 24 hours of receipt. If a deer has come into physical contact with a deer originating from another or unknown county of origin, both deer shall be isolated in a manner to prevent physical contact with other deer and humanely euthanized within 24 hours of receipt.

(g) The permittee shall permanently mark all deer in possession with a clearly visible unique identification mark as required by the department.

(h) All wild deer shall be released by October 1 annually unless otherwise determined by the department.

(2) Skunks and bats of special concern, all wild skunks and bats. Live skunks and bats shall not be possessed.

(3) Raccoons of special concern, all wild raccoons. Live raccoons may be possessed and released only as follows:

(a) Raccoons shall be released only in the same county where captured and shall be isolated in a manner to prevent physical contact with animals not originating from the same county. Each cage shall be tagged by the permittee with the county of origin and date of capture.

(b) Cages and areas used to hold raccoons for release shall be constructed of materials that can be effectively disinfected.

(c) If the capture point of a raccoon cannot be positively confirmed to be from a particular county, the raccoon shall be isolated from physical contact with other raccoons and humanely euthanized within 24 hours of receipt. If a raccoon has come into physical contact with a raccoon originating from another or unknown county of origin, both raccoons shall be isolated from physical contact with other raccoons and humanely euthanized within 24 hours of exposure.

(4) Elk of special concern, all wild free-ranging elk. Live wild elk shall not be possessed.

(5) Moose of special concern, all wild free-ranging moose. Live wild moose shall not be possessed.

(6) Mute swans of special concern, all wild mute swans. Live wild mute swans shall not be possessed.

(7) Subject to the provisions of this order, in the event a wild deer is humanely euthanized or dies as the result of disease symptoms consistent with chronic wasting disease, the carcass shall be sent or taken at the earliest possible time to the wildlife disease laboratory by direct arrangement with the wildlife disease laboratory or by arrangement with a local conservation officer or a law enforcement officer.

#### **5.77 Disease control permit (DCP); standards, conditions, records; unlawful acts.**

Sec. 5.77 (1) A DCP may be issued to any owner of property in a county with a confirmed case of bovine tuberculosis, chronic wasting disease, or lands within a geographic area as determined by the department of a confirmed case of a disease, as defined in section 5.76 of this order.

(2) Property inspections may be conducted under the direction and at the discretion of the authorized department representative.

(3) A DCP shall not be valid except during the time period for which it is authorized, as printed on the tag.

(4) The permittee shall keep records as may be required by the director and present them for inspection at the request of a conservation officer or other department representative.

(5) The permittee or authorized designee shall make a reasonable effort to retrieve all deer shot under the authority of a DCP.

(6) The permittee or authorized designee shall have a valid unused tag on their person when taking or attempting to take deer.

(7) A person killing a deer shall immediately attach the tag to the deer. The permittee or authorized designee, upon killing a deer, shall notify the department within 72 hours after having killed that deer.

(8) All deer killed under a DCP shall be disposed of as instructed. If required, deer heads shall be submitted to the department by the permittee.

(9) The DCP shall be valid within the ownership boundaries of the permittee or as stated on the permit.

(10) A DCP shall be valid for taking deer of either sex as instructed.

(11) For failure to comply with this section or other requirements of the DCP, the department shall deny a permittee to be eligible to participate in the next calendar year.

#### **9.1 Permitted acts; certain species.**

Sec. 9.1 (1) English sparrows, feral pigeons, and starlings may be taken by hunting statewide, year around except within state park and recreation areas from April 1 to September 14. English sparrows and starlings may be taken without a permit when doing or about to do damage to property or committing or about to commit depredations. Opossum, weasels, ground squirrels, and red squirrels may be taken by hunting and trapping statewide, year around except within state park and recreation areas from April 1 to September 14.

(2) Mute swans and their eggs and nests may be taken by department personnel, and persons authorized by the department to control mute swans under one or more of the following situations:

(a) To stabilize or reduce mute swan population levels or to prevent new populations of feral mute swans from being established in this state.

(b) To prevent mute swans interference with the establishment, reestablishment, or reproductive success of native wildlife and with the establishment or reestablishment of native vegetation.

(c) To prevent mute swans interference with the establishment, reestablishment, or reproductive success of endangered or threatened species.

(d) To protect public health, safety, or welfare.

(3) Mute swans taken as provided in this section shall not be released back into the wild in this state.

(4) A bat may be taken whenever there is any reason to believe the bat was involved in a bat-human or bat-domestic animal exposure to rabies or other health hazard. Bats taken under this subsection shall not be held in captivity except for temporary holding of the animal at the request or recommendation of a physician or public health official for public health reasons. Bats held in captivity for public health reasons shall be humanely euthanized. Except for threatened or endangered species, or as otherwise provided by this order, bats may be taken:

(a) When creating a damage or nuisance problem on privately-owned property.

(b) Incidental to normal forest management activities occurring on public or private lands.

(c) Incidental to closure of an abandoned mine as a result of public safety concerns.

(d) Incidental to demolition of buildings or other structures.

(e) To test for a wildlife disease, as authorized by the department in writing.

(f) To humanely euthanize a bat that is not listed as threatened or endangered and is showing symptoms of a terminal disease, such as white-nose syndrome.

(5) Double-crested cormorants and their eggs may be taken only as follows:

(a) Double-crested cormorants may be harassed without a permit by nonlethal means to deter or prevent damage to private property or to public fishery resources using such devices as noise makers or scare devices and other recognized and recommended means of preventing damage which do not kill, harm, capture, trap, or collect animals.

(b) Double-crested cormorants may be taken and their eggs destroyed or oiled by department employees and designated agents of department employees at times and by manners identified through a state breeding colony or local breeding population control action which has been submitted to the United States fish and wildlife service.

(6) Individuals of a cervidae species not native to Michigan, including, but not limited to sika deer, fallow deer, mule deer, and hybrids thereof, but excluding red deer, elk, and hybrids thereof, found in the state outside of the perimeter fence of a registered cervidae livestock operation for more than 48 hours that do not bear visible identification may be taken by hunting statewide, year around, except within state park and recreation areas from April 1 to September 14, if the animal is submitted for registration and disease testing in a manner specified by the department by the person killing the animal.

(7) Red deer, elk and hybrids thereof found in zone 3 outside of the perimeter fence of a registered cervidae livestock operation for more than 48 hours that do not bear visible identification may be taken by hunting year around, except within state park and recreation areas from April 1 to September 14, if the animal is submitted for registration and disease testing in a manner specified by the department by the person killing the animal.

(8) In addition to the provisions of subsections (6) and (7), the wildlife permit specialist may issue a permit authorizing a department employee or federal employee to kill a cervidae species not native to Michigan, including elk, red deer and hybrids thereof, in a specified part of the state during a specified time period, whether or not visibly marked, if all of the following conditions are met:

(a) The animal is documented by a department employee or federal employee to have been outside of the perimeter fence of a registered cervidae livestock operation for more than 48 hours.

(b) No report of release has been filed with the department matching the species of animal and visible identification, if any, on the animal for the locality in which the animal was found.

(c) The department is unable to determine ownership of the animal by the visible identification, if any, displayed on the animal.

(d) The animal is submitted for registration and disease testing in a manner specified by the department.

(9) An individual may take a sick or emaciated deer by an otherwise lawful hunting method if given written or verbal permission from a department representative. The individual shall notify the department within 24 hours after the animal is taken. Any animal taken under this section must be submitted for registration and disease testing in a manner specified by the department.

**12.498 “Core CWD Area” defined.**

Sec. 12.498 “Core CWD Area” means the following:

(1) All of Ionia, Kent, Mecosta, Montcalm, and Newaygo counties.

**12.901 “CWD management zone” defined.**

Sec. 12.901 “CWD management zone” means all of Calhoun, Clinton, Eaton, Gratiot, Hillsdale, Ingham, Ionia, Isabella, Jackson, Kent, Mecosta, Montcalm, Muskegon, Newaygo, Ottawa, and Shiawassee counties.

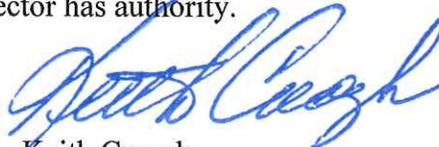
Issued on this 9th day of August, 2018.

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



Vicki J. Pontz, Chair  
Natural Resources Commission

Approved as to matters over which the Director has authority.



Keith Creagh  
Director





RICK SNYDER  
GOVERNOR

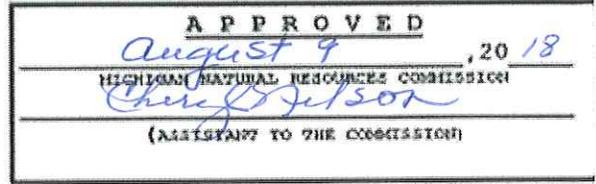
STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

SUBMITTED:  
RESUBMITTED:

June 18, 2018  
July 16, 2018



MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Expand Hunting at Marl Lake Property at South Higgins Lake State Park during the Established Open Seasons  
Wildlife Conservation Order Amendment No. 13 of 2018

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

In March of 1984, the Department had purchased a piece of property called the Marl Lake property located at South Higgins Lake State Park. The Marl Lake property includes 700 acres of land encompassing 220 acre Marl Lake and 14,400 feet of frontage on the Cut River. At the time it was acquired, all of the land was open to hunting. When two additional parcels adjacent to this land were acquired in 1989, the Order designating these new lands and allowing for hunting inadvertently removed the land description of the 1984 property.

Currently, hunting and trapping is allowed during the established open seasons on certain portions of state-owned land located at South Higgins Lake State Park, as referenced above. The Department recommends updating the Order to reflect that all of the Marl Lake property is open to hunting and trapping during the established open seasons.

South Higgins Lake State Park has many waterfowl, small game, and deer hunters who have been utilizing the property for years. Opening up the Marl Lake property to hunting and trapping during the established open seasons would provide greater opportunities for hunting and trapping in this area. Wildlife Division supports this increased hunting and trapping opportunity at Marl Lake.

*Biological*

The Marl Lake portion of South Higgins Lake State Park is approximate 700 acres and is forested with oak, maple, and pine, as well as some birch and other species mixed in the area. Opening up the Marl Lake property to hunting and trapping is not expected to have any significant biological impact.

