STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

GRETCHEN WHITMER
GOVERNOR

DANIEL EICHINGER
DIRECTOR

SUBMITTED: February 5, 2019
RESUBMITTED: February 22, 2019

APPROVED
March 14, 2019
MICHIGAN NATURAL RESOURCES COMMISSION
Cheryl Nelson
(ASSISTANT TO THE COMMISSION)

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Bear Regulations and License Quotas
Wildlife Conservation Order Amendment No. 4 of 2019

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 allowing the use of barrels for baiting on public lands during its February 14, 2019, regularly scheduled meeting. The NRC requested that the Department bring forward a revised order for action to include the following:

- Implement a minimum size restriction of 33 gallons and ensure bait barrels are steel.
- Limit the number of bait barrels to one per station.
- Require hunters to affix a tag with either their Michigan driver's license number of DNR sportscard number to barrels.
- Require that bait barrels be securely anchored to a post in the ground with a chain or cable no more than eight feet in length.
- Bait barrels must have a secure lid and no more than three open holes no greater than one inch in diameter.
- Limit bait barrel locations to only within 100 yards of a state forest road.
- Add a two-year sunset clause.

The Department reviewed this request and recommends limiting bait barrel locations to only within 100 yards from a state forest road or a roadway as defined in MCL 324.81101 in an effort to provide hunters additional opportunities to use bait barrels. The Department requests that the NRC review and discuss this recommendation.

In an effort to stabilize bear regulations and quotas, reduce confusion, and enhance communications, the Natural Resources Commission and Wildlife Division agreed to begin a two-year regulatory cycle in 2014. Maintaining consistent regulations and quotas for multiple

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years aids in evaluating the impact of regulation changes and removes one variable in bear population trend analysis (harvest quota changes). By keeping regulations consistent, the public is better able to understand regulations, and law enforcement is better able to enforce compliance.

Accordingly, the Department recommends that regulations and license quotas set in 2019 remain in effect for two years.

Regulations Changes Considered:

Based on stakeholder requests and subsequent feedback from Bear Forum members and the internal Department Bear Workgroup, the Department reviewed current regulations and considered the following possible changes: 1) allow bear baiting earlier in Michigan; 2) reserve the first ten days – rather than five – for bait hunters in the Upper Peninsula (UP) Bear Management Units (BMUs) and allow additional time for bait hunters in the NLP (Northern Lower Peninsula) BMUs; 3) implement a youth bear hunt; 4) allow veterans to be recipients of bear hunt transfers; 5) implement concurrent season openers in all NLP BMUs; 6) implement concurrent season openers in all UP BMUs; 7) eliminate special hunting season for Baldwin North BMU; 8) limit the maximum hole diameter in barrels used on private land to one inch; 9) allow the use of barrels for baiting on public land; and 10) allow nonresidents to dog train in the UP.

The Bear Forum is an advisory body consisting of representatives from the Michigan Bear Hunters Association, Michigan Hunting Dog Federation, UP Bear Houndsmen Association, Michigan United Coon Hunters Association, Michigan Fox Hunters Association, Michigan Archery Bear Hunters Association, Michigan Bow Hunters Association, Michigan Longbow Association, Michigan United Conservation Clubs, UP Sportsmen's Alliance, Michigan Beekeepers Association, Michigan Farm Bureau and Safari Club International. In addition, the Forum also includes a representative of the US Forest Service (which represents all three Federal forests in Michigan), as well as three non-affiliated individuals who are bait or hound hunters.

The internal Department Bear Workgroup consists of Ashley Autenrieth (Acting Bear and Wolf Management Specialist), Monica Joseph (Biologist, UP Region), Tim Riley (Technician, NLP Region), Sgt. Brian Bacon (LED), Julie Oakes (Biologist, Southeast Region), Nik Kalejs (Biologist, Southwest Region) and Dr. Dean Beyer (Research Scientist).

Item 1 – Allow Bear Baiting Earlier in Michigan

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

Issues Pros and Cons

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

Biological
There is evidence, as exhibited in Wisconsin, that beginning baiting earlier may lead to an increase in wolf predation on bear hounds. In addition, evidence also shows that Wisconsin bear numbers are artificially inflated due to baiting and 40 percent of their diet is bait.

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

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

Economic
The Department does not expect an economic impact.

Item 2 – Reserve the First Ten Days (rather than five) for Bait Hunters in the UP BMUs and Allow Additional Time for Bait Hunters in the NLP BMUs
The Department and the Bear Forum reviewed a proposal to reserve the first ten days (rather than five) for bait hunters in the UP Region and allow additional time for bait hunters in the NLP. There was not a lot of discussion at the Bear Forum on this proposal due to time constraints. Therefore, the Department is not bringing forward a recommendation per se, although bait hunters will be provided with an additional weekend as a result of a recommendation for concurrent bear season opening dates as outlined in Items 5 and 6.

Item 3 – Implement a Youth Bear Hunt
The Department and the Bear Forum reviewed a proposal to implement a youth bear hunt. The Department and the Bear Forum agreed to table this proposal at the Bear Forum meeting to allow for additional discussions. Therefore, the Department is not bringing forward a recommendation.

Item 4 – Allow Veterans to be Recipients of Bear Hunt Transfers
The Department and the Bear Forum reviewed a proposal to allow veterans to be recipients of bear hunt transfers. Although this is supported by the majority of the Bear Forum members, the Department does not support this recommendation.

Issues Pros and Cons
The hunt transfer program was created in 2001 to provide special hunting opportunities for individuals who are at a disadvantage in obtaining a bear (or elk) license because of the time required to get a license through the normal point-based system. This includes unsuccessful youth applicants who are typically too young to have accumulated the number of points required to draw a license and individuals with an advanced (terminal) illness who may not live long enough to be selected for a license. An expansion of the program could impact the integrity and fairness of the point system, extend wait times for licenses, and reduce opportunities for the intended recipients of the transfer program.

Biological
The Department does not expect a biological impact.

Social
Over the years, various stakeholder groups have suggested that other groups be allowed to receive transferred hunts, such as seniors, individuals with disabilities, military personnel, family members of military personnel, military veterans, and youth hunters who did not apply for the drawing. However, the Department has deliberately kept the transfer program limited in scope and to have a fair licensing system it is important that most participants obtain their licenses through the point system.

Economic
The Department does not expect an economic impact.

Item 5 – Implement Concurrent Season Openers in all NLP BMUs
In order to reduce potential conflict, the Department reviewed and is recommending a proposal to have all NLP bear seasons open the Sunday following the 2nd Saturday in September. Under the proposal, the first day of the season would remain open to bait-only hunting (hunting bears with dogs would start the Monday following the 2nd Saturday in September) and the last two days would remain bear hunting only with dogs. The season will remain nine days. The following are the proposed season dates for 2019 and 2020:

Hunt Period	Open Season 2019	Open Season 2020
1	September 15 to September 23	September 13 to September 21

Issues Pros and Cons
The Department received some complaints about the overlap between the Liberty Hunt and when dogs can be used to hunt bear. In order to reduce potential conflict, the Department will recommend that the Liberty Hunt be moved to the 2nd weekend in September during the 2019 deer regulations cycle. The proposed NLP bear season dates reflect this change to ensure that there will be no conflicts between youth hunters and hunters pursuing bears with dogs.

Biological
The Department does not expect a biological impact.

Social
This proposal was not discussed at the Bear Forum; however, the Department had recent conversations with some of the Bear Forum members who support the proposal.

Economic
The Department does not expect an economic impact.

Item 6 – Implement Concurrent Season Openers in all UP BMUs
In order to reduce potential conflict, the Department reviewed a proposal and is recommending having the first hunt period in all UP BMUs open the Wednesday before the 2nd Saturday in September. The first five days of the first hunt period would remain bait-only hunting (hunting bears with dogs would start the Monday following the 2nd Saturday in September) and during

hunt periods two and three, as well as the remainder of the first hunt period, both bait and dogs would be permitted. The following are the proposed season dates for 2019 and 2020:

Hunt Period	Open Season 2019	Open Season 2020
1	September 11 to October 21	September 9 to October 21
2	September 16 to October 26	September 14 to October 26
3	September 25 to October 26	September 25 to October 26

Issues Pros and Cons
The Department received some complaints about the overlap between the Liberty Hunt and when dogs can be used to hunt bear. In order to reduce potential conflict, the Department will recommend that the Liberty Hunt be moved to the 2nd weekend in September during the 2019 deer regulations cycle. The proposed UP bear season dates reflect this change to ensure that there will be no conflicts between youth hunters and hunters pursuing bears with dogs.

Biological
The Department does not expect a biological impact.

Social
This proposal was not discussed at the Bear Forum; however, the Department had recent conversations with some of the Bear Forum members who support the proposal.

Economic
The Department does not expect an economic impact.