Expand Hunting at Marl Lake Property at South Higgins Lake State Park during the Established Open Seasons  
Amendment No. 13 of 2018  
Page 2  
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*Social*

The Marl Lake property is already being used for hiking, bird viewing, and cross country skiing; therefore, opening up the Marl Lake property to hunting and trapping will allow for additional recreational opportunities.

*Economic*

The Department does not expect a significant economic impact. Opening up the Marl Lake property to hunting and trapping opportunities will provide economic benefits by enhancing the amount of recreation and hunting expenditures, e.g., costs of ammunition, food, travel, and lodging. It may also result in increased license sales.

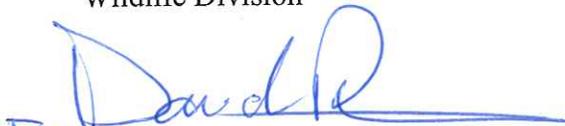
Relevant Divisions have contributed to the preparation of this order. This order was being submitted for information on July 12, 2018 at the Natural Resources Commission meeting. This item appeared on the Department's June 2018 calendar and may be eligible for approval on August 10, 2018.



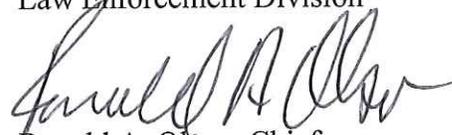
Russ Mason, Ph.D., Chief  
Wildlife Division



Gary Hagler, Chief  
Law Enforcement Division



For Deb Begalle, Chief  
Forest Resources Division



Ronald A. Olson, Chief  
Parks and Recreation Division



James Dexter, Chief  
Fisheries Division



William O'Neill  
Natural Resources Deputy

Expand Hunting at Marl Lake Property at South Higgins Lake State Park During the Established Open Seasons

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July 16, 2018

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



Keith Creagh, Director

8/9/18  
Date

# WILDLIFE CONSERVATION ORDER

## Amendment No. 13 of 2018

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 August 10, 2018, the following section(s) of the Wildlife Conservation Order shall read as follows:

### **7.25 South Higgins lake state park, hunting and trapping allowed.**

Sec. 7.25 Hunting and trapping shall be allowed during the established seasons on all state-owned lands within sections 3 and 4, T23N R3W, and sections 33 and 34, T24N R3W.

Issued on this 9th day of August, 2018.

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



Vicki J. Pontz, Chair  
Natural Resources Commission

Approved as to matters over which the Director has authority.



Keith Creagh  
Director



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAM  
DIRECTOR

SUBMITTED: June 18, 2018  
RESUBMITTED: July 16, 2018

**APPROVED**  
*August 9, 2018*  
MICHIGAN NATURAL RESOURCES COMMISSION  
*Charles Nelson*  
(ASSISTANT TO THE COMMISSION)

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Pierce Road Unit Special Hunt Opportunities at the Sharonville State Game Area  
Wildlife Conservation Order Amendment No. 14 of 2018

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:

In August 2015, the Natural Resources Commission (NRC) approved a restricted access hunt area that provides Special Hunt Opportunities within the Pierce Road Unit of the Sharonville State Game Area. This hunt gives hunters with disabilities, as defined in the order, the opportunity to hunt deer on state land without competition from other hunters and allows Michigan's deer resources to be more accessible to hunters with disabilities. It was recommended that after three years, the Department evaluate the biological, social, and economic impact of the Special Hunt Opportunities and bring the results forward for discussion with the NRC.

About 600 acres are included in the restricted access hunt area within the Sharonville State Game Area. The area, designated as the Pierce Road Unit, is still open to the public for recreational activities except during posted Special Hunt Opportunities. During Special Hunt Opportunities, the hunt is only open to deer hunters with disabilities who have been drawn for a permit and their accompanying companion, defined as "operators." The hunt dates are during the Liberty Hunt, the first week of Archery Deer Season, the Independence Hunt, and the Regular Firearm Season.

Hunters with disabilities, who are successful in the application process can designate up to three "operators" to accompany them on the hunt. At least one designated operator must be at least 18 years of age and possess a license other than an apprentice license to hunt deer or a certificate of completion of training in hunter safety. The operator(s) are not permitted to harvest a deer in the hunt area during Special Hunt Opportunities. The operator(s) must be able to come to the immediate aid of the permittee and maintain uninterrupted, unaided visual contact.

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Applicants who participate in Special Hunt Opportunities must meet at least one of the following qualifications:

- Possession of a Department issued permit to hunt from a standing vehicle;
- Documentation as a veteran with 100 percent disability as defined by the United States Department of Veterans Affairs;
- Documentation, as a resident, by the United States Department of Veteran's Affairs as individually unemployable;
- Declaration as legally blind, as defined by section 1 of 1978 PA 260, MCL 393.351; or
- Possession of a Department issued permit to hunt using a laser sighting device.

The Department has evaluated the biological, social, and economic impact of the special hunt opportunities and proposes that the NRC reauthorize this regulation and remove the sunset entirely.

#### *Biological*

From 2015-2017 there were 15 deer harvested during the Special Hunt Opportunities. Due to the limited scope of the Special Hunt Opportunities in the Pierce Road Unit, there was no biological impact.

#### *Social*

From 2015-2017, 56 hunters participated in the Special Hunt Opportunities.

Many hunters who qualify to participate in the Special Hunt Opportunities have complicated health histories that may require special staffing, frequent health care appointments, and sudden medical emergencies. These additional opportunities for uninterrupted and supported hunts may help to increase hunter success rates and satisfaction. In addition, allowing a permittee to designate up to three operators is intended to increase support for the hunter and satisfaction.

In 2017, three blinds were placed in the area and participants filled the blinds every day of the allotted hunting periods. Three more blinds will be placed this year and the Department anticipates that the harvest and number of hunters for 2018 will match the total harvest and number of hunters from the past three seasons.

#### *Economic*

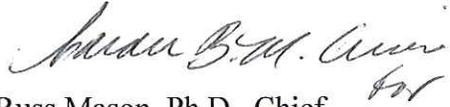
There may have been some local benefit to surrounding businesses during Special Hunt Opportunities, such as restaurant and hotel sales. There was no significant economic impact publicly.

Pierce Road Unit Special Hunt Opportunities at the Sharonville State Game Area  
Wildlife Conservation Order Amendment No. 14 of 2018

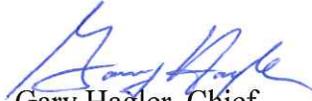
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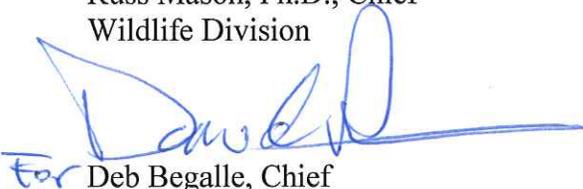
Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on July 12, 2018, at the Natural Resources Commission meeting. This item appeared on the Department's June calendar and may be eligible for approval on August 9, 2018.



Russ Mason, Ph.D., Chief  
Wildlife Division



Gary Hagler, Chief  
Law Enforcement Division



for Deb Begalle, Chief  
Forest Resources Division



Ronald A. Olson, Chief  
Parks and Recreation Division



James Dexter, Chief  
Fisheries Division



William O'Neill  
Natural Resources Deputy

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



Keith Creagh, Director

8/9/18

Date

# WILDLIFE CONSERVATION ORDER

## Amendment No. 14 of 2018

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 August 10, 2018, the following section(s) of the Wildlife Conservation Order shall read as follows:

### **13.18 Sharonville state game area; Pierce road unit definition, rules.**

Sec. 13.18 The following rules are established on those portions of the Sharonville state game area, Jackson county, posted "designated Pierce road unit – permit required for access and hunting on dates posted" being portions south of Sharon valley road in section 36, T03S R02E and sections 1 to 2 of T04S R04S:

(1) The management unit supervisor or their representative may designate special hunt opportunity days for the Pierce road unit during any deer hunting season.

(2) During designated special hunt opportunity days as posted by the department, all access to the Pierce road unit is prohibited without a permit. This subsection shall not apply to authorized employees and designated agents of the department performing official job responsibilities.

(3) An individual wishing to participate in restricted hunting days shall be eligible to apply for a permit if one of the following applies:

(a) The individual possesses a department issued permit to hunt from a standing vehicle.

(b) The individual is a veteran with 100 percent disability as defined by the United States department of veterans affairs. Documentation from the United States department of veterans affairs indicating 100 percent disability shall be in the possession of a veteran participating in restricted hunting days.

(c) The individual is a resident rated by the United States department of veterans affairs as individually unemployable. Documentation from the United States department of veterans affairs indicating an individually unemployable rating shall be in the possession of a veteran participating in restricted hunting days.

(d) The individual is blind as defined by section 1 of 1978 PA 260, MCL 393.351.

(e) The individual possesses a department issued permit to hunt using a laser sighting device.

(4) Permits for special hunt opportunity days may be issued to qualifying individuals chosen in random drawings. Permits shall not be transferred or altered.

(5) During the special hunt opportunities, a qualifying permitted hunter may designate up to three accompanying operators. "Operator" means an individual who accompanies the permitted hunter during the special hunt opportunity days. The operator(s) shall be capable of providing immediate aid to the permitted hunter and shall maintain uninterrupted, unaided visual contact with the permitted hunter. At least one operator in the hunting party shall be 18 years of age or older and shall possess a valid license to hunt deer, other than an apprentice, or a certificate of completion of training in hunter safety.

(6) A qualifying permitted hunter participating in special hunt opportunity days shall possess a deer license, deer combination license, or an antlerless deer license valid for deer management unit 038. A qualifying permitted hunter may take one deer during the period for which the permit is valid. Notwithstanding any other provisions of this order, during the restricted hunting days, a deer license or deer combination license is valid for either an antlered or an antlerless deer.

(7) Except as otherwise specifically provided in this section, all regulations of state law and this order regarding the taking, possession, transportation, and storage of deer during a deer season shall apply to an individual participating in special hunt opportunity days.

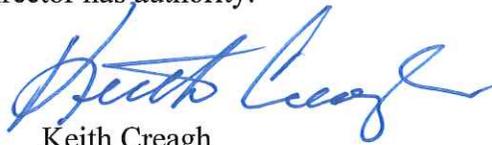
Issued on this 9th day of August, 2018.