Item 7 – Eliminate Special Hunting Season for Baldwin North BMU
The Department brought forward a proposal to the Bear Forum to eliminate the special hunting season for Baldwin North BMU and add an extended season in the entire Baldwin BMU on private lands only. A majority of the Bear Forum members did not support this proposal, as they saw this as an undesirable preference for bear hunters that could afford to own private land. After recent discussions with stakeholders and staff during and after the Bear Forum meeting, the Department recommends recombining the two units and eliminating the special hunting season for Baldwin North BMU.

Issues Pros and Cons
In 2008, the Department created an extended season in the northern portion of the Baldwin BMU to help increase harvest in areas with significant nuisance complaints and historically low bear harvest. The extension of the season was an effective method to increase harvest in targeted areas in the BMU. In recent years, the Natural Resources Commission has modified regulations based on Department recommendations to increase quotas in the entire Baldwin BMU to help reduce nuisance and crop damage complaints. In order to reduce confusion between the two different season openers, the Department recommends recombining the two units.

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There may be some confusion for hunters that normally hunt in the Baldwin North BMU, but the Department will continue to provide effective communication and critical customer service to those hunters.

Biological
The Department will evaluate the impact of this regulation during the next regulatory cycle to determine whether this helps mitigate potential conflicts.

Social
A majority of the Bear Forum did not support adding an extended season on private lands only in the entire Baldwin Unit, as they saw this proposal as an undesirable preference for bear hunters that could afford to own private land. The Department has had recent conversations with some of the Bear Forum members and they support the recommendation to recombine the two units and eliminate the special hunting season in the Baldwin North BMU.

Economic
The Department does not expect an economic impact.

Item 8 – Limit the Maximum Hole Diameter in Barrels Used on Private Lands to One Inch
The Department and the Bear Forum reviewed a proposal to limit the maximum hole diameter in barrels used on private land to one inch in order to stop bears from being caught and dying in larger holes. A majority of the members of the Bear Forum support a maximum hole diameter of one inch. After further discussions with stakeholders and staff during and after the Bear Forum meeting, the Department supports this regulation.

Issues Pros and Cons
There are currently no restrictions on the size of a hole in a bait barrel being used on private land. The Department has received reports that bears are getting caught inside the barrels and dying when the hole is big enough for a bear to get inside the barrel. By limiting the maximum hole diameter to one inch, bears will not be able to get inside the barrel, preventing them from getting caught, injured, and potentially dying. By limiting the size of holes on the barrel, the bear has to pick up the barrel to remove the bait. This limits the amount of bait that can be dispersed at a time, making it a slow release. Hunters' bait will also last longer and may result in the bears staying at the bait sites longer or result in the bears coming back to the bait site more often.

Other States
Arizona, California, Colorado, Georgia, Kentucky, Maryland, Massachusetts, Montana, Nevada, New Mexico, Oregon, Pennsylvania, South Carolina, Tennessee, Vermont, Virginia, Washington, and West Virginia do not allow baiting of bears. Wisconsin does not allow the use of barrels for bear baiting. Minnesota and Maine do not restrict the hole diameter.

Biological
Limiting the maximum hole diameter to one inch will limit the attraction of non-target species. In addition, it may help reduce both the congregation of animals and the risk of disease transmission associated with the congregation of animals.

Social
Most members of the Bear Forum support a maximum hole diameter of one inch.

Economic
Bait sellers may experience a shift in bait types.

Item 9 – Allow the Use of Barrels for Baiting on Public Lands
The Department and the Bear Forum reviewed a proposal to allow the use of barrels for baiting on public lands. After further discussions with stakeholders and Department staff after the Bear Forum meeting, the Department recommended that the NRC review and discuss this proposal information as an additional item for consideration. The NRC reviewed and discussed allowing the use of barrels for baiting on public lands during its February 14, 2019 regularly scheduled meeting. The NRC requested that the Department bring forward a revised order for action to include the following:

- Implement a minimum size restriction of 33 gallons and ensure bait barrels are steel.
- Limit the number of bait barrels to one per station.
- Require hunters to affix a tag with either their Michigan driver's license number of DNR sportscard number to barrels.
- Require that bait barrels be securely anchored to a post in the ground with a chain or cable no more than eight feet in length.
- Bait barrels must have a secure lid and no more than three open holes no greater than one inch in diameter.
- Limit bait barrel locations to only within 100 yards of a state forest road.
- Add a two-year sunset clause.

The Department reviewed this request and recommends limiting bait barrel locations to only within 100 yards from a state forest road or a roadway as defined in MCL 324.81101 in an effort to provide hunters additional opportunities to use bait barrels. The Department requests that the NRC review and discuss this recommendation.

Issues Pros and Cons
According to the 2017 Michigan Black Bear Hunter Survey, baiting was the most common hunting method used to harvest bears. Approximately 86 percent of hunters relied primarily on baiting as a means of locating and attracting bears. About 80 percent of hunter-harvested bears were taken with the aid of bait only. As such, allowing the use of barrels on public land is unlikely to increase the number of hunters who use bait to attract or harvest bears. However, allowing the use of barrels for bear baiting on public lands may increase the number of bear hunters who hunt on public lands.

Before 1985, the Department allowed the use of barrels for bear baiting on public lands. Due to complaints about the amount of litter that was being left on public lands, the use of barrels for baiting was prohibited entirely in 1985. In 2005, the use of barrels for bear baiting was reinstituted on private land only.

On the one hand, extending the use of barrels for baiting to include public lands may cause conflict among hunters. On the other hand, containing bait in barrels may reduce wolf/dog hunting conflicts as the bait will be inaccessible to wolves and other wildlife.

The Department staff reviewed and discussed the issue, particularly around implementation concerns associated with allowing the use of barrels for baiting on public lands. These concerns and their resolutions included:

- Barrels could increase litter – Implementing a minimum size restriction of 33 gallons and ensuring that barrels are steel would likely address littering concerns. As well, limiting the number of barrels to one per bait station would reduce the number of barrels in state forests. Requiring hunters to affix a tag with the hunter's Michigan driver's license number or DNR sportscard number to barrels would provide law enforcement officers with contact information for any issues that might arise.
- Methods used to secure barrels could damage trees – This concern could be addressed by requiring that barrels be securely anchored to a post in the ground with a chain or cable no more than 8 feet in length. Barrels should not be attached to a tree or other natural feature with spikes, nails, wires, chains, or cables.
- Since barrels are a method of baiting, and baiting presents risks to other wildlife, steps should be taken to assure biosecurity. If barrels have a secure lid, then only small quantities of their contents would spill when bears investigate them. In addition, if the barrels have no more than three open holes no greater than one inch in diameter, the bait would not be accessible to other wildlife.
- Barrels might increase illegal off-road vehicle use – In order to deter hunters from illegally driving vehicles off-road to place barrels on public lands, barrels locations could be limited to only within 100 yards of a state forest road.
- Public and private landowners – The Department has not been able to discuss the proposal to allow the use of barrels for baiting with Commercial Forest Act landowners, US Forest Service representatives, or county landowners. As a result, if barrels were to be allowed on public property, implementation should be limited to only Department-managed lands.

Other States
Arizona, California, Colorado, Georgia, Kentucky, Maryland, Massachusetts, Montana, Nevada, New Mexico, Oregon, Pennsylvania, South Carolina, Tennessee, Vermont, Virginia, Washington, and West Virginia do not allow baiting of bears. Wisconsin does not allow the use of barrels for bear baiting on public and private lands. Minnesota allows the use of barrels on public and private lands, but barrels on public lands may not be unattended. Maine allows the use of barrels for bear baiting, but an individual must have a permit to place bait on wildlife management areas and on public reserved land. Idaho allows the use of metal barrels for bear baiting on public and private lands. In North Carolina, it is unlawful to place any sort of processed or unprocessed foods on public game lands.

Biological
Current regulations allow bear baiting on public lands as long as the bait is placed on the ground. Allowing barrels on public land may help reduce both the congregation of animals and the risk of

disease transmission associated with the congregation of animals if hunters choose barrels instead of bait piles.

Social
A nine to six majority of the Bear Forum opposed allowing the use of barrels for baiting bears on public lands. The US Forest Service, Michigan Bow Hunters Association, Michigan Longbow Association, and UP Sportsmen's Alliance do not support this proposal. However, the Michigan Bear Hunters Association and Michigan Hunting Dog Federation were very supportive as they have been for many years, both because it is currently legal to use barrels on private lands and because there are a variety of current regulations that allow structures on public lands for aiding in hunting and fishing, such as deer and bear blinds, elevated platforms, and shanties for ice fishing.

Economic
The Department does not expect an economic impact.