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



Vicki J. Pontz, Chair  
Natural Resources Commission

Approved as to matters over which the Director has authority.



Keith Creagh  
Director





RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAUGH  
DIRECTOR

SUBMITTED: June 18, 2018  
RESUBMITTED: July 16, 2018

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Order to Restrict Motorized Vehicles on Specific Trails in the Ralph Grouse Enhanced Management System and the Bill Rollo Memorial Grouse Enhanced Management System  
Land Use Order of the Director Amendment No. 4 of 2018

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director to issue orders to implement land use rules.

Discussion and Background:

Grouse Enhanced Management Systems (GEMS) are a collection of intensively managed lands spread across the State of Michigan. The GEMS bring attention to Michigan's outstanding upland bird hunting opportunities through the creation of a series of walk-in access hunting trails. A majority of these hunting trails are the result of past logging activities that were specifically designed to offer leisurely walk-in access to hunters by providing minimal terrain challenges and easy trail and road grades. Currently, most of the hunting trails allow motorized vehicle access, which degrades the conditions of walk-in access hunting trails. The Department proposes restricting the use of motorized vehicles on specific hunting trails in two GEMS located in the Upper Peninsula; the Ralph GEMS and the Bill Rollo Memorial GEMS.

These restrictions are highly recommended for a variety of reasons. The trails are routinely used by traveling wing-shooters, mentored youth, and aging hunters who are no longer able to navigate the thick brush associated with grouse and woodcock hunting. The trails also provide wildlife viewing opportunities for additional game and non-game species. In addition, trees along the trails provide food and habitat for wildlife species. The proposed closures to motorized vehicles will protect the potential for motorized vehicle accidents and protect wildlife habitat. Closing specific hunting trails to motorized vehicles will also allow the Department to properly manage GEMS hunting trails for their primary purpose; to provide quality, walk-in hunting opportunities for hunters pursuing ruffed grouse, woodcock and other wildlife species.

The Department proposes the following:

- A person shall not operate a motorized vehicle within the area commonly known as the Ralph Grouse Enhanced Management System, where gated, posted, or otherwise blocked within sections 1, 2, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 20, and 21, T43N, R28W,

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Order to Restrict Motorized Vehicles on Specific Trails in the Ralph Grouse Enhanced Management System and the Bill Rollo Memorial Grouse Enhanced Management System  
Land Use Order of the Director Amendment No. 4 of 2018

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Dickinson County as illustrated on the Ralph Grouse Enhanced Management System map as published on the Department's website and dated August 9, 2018, without written permission issued by the Department.

- A person shall not operate a motorized vehicle within the area commonly known as the Bill Rollo Memorial Grouse Enhanced Management System, where gated, posted, or otherwise blocked within sections 14, 15, 17, 19, 20, 21, 22, 23, 24, 26, 27, 30, and 35, T44N, R26W, Marquette county as illustrated on the Bill Rollo Memorial Grouse Enhanced Management System map as published on the Department's website and dated August 9, 2018, without written permission issued by the Department.

The Department also recommends that Department employees and their designees be allowed motorized vehicle access, as well as emergency personnel performing official duties. Personal Assistive Mobility Devices are not considered a motorized vehicle.

In order to properly manage these trails, the Department will install gates, post signs or otherwise block unauthorized vehicle usage where motorized vehicles are not permitted. Department staff developed a management plan for each of these GEMS sites by Department staff that outlines the management goals for each GEMS. The management plans include kiosk placements and gate locations, as well as parking facilities for improved access to the properties.

### *Biological*

A primary goal of GEMS is to promote ruffed grouse and woodcock habitat, as well as other wildlife species habitat including bear, deer, and turkey. Currently, motorized vehicles in the walk-in access trails often damage the habitat, specifically clover and fruit-bearing trees the Department plants to benefit wildlife habitat. In addition, closing the trails to motorized vehicles will allow the Department to properly maintain the wildlife habitat to enhance hunting opportunities, showcase grouse and woodcock habitat management for educational purposes, and offer exceptional wildlife viewing opportunities.

### *Social*

The increased revenue from the 2014 license fee package, Public Act 108 of 2013, allowed the Department to develop GEMS to enhance and offer recreational opportunities for grouse and woodcock hunting. In addition, GEMS trails create safe and easily accessible hunting opportunities for new hunters or those with limited mobility.

### *Economic*

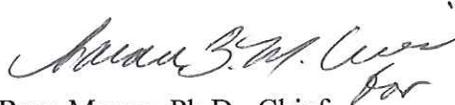
The GEMS are areas that are utilized by both local and non-resident hunters. Local businesses that sign up to be GEMS sponsors get free advertising that can bring hunters to their business in particular, as well as the general area. Closing hunting trails to motorized vehicles will further support the forest economy and will tie local communities to Michigan's natural resources by capitalizing and expanding the forest tourism industry.

Order to Restrict Motorized Vehicles on Specific Trails in the Ralph Grouse Enhanced Management System and the Bill Rollo Memorial Grouse Enhanced Management System  
Land Use Order of the Director Amendment No. 4 of 2018

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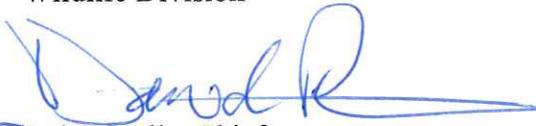
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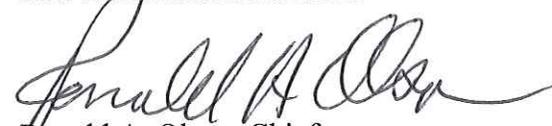
Russ Mason, Ph.D., Chief  
Wildlife Division



Gary Hagler, Chief  
Law Enforcement Division



For Deb Begalle, Chief  
Forest Resources Division



Ronald A. Olson, Chief  
Parks and Recreation Division



James Dexter, Chief  
Fisheries Division



William O'Neill  
Natural Resources Deputy

# LAND USE ORDERS OF THE DIRECTOR

## Amendment No. 4 of 2018

By authority conferred on the Director of the Department of Natural Resources by Section 504 of the Natural Resources Environmental Protection Act, 1994 PA 451, as amended, MCL 324.504, and in accordance with R 299.921 to R 299.933, the Director of the Department of the Natural Resources orders the following:

### **4.17 Certain state-owned lands, Dickinson county, motorized vehicles, firearms, prohibited conduct.**

Order 4.17 (1) A person shall not operate a motorized vehicle, from April 1 through November 30, without a written permit issued by the department on the following described state-owned lands, Dickinson county:

- (a) Trail numbers 1 through 4 located in sections 6 and 7, T44N R27W, and in sections 1, 2, and 12, T44N R28W.
- (b) Trail numbers 5 and 6 located in sections 30 and 31, T41N R29W, and section 36, T41N R30W.
- (c) Trail numbers 11 through 13 located in sections 23, 24, and 26, T40N R29W, and section 20, T41N R28W.
- (d) Trail numbers 16 and 17 located in section 19, T44N R29W, and section 24, T44N R30W.
- (e) Trail number 18 located in section 21, T42N R27W.
- (f) Lake Antoine, grade, snowmobile trail - that part lying and extending north of the sturgeon river in section 13, T39N R29W, and that part lying in sections 2, 3, 11, and 12, T39N R29W, and lying east of the north-south county road in the center of section 4, T39N R29W.

(2) A person shall not operate a wheeled motorized vehicle except for otherwise lawful operation upon a designated trail or designated route within the following described state-owned lands:

- (a) The S1/2 of the NW1/4 and the N1/2 of the NE1/4 of section 5, and the W1/2 of the NE1/4 and the SE1/4 of the SE1/4 of section 6, T41N R29W.
- (b) The S1/2 of the SW1/4 of section 6, T42N R28W.
- (c) The SW1/4 of section 14, the W1/2 and the NW1/4 of the SE1/4 of section 23, the W1/2 of section 26 and the W1/2 of the NW1/4 of section 35, T40N R29W.

(3) A person shall not use or possess firearms within the NW1/4 of the NW1/4 of section 7, T39N R28W.

(4) A person shall not operate a motorized vehicle within the area commonly known as the Ralph grouse enhanced management system, where gated, posted, or otherwise blocked within sections 1, 2, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 20, and 21, T43N, R28W, Dickinson county as illustrated on the Ralph grouse enhanced management system map as published on the department's website and dated August 9, 2018, without written permission issued by the department, exception:

(a) This section shall not apply to department employees and their designees using a motorized vehicle or a motorized vessel to perform official duties, or to fire, emergency or law enforcement personnel to perform official duties.

### **4.30 Certain state-owned lands, Marquette and Alger counties, prohibited conduct.**

Order 4.30 (1) A person shall not operate a motorized vehicle upon state-owned lands within the following portions of Marquette county:

- (a) The SE1/4 of the NE1/4 and the NE1/4 of the SE1/4 of section 33, and the N1/2 of the SW1/4 and the E1/2 of the NW1/4 of section 34, T45N R28W.

Fl

(b) Those lands lying south of county road 480 and east of county road 553 in section 22, the W1/2 of section 23, the NW1/4 of section 26, and section 27, T47N, R25W and on the designated pathway known as thunder valley equestrian trail in the S1/2 of section 26, W1/2 of the SE1/4 of section 25, and section 36 of T47N, R25W. In addition, no overnight camping is allowed in the thunder valley equestrian trail parking lot.

(c) On the closed road in the SW1/4 of the NE1/4 and the NW1/4 of the SE1/4 of section 3, T49N, R26W.

(2) A person shall not camp within the east Anderson lake state forest campground area, being all or portions of section 12, T44N R26W; that part of the S1/2 of the SE1/4 of section 12, T44N R26W, lying southerly and easterly of Anderson lake; the NE1/4 of the NE1/4 of section 13, T44N R26W; and the NW1/4 of the NW1/4 of section 18, T44N R25W, Marquette county.

(3) A person shall not do any of the following on the blueberry ridge pathway located upon state-owned lands within sections 22, 23, 26, 27, T47N, R25W, Marquette county.

(a) Possess a dog from November 15 to April 15.

(b) Possess a horse or other riding or pack animal or bike.

(4) A person shall not do any of the following on the little Presque isle property in sections 17 to 20, and 29 to 32, T49N R25W, and sections 13, 24, 25 and 36, T49N R26W, Marquette county:

(a) Launch or attempt to launch a vessel equipped with an inboard or outboard motor, except an electric motor, onto the waters of Harlow lake.

(b) Target shoot with a firearm, crossbow, or bow and arrow.

(c) Operate a wheeled motorized vehicle or snowmobile except upon a forest road.

(d) Have an open fire, except fires in a self-contained cooking unit or in a fire ring or grill in a designated campsite or day use area west of county road 550.

(e) Possess a glass container except in a designated camping area.

(f) Possess or consume an alcoholic beverage east of county road 550.

(g) Allow a pet to be unleashed within a designated quiet or designated day use area.

(h) Camp within 1 mile of a campground, rustic cabin, day use area or boat launching site, or camp east of county road 550.

(i) Use a mountain bicycle, except on an abandoned railroad right-of-way, forest road or designated trail.

(j) Use or operate a loud speaker, public address system, or other sound amplifying equipment without written permission of the unit manager. Permission shall not be granted if such system is capable of interfering with the use and enjoyment of the quiet area by other persons.

(k) Operate a motor, motor vehicle, radio, television or any device in a manner that produces excessive noise.

(5) A person shall not camp upon or within 100 feet of the little garlic parking lot in the SE1/4 of the NW1/4 of section 3, T49N R26W, Marquette county.

(6) The Marquette to Munising junction trail means the former Wisconsin central limited railroad right-of-way beginning at Hampton street in the city of Marquette in the NW1/4 of the NE1/4 of section 26, T48N R25W, Marquette county and ending at Munising junction in the SW1/4 of the SE1/4 of section 17, T46N R19W, Alger county. A person shall not do any of the following upon the Marquette to Munising junction trail:

(a) Operate a wheeled motorized vehicle between the intersections of the trail with Hampton street in the NW1/4 of the NE1/4 of section 26, T48N R25W, to the intersection of the trail with Casino road in the SE1/4 of the NE1/4 of section 12, T47N R24W, Marquette county.

(b) Operate a wheeled motorized vehicle which is greater than 50" in width between the intersection of the trail with Casino road in the SE1/4 of the NE1/4 of section 12, T47N R24W, Marquette county and the intersection of the trail with a north-south electric transmission line in the NE1/4 of the SW1/4 of section 17, T46N R19W, Alger county.

(c) Operate a snowmobile at a speed greater than 35 miles per hour as posted, commencing where the trail intersects the west line of the NW1/4 of NW1/4 of section 6, T47N, R24W, or starting from the westerly end point behind the Michigan department of transportation welcome center in Harvey to an easterly end point 0.4 miles east of Choccolay downs road.

(d) This order shall not apply to vehicles used by the state of Michigan, law enforcement agencies or utility companies when on official business, or other parties with written permission from the unit manager or for otherwise lawful operation of wheeled motorized vehicles when crossing the trail.

(7) A person shall not operate a motorized vehicle within the area commonly known as the Bill Rollo Memorial grouse enhanced management site, where gated, posted, or otherwise blocked within sections 14, 15, 17, 19, 20, 21, 22, 23, 24, 26, 27, 30, and 35, T44N, R26W, Marquette county as illustrated on the Bill Rollo Memorial grouse enhanced management site map as published on the department's website and dated August 9, 2018, without written permission issued by the department, exception:

(a) This section shall not apply to department employees and their designees using a motorized vehicle or a motorized vessel to perform official duties, or to fire, emergency or law enforcement personnel to perform official duties.

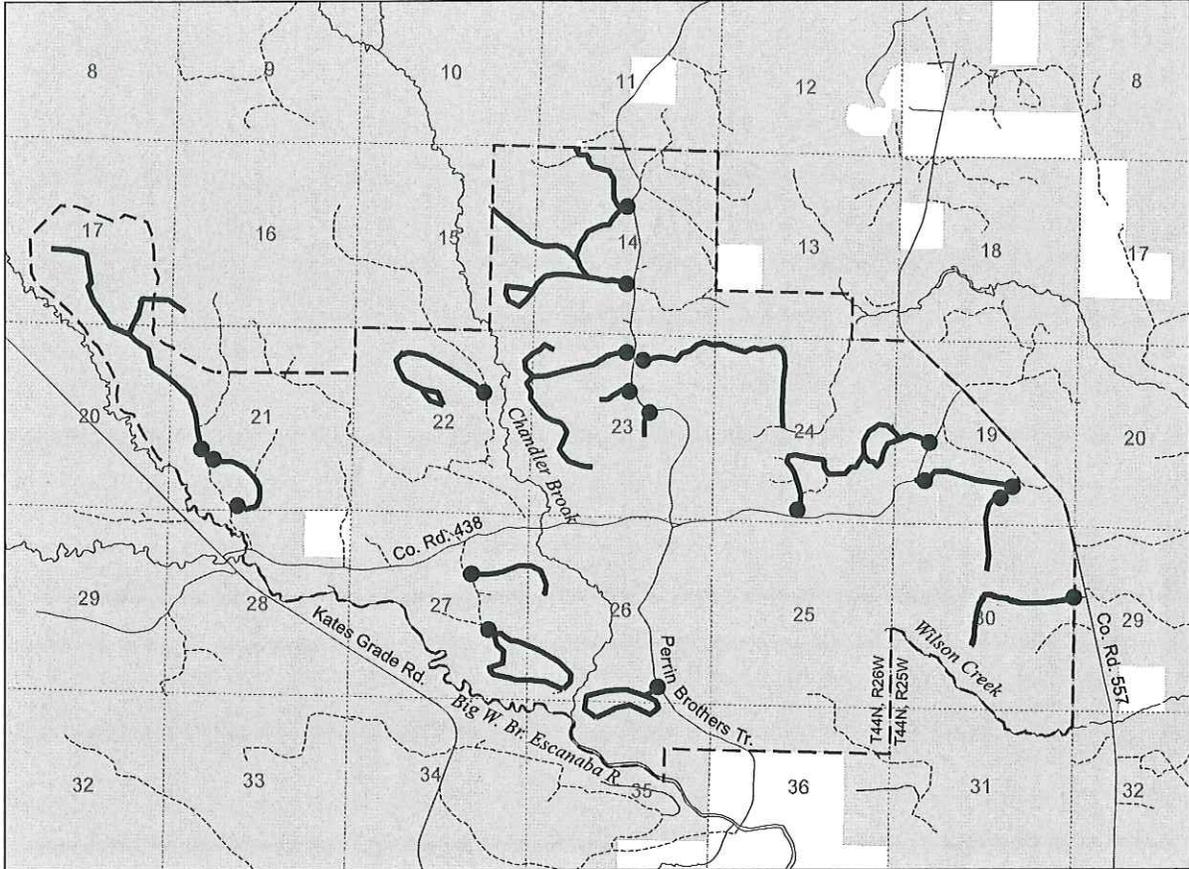
This amended order shall be posted on or after the 10th day of August, 2018.

Issued on this 9th day of August, 2018.

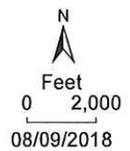


Keith Creagh  
Director

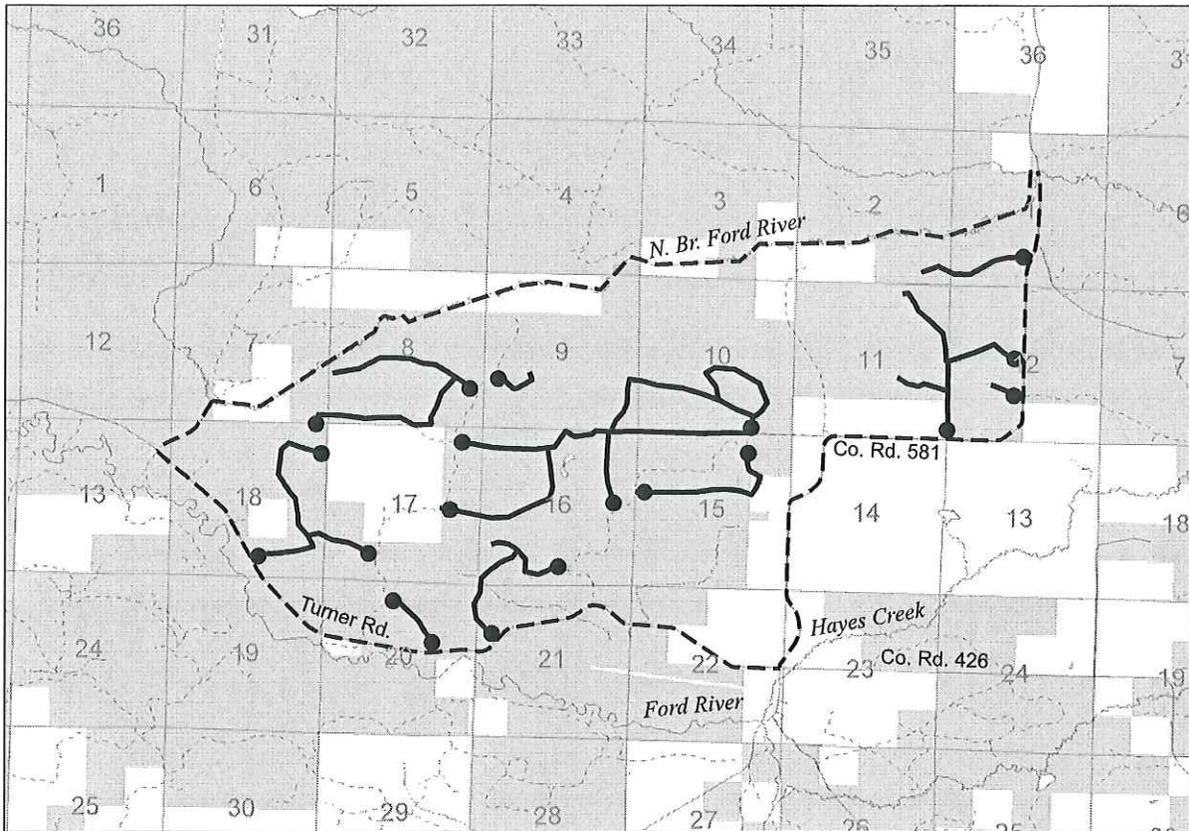
**PROPOSED FOREST ROAD CLOSURES**  
**BILL ROLLO MEMORIAL GEM**  
 Gwinn Forest Management Unit, Marquette County  
 Compartments 47, 50, 51, 57



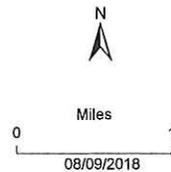
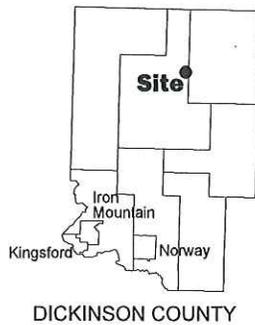
- Proposed roads to be closed
- Proposed gate
- - - GEM boundary
- ..... Forest road
- County road
- State land
- Private land



**PROPOSED FOREST ROAD CLOSURES**  
**RALPH GEM**  
 Crystal Falls Forest Management Unit, Dickinson County  
 Compartment 36



- Proposed roads to be closed
- Proposed gate
- - - GEM boundary
- ..... Forest road
- County Road
- State land
- Private land





RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

July 16, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: State Forest Land Exchange  
Baraga Management Unit – Baraga County  
Newberry Management Unit – Chippewa County  
Scott Holman Exchange  
Land Transaction Case #20150116

Applicant: Scott Holman, Bay City, Michigan.

PA 240 of 2012: PILT Estimate: \$910.00. The parcels involved in the exchange are north of the Mason-Arenac county line and will result in a decrease of 13.66 counted acres.

Private Land Offered in Exchange: 226.34 acres

Location: Baraga County, Covington Township, T47N, R33W, Section 34:

- The NE 1/4 of the SW 1/4 and the SE 1/4 of the NW 1/4

Baraga County, Covington Township, 48N, R33W, Section 20:

- The NW 1/4 of the NW 1/4

Baraga County, Covington Township, 48N, R33W, Section 17:

- The S 1/2 of the SW 1/4 and the SW 1/4 of the SE 1/4 EXCEPTING THEREFROM that portion lying Southerly of Highway Old M-28

Chippewa County, Whitefish Township, 50N, R05W, Section 6:

- A parcel of land in the E 1/2 of the SW 1/4, more particularly described in the case file

Value: \$ 155,000.00

Payment at Closing: \$ 8,000.00

Total Compensation  
To be Provided by  
Applicant: \$ 163,000.00

State Land Desired in Exchange: 240 acres

Location: Baraga County, Covington Township, T48N, R33W, Section 24:

- The SE 1/4 of the SW 1/4
- The NW 1/4 of the SE 1/4

Baraga County, Covington Township, T48N, R33W, Section 25:

- The NW 1/4 of the NW 1/4
- The NE 1/4 of the NW 1/4
- The SW 1/4 of the NW 1/4
- The NW 1/4 of the SW 1/4

Value: \$ 162,000.00

Authority: Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Notice: This item will appear on the Department of Natural Resources (Department) July 31, 2018, calendar and is eligible for approval on August 7, 2018.

Comments: The desired state land is adjacent to the applicant's ownership. The offered parcels in Baraga County are all adjacent to or completely surrounded by state land. The offered parcel in Chippewa County offers abundant wildlife habitat as it lies in the Whitefish Point Migratory Bird Pathway. Overall, this exchange will consolidate state ownership and the applicant's ownership.

The desired state land was acquired by tax reversion in 1939 and by exchange for tax reverted land in 1999.

The state will retain mineral rights it owns on the desired parcels due to the metallic mineral exploration in the region. The applicant will convey the mineral rights on the offered parcels.

The proposed land exchange was reviewed and recommended for approval by the Land Exchange Review Committee on August 17, 2017.

Engagement: Certified letters were mailed to Baraga County and Chippewa County and Covington and Whitefish Township on June 6, 2018. No concerns have been raised regarding this exchange.

Recommendation(s):

1. That the exchange be approved, with the state reserving mineral rights and aboriginal antiquities.
2. That the offered land be dedicated as part of the Baraga Management Unit and the Newberry Management Unit.



Russ Mason, Ph.D., Chief  
Wildlife Division



Deb Begalle, Chief  
Forest Resources Division



James L. Dexter, Chief  
Fisheries Division



Ronald A. Olson, Chief  
Parks and Recreation Division



William O'Neill  
Natural Resources Deputy



Mark H. Hoffman  
Chief Administrative Officer

I approve the staff recommendations.



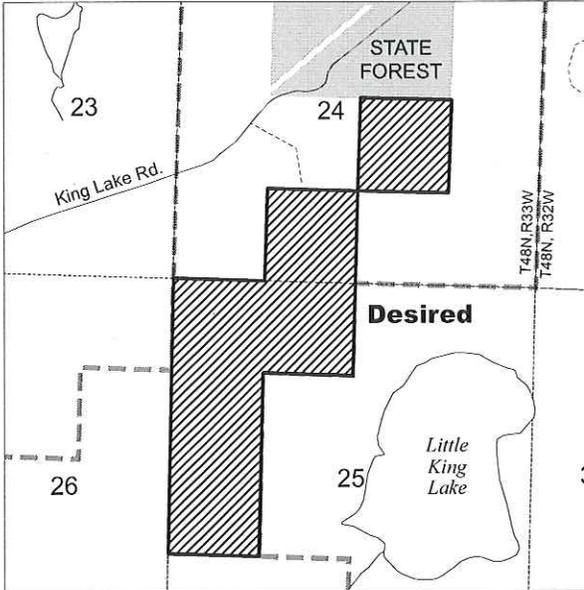
Keith Creagh  
Director

8/9/18

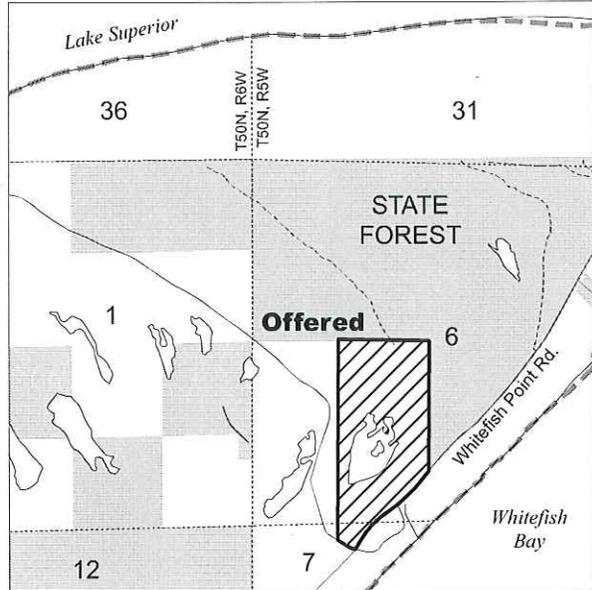
Date Approved

# STATE FOREST LAND EXCHANGE

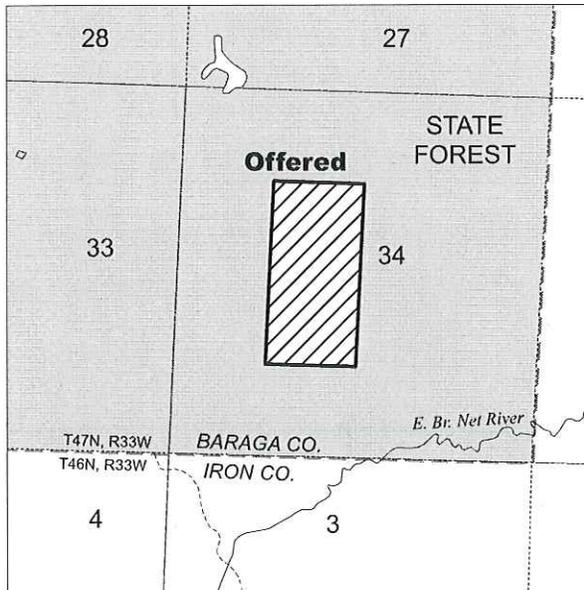
Baraga Management Unit – Baraga County  
 Newberry Management Unit – Chippewa County  
 Land Transaction Case #20150116



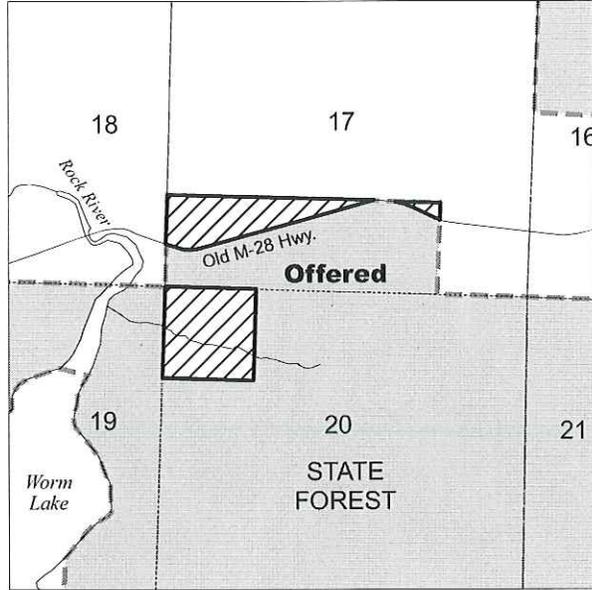
Sections 24 and 25, T48N, R33W  
 Covington Township, Baraga County



Section 6, T50N, R05W  
 Whitefish Township, Chippewa County

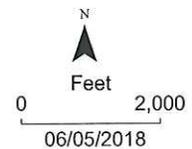


Section 34, T47N, R33W  
 Covington Township, Baraga County



Sections 17 and 20, T48N, R33W  
 Covington Township, Baraga County

- State land desired from DNR (240 acres, more or less)
- Land offered to DNR in exchange (226.34 acres, more or less)
- State land
- Private land
- DNR Project Boundary





RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

July 16, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: State Forest Land Exchange  
Cadillac Management Unit – Wexford County  
Assaf Exchange  
Land Transaction Case #20160213

Applicant: Tony Assaf and Andrea Kirk, Mecosta, Michigan.

PA 240 of 2012: PILT Estimate: \$120.00. The parcels involved in the exchange are north of the Mason-Arenac county line and will result in an increase of 2.88 counted acres.

Private Land Offered in Exchange: 7.68 acres  
Location: Wexford County, Hanover Township, T24N, R11W, Section 28:  

- A parcel of land in the NW 1/4 of the SW 1/4, more particularly described in the case file

Value: \$ 13,000.00

State Land Desired in Exchange: 4.8 acres  
Location: Wexford County, Hanover Township, T24N, R11W, Section 28:  

- A parcel of land in the NW 1/4 of the SW 1/4, more particularly described in the case file

Value: \$ 12,000.00

Authority: Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Notice: This item will appear on the Department of Natural Resources (Department) July 31, 2018, calendar and is eligible for approval on August 7, 2018.

Comments: The desired state land contains the applicant's cabin which was built in trespass by the previous landowner. The offered property will provide better access to adjacent state-owned land for forest management purposes and public recreation.

The desired state land was purchased in 2012 with LEFF.

85

The state will convey mineral rights it owns on the desired parcel. The applicant will convey their mineral rights on the offered parcels.

The proposed land exchange was reviewed and recommended for approval by the Land Exchange Review Committee on December 15, 2016.

Engagement:

Certified letters were mailed to Wexford County and Hanover Township on June 21, 2018. No concerns were expressed regarding this exchange.

Recommendation(s):

1. That the exchange be approved, with the state reserving aboriginal antiquities.
2. That the offered land be dedicated as part of the Cadillac Management Unit.



Russ Mason, Ph.D., Chief  
Wildlife Division



For Deb Begalle, Chief  
Forest Resources Division



James L. Dexter, Chief  
Fisheries Division



Ronald A. Olson, Chief  
Parks and Recreation Division

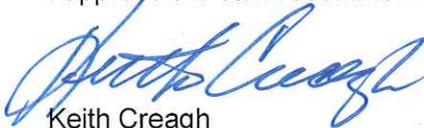


William O'Neill  
Natural Resources Deputy



Mark H. Hoffman  
Chief Administrative Officer

I approve the staff recommendations.



Keith Creagh  
Director

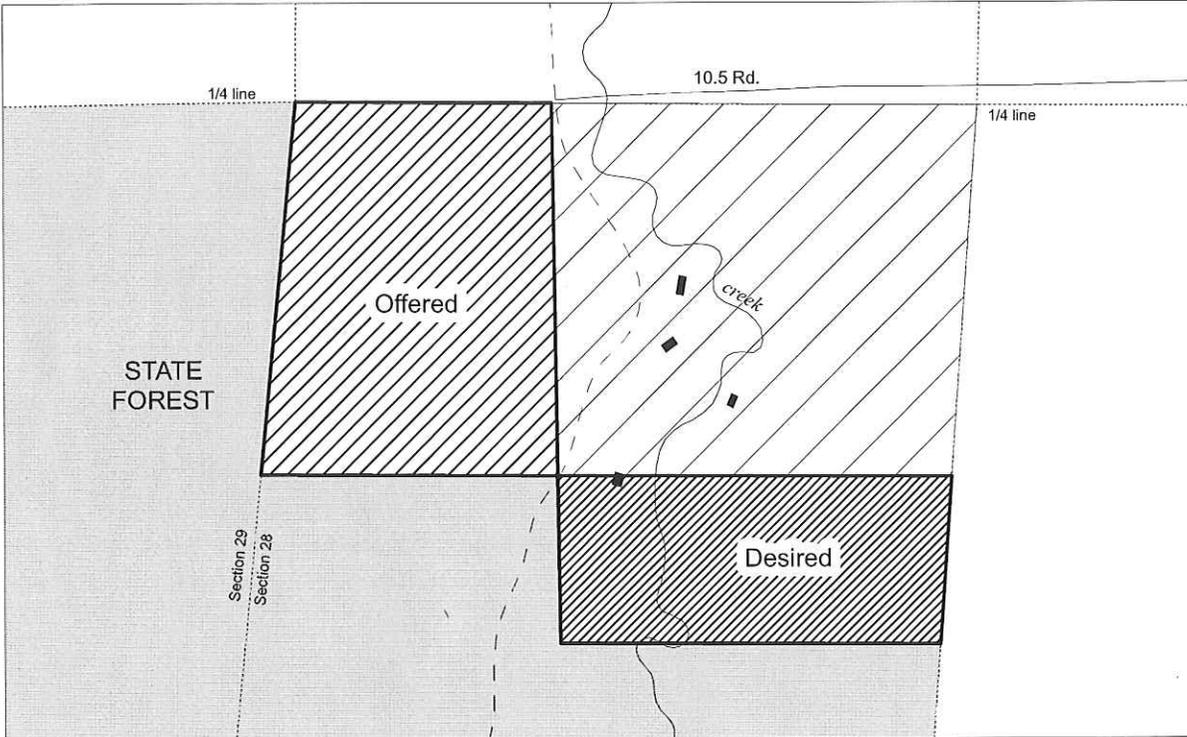
8/9/18

\_\_\_\_\_  
Date Approved

# STATE FOREST LAND EXCHANGE

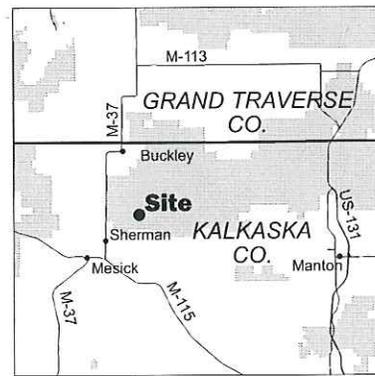
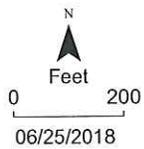
Cadillac Management Unit – Wexford County

Land Transaction Case #20160213



Section 28, T24N, R11W, Hanover Township

-  Land desired from DNR (4.8 acres)
-  Land offered to DNR in exchange (7.68 acres)
-  Applicant's land
-  State land
-  Private land
-  Applicant's buildings



 DNR Project Boundaries



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

July 16, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Release of Reverter and  
Conveyance of DNR-Managed Land for Public Use  
Cadillac District – Manistee County  
Land Transaction Case #20180077

Sale: 59.17 acres

Sale Price: Land to be conveyed for a nominal fee, subject to the condition that if the lands are subsequently sold, the proceeds from the sale be accounted for to the state, county, township, and school district in which the land is situated pro rata.

Description: Manistee County, Onekama Township, T23N, R16W, Sections 27 and 28: Outlot 7, Portage Park Addition.

PA 240 of 2012: These parcels are north of the Mason-Arenac County line. This transaction will not change the number of acres of counted DNR-managed lands because the acreage surface rights are currently owned by the applicant.

Applicant: Onekama Township, Onekama, Michigan.

Authority: Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Notice: This item will appear on the Department of Natural Resources (Department) July 31, 2018, calendar, and is eligible for approval on August 7, 2018.

Acquired: The acreage parcels were acquired by tax reversion in 1939, and deeded to Onekama Township in 1946 by a public use deed.

Minerals: To be retained.

Comments: The desired property was conveyed to Onekama Township, by a public use deed that is subject to a reverter clause stating that the land is to be used solely for airport purposes and when it ceases to be used for that purpose, the land shall revert to the state. Onekama Township is asking for the reverter interest to be released so that the property can be used for public purposes.

89

The proposed land disposal was reviewed and recommended for approval by the Land Exchange Review Committee on June 21, 2018

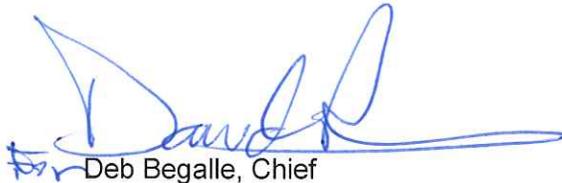
Engagement: Onekama Township is the applicant and supports this transaction.

Recommendation: (1) That the land be conveyed to the applicant for public purposes for a nominal fee, but subject to the condition that if the land is subsequently sold, the proceeds from the sale be accounted for to the state, county, township, and school district in which the land is situated pro rata.

(2) That the state retains mineral rights and aboriginal antiquities.



Russ Mason, Ph.D., Chief  
Wildlife Division



Deb Begalle, Chief  
Forest Resources Division



James L. Dexter, Chief  
Fisheries Division



Ronald A. Olson, Chief  
Parks and Recreation Division



William O'Neill  
Natural Resources Deputy



Mark H. Hoffman  
Chief Administrative Officer

I approve the staff recommendations.



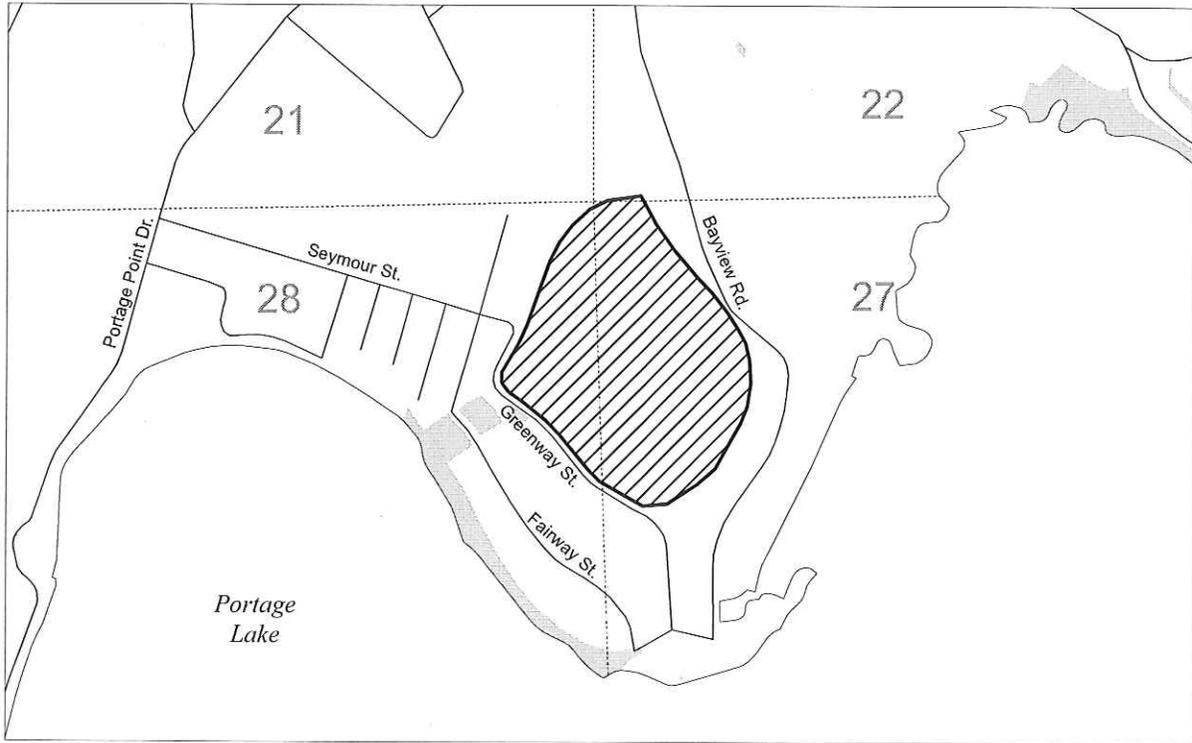
Keith Creagh  
Director

8/9/18

Date Approved

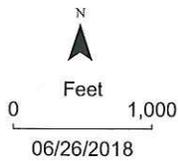
# RELEASE OF REVERTER AND CONVEYANCE OF DNR-MANAGED LAND FOR PUBLIC USE

Cadillac District – Manistee County  
Land Transaction Case #20180077

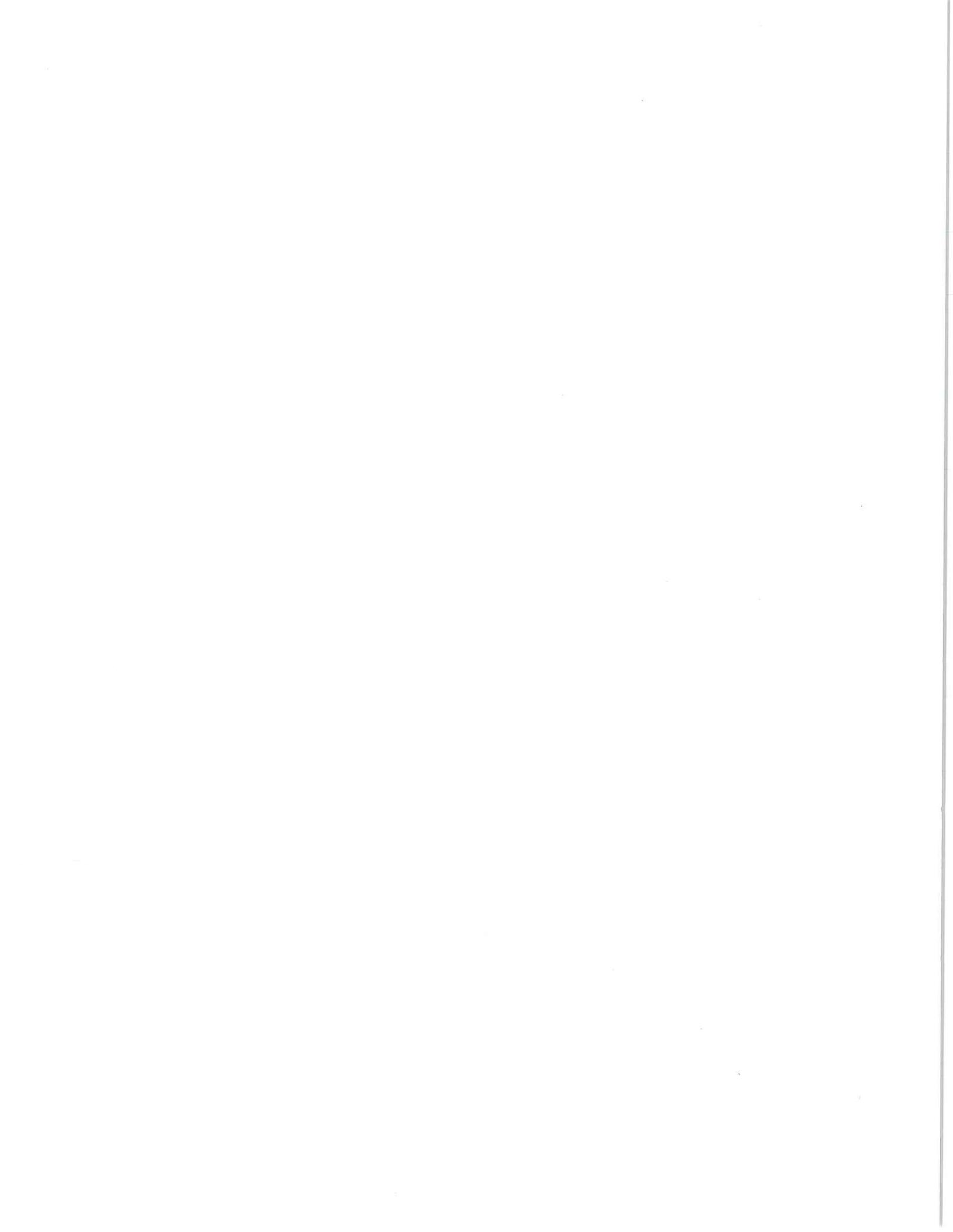


Sections 27 and 28, T23N, R16W, Onekama Township

-  State-owned reverter interest to be released (59.17 acres)
-  State land
-  Private land



 DNR Project Boundaries





RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

July 16, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Parks and Recreation Land Acquisition  
Gaylord District – Cheboygan County  
The Rittner Purchase  
Land Transaction Case #20170246

Purchase: 2.51 acres - \$255,000.00

Funding Source: Michigan Natural Resources Trust Fund, Act 93 of 2017

PA 240 of 2012: PILT Estimate: \$1,434.42  
This parcel is located north of the Mason-Arenac County line and will result in an increase of 2.51 counted acres.

Description: Cheboygan County, Grant Township, T36N, R01E, Section 16:  
Part of the Government Lot 6, in the SW 1/4 as more completely described in the case file.

Seller(s): Three R, Inc., Rochester, Michigan.

Authority: Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Notice: This item will appear on the Department of Natural Resources (Department) July 31, 2018, calendar, and is eligible for approval on August 7, 2018.

Management Purpose: The property will be managed by Parks and Recreation Division, Boating and Waterways program as an additional boating access to the Black River and Black Lake. This acquisition will contribute to achieving quality recreation opportunities, protecting and managing natural resources and help meet the Department's measurable objective to manage existing lands by providing appropriate amenities on 30 percent of Michigan's navigable waters.

Comments: The property is an irregularly shaped 2.51 acre parcel of land with 340 feet frontage along the westerly shore of the Black River and the northwesterly corner of the Black Lake. Improvements include the non-operating Black River Marina, with 21 boat slips, 12 wooden docks, boat ramp, and various related buildings including service, storage, boathouse and former dry boat storage.

92

Black Lake is one of the largest inland lakes in the state and includes a deep water navigable river system on the north end of the lake that stretches several miles to the privately owned Alverno Dam. Very limited improved public boating access is available with a single launch ramp and limited parking at Onaway State Park and a semi-improved, shallow draft launch at the Black Lake State Forest Campground. Over the last several years with an increasing sport fishery at Black Lake, public and lake association interest has expressed the need for expansion and development of improved public boating facilities. The location of this site would create a geographic distribution triangle on the lake in relation to the two other public access points on Black Lake and reduce pressure on Onaway State Park.

Acquisition of this parcel will contribute to the Department's goal of increasing public recreation opportunities.

The seller will convey mineral rights relative to this tract.

Engagement: Letters of support were received from both Cheboygan County and Grant Township.

Recommendation: 

1. That the acquisition be approved, with payment to be made from the Michigan Natural Resources Trust Fund, P.A. 93 of 2017 monies.
2. This land is to be dedicated as Rittner's Landing, Boating Access Site 16-33.



Russ Mason, Ph.D., Chief  
Wildlife Division



Deb Begalle, Chief  
Forest Resources Division



James L. Dexter, Chief  
Fisheries Division



Ronald A. Olson, Chief  
Parks and Recreation Division



William O'Neill  
Natural Resources Deputy



Mark H. Hoffman  
Chief Administrative Officer

I approve the staff recommendations.



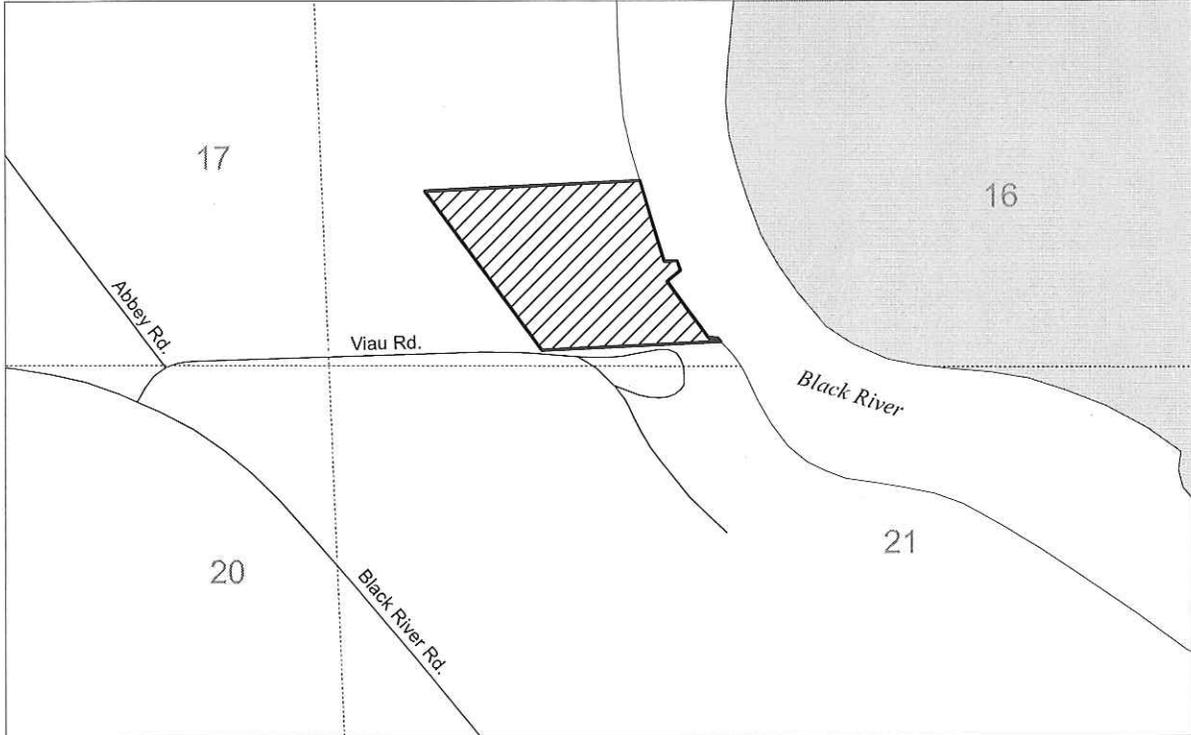
Keith Creagh  
Director

8/9/18

Date Approved

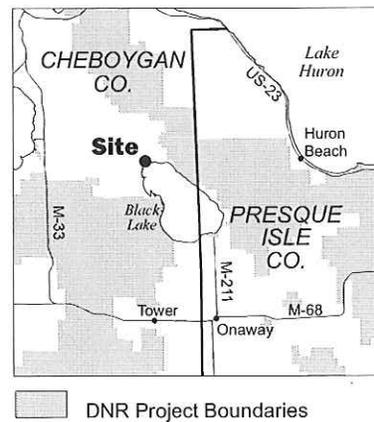
# PARKS AND RECREATION LAND ACQUISITION

Black River Boating Access Site 16-33, Cheboygan County  
Land Transaction Case #20170246



Section 16, T36N, R01E, Grant Township

- Land to be acquired by DNR (2.51 acres)
- State land
- Private land





RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

August 13, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

SUBJECT: Discounted Private Land Antlerless Deer License that Expires the First Sunday in November in the Chronic Wasting Disease Management Zone

Authority:

The fee for an antlerless deer license is established in Part 435, Hunting and Fishing Licensing, 1994 PA 451, MCL 324.43527a, as \$20 for a resident and \$20 for the first antlerless deer license purchased by a nonresident. The fee for an additional nonresident antlerless deer license is \$170. The application fee for antlerless deer hunting licenses may not exceed \$5. The fees for hunting and fishing licenses may be discounted by the Department in accordance with Section 43521 of Part 435. The Department is authorized to discount licenses to achieve a harvest or management objective for that species.

Discussion and Background:

In 2015, the Department began issuing discounted antlerless licenses by 40 percent (from \$20 to \$12) in chronic wasting disease (CWD) affected areas to increase samples of free-ranging deer and to increase antlerless harvest. To keep a consistent approach with the management actions the Department has taken with CWD, the Department recommends discounting the fee for a new private-land antlerless license that expires the first Sunday in November, valid for private-land in the CWD Management Zone by 40 percent and therefore, establishing the fee of \$12 for a resident and nonresident. The nonresident fee for this special antlerless license is \$102 for nonresidents who have already purchased one antlerless deer license (regular price \$170). Currently, the CWD Management Zone, as defined in the Wildlife Conservation Order, includes the counties of Calhoun, Clinton, Eaton, Gratiot, Hillsdale, Ingham, Ionia, Isabella, Jackson, Kent, Mecosta, Montcalm, Muskegon, Newaygo, Ottawa, and Shiawassee.

Public and private-land antlerless licenses, available for individual DMUs and valid through the entire length of deer hunting seasons, will still be available for hunters to purchase at full price. Nonresidents may purchase an initial regular antlerless license for \$20, and any additional antlerless licenses for \$170.

Hereby rescinded is the portion of the May 12, 2016, letter entitled, "Antlerless Deer License Discounts in Chronic Wasting Disease Management Zone and Core Area," which established discounted antlerless deer license fees for deer management units (DMUs) 333 (Core CWD Area) and 419 (CWD Management Zone).

Discounted Private Land Antlerless Deer License that Expires the First Sunday in November in the Chronic Wasting Disease Management Zone

Page 2

August 13, 2018

Recommendation:

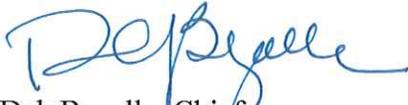
We recommend the fee for antlerless deer licenses be discounted as described in the Discussion and Background above.



Russ Mason, Ph.D., Chief  
Wildlife Division



Gary Hagler, Chief  
Law Enforcement Division



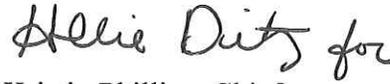
Deb Begalle, Chief  
Forest Resources Division



Ronald A. Olson, Chief  
Parks and Recreation Division



James Dexter, Chief  
Fisheries Division



Kristin Phillips, Chief  
Marketing and Outreach Division



Sharon Schafer, Chief  
Finance and Operations Division

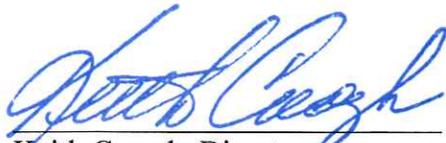


Mark Hoffman  
Chief Administrative Officer



William O'Neill  
Natural Resources Deputy

I approve the staff recommendation with an effective date of August 14, 2018.



Keith Creagh, Director

8/14/18

Date



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

August 1, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Forest Resources Easement Acquisition  
Gwinn Management Unit – Marquette County  
Land Transaction Case #20170200

Purchase: Easement for ingress and egress in exchange for a similar easement.

Funding Source: Not applicable.

PA 240 of 2012: PILT Estimate: \$0.00  
This parcel is north of the Mason-Arenac County line and will result in an increase of 0 counted acres.

Description: Marquette County, Ely Township, T46N, R28W, Section 32:  
A 30-foot wide by 610.9 linear foot easement for ingress and egress over a strip of land in the NW 1/4 of the SE 1/4; as more particularly described in the case file.

Seller(s): Holli Land LLC, Ishpeming, Michigan.

Authority: Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Notice: This item is being requested for expedited review and will not formally appear on an upcoming Natural Resources Commission meeting agenda.

Management Purpose: To retain public use over an existing two-track road that runs across property owned by Holli Land LLC.

Comments: Acquisition of this easement will allow the Department to retain public access along an existing two-track road.

Engagement: None needed.

Recommendation: That the acquisition of this easement be approved.



Deb Begalle, Chief  
Forest Resources Division

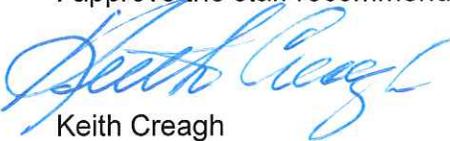


William O'Neill  
Natural Resources Deputy



Mark H. Hoffman  
Chief Administrative Officer

I approve the staff recommendations.



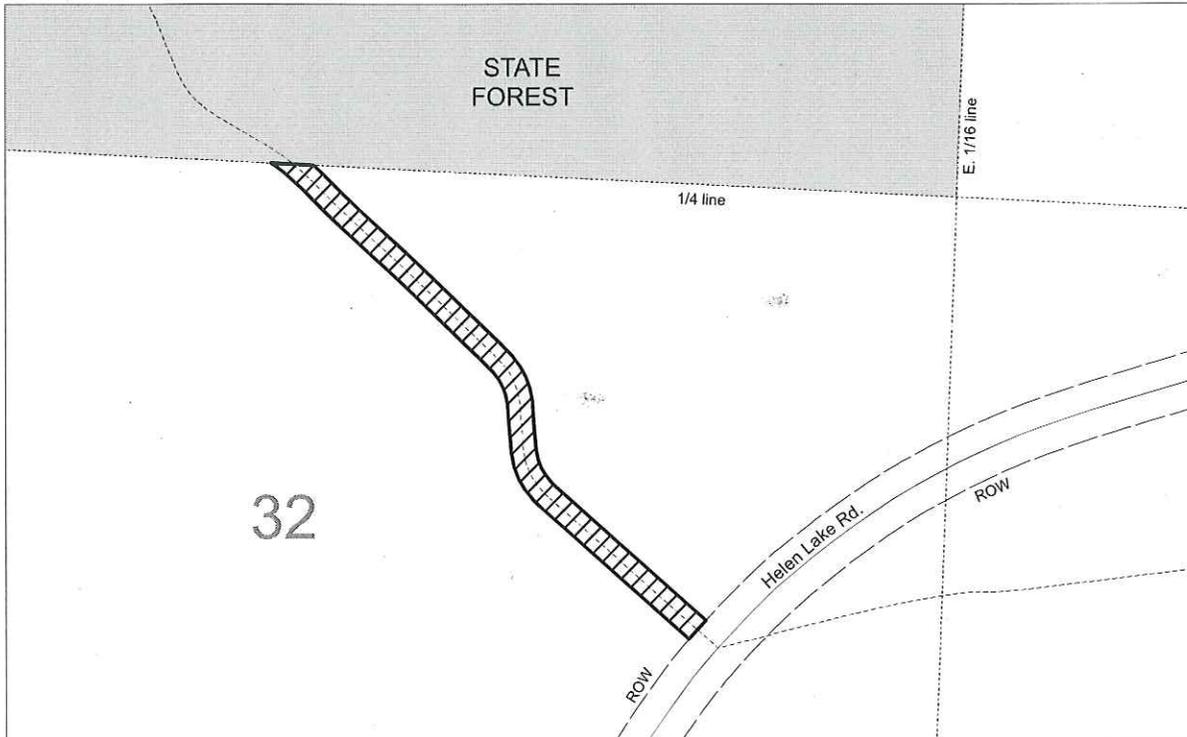
Keith Creagh  
Director

8/8/2018  
Date Approved

# FOREST RESOURCES EASEMENT ACQUISITION

Gwinn Management Unit – Marquette County

Land Transaction Case #20170200



Section 32, T46N, R28W, Ely Township

-  Easement to be acquired by DNR (30 ft X 610.9 ft)
-  State land
-  Private land