Item 10 - Allow Nonresidents to Dog Train in Amasa, Bergland, and Carney BMUs
The Department and the Bear Forum expressed an interest to allow nonresidents to dog train on bear outside of the open bear season in Michigan (July 8 through April 15 of the following year in areas open to bear hunting.) The Department recommends allowing all nonresidents to dog train on bear outside of the open bear season in Amasa, Bergland, and Carney BMUs. The Department will review feedback and assess any law enforcement concerns over the next two years in order to determine if there are any negative impacts to the resource prior to the 2021 regulatory cycle.

Issues Pros and Cons
Michigan residents may train their hunting dogs on bears during certain times of the year and during certain periods of the open bear season. There is a period of no bear dog activity, commonly referred to as the "quiet period", from April 15 to July 7. Most bear hunters who pursue bears with dogs train their dogs during the summer months before bear hunting season begins. Training hunting dogs on bears before pursuing bears during the open season provides opportunities for the hunting dogs to get acquainted with the hunting area and allows the dogs to locate a bear scent trail. It also gives the opportunity for hunters to practice giving recall and directional commands to the hunting dogs to keep them in control and focused on the commands as well as the scent trail. Therefore, when the designated bear hunting season opens, the hunting dogs will be well conditioned, have practiced commands and scenting skills, and are prepared for a bear hunt.

Nonresidents may not train their hunting dogs on bears in Michigan. Nonresidents may only use dogs while hunting bears during the open bear season and must have in their possession a special permit to use dogs. Allowing the opportunity for nonresidents to train hunting dogs on bears in Amasa, Bergland, and Carney BMUs will provide additional recreational opportunity for nonresident bear hunters and help prepare nonresident bear hunters for a successful hunt. Allowing nonresidents to train their hunting dogs on bear outside of the open season in Amasa, Bergland, and Carney BMUs may cause some additional conflict among dog packs and dog

trainers. However, by limiting the activity to only these three BMUs, this conflict should be minimal.

Biological
The Department does not expect a biological impact.

Social
In 2018, 55 permits were issued to nonresidents for the use of dogs to hunt black bear. Of those 55 permits, 37 were from Wisconsin, seven were from North Carolina, three were from Minnesota, two were from Georgia, two were from New York, one was from Idaho, one was from Indiana, one was from Missouri, and one was from Tennessee. These permits are specifically for nonresident bear hunters.

Economic
Allowing nonresidents to train their hunting dogs on bear outside of the open bear season in Amasa, Bergland, and Carney BMUs may have a small positive impact on the economy.

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

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

In accordance with the 2007 Inland Consent Decree, the Department has conferred with the five Tribes covered by the 1836 Treaty on bear issues before making these recommendations. Unfortunately, after two meetings, the Department did not reach a consensus on the proposed harvest with the Tribes. The Tribes may authorize up to 12.5 percent of the available harvest in BMUs within the 1836 ceded territories with the exception of the Gwinn and Gladwin BMUs, where the Tribes may authorize up to 10 percent. The remaining harvest is allocated to state regulated hunters as recommended in this amendment. Proposed harvests and associated license quotas are recommended for both the 2019 and 2020 hunting seasons.

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

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NLP Recommendations

Biological
The habitat quality and capacity of the NLP has supported robust growth of the bear population over time. The NLP-wide bear population estimate is 2,957 bears, based on the statistical catch-at-age model (SCAA), and has risen by 72 percent since 2012. This estimate is from pre-hunt 2018 and includes yearlings and adults only. Numerous indicators at the BMU scale are also monitored and used in allocating harvests between BMUs to address local bear abundance concerns. The trajectory goal in the NLP is to slow the annual population growth to achieve a stable population trend within four years. Even with an increased harvest, SCAA projections suggest difficulty in stabilizing the population by 2020. Department experts will continue to use the SCAA estimator and local indicators on an annual basis to assess the population trend, and harvests will be closely monitored, and recommendations adjusted accordingly during subsequent two-year cycles. The recommended desired state-licensed harvest of 400 bears (45 more than in 2018) in the NLP will require a 12 percent increase in licenses. This recommendation would allow for continued growth in the bear population, albeit at a marginally slower rate, in order to stabilize the population in coming years.

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

Most members of the Bear Forum support the continued growth of the NLP bear population over the next four years, and therefore do support the Department recommendation to increase the desired harvest from 355 to 400 bears. The recommended increase in desired harvest is necessary to begin stabilizing the NLP population and is quite conservative according to SCAA projections. In December, during an "on" year for bear regulations, the three-year average success rates are updated by incorporating the success rate from that previous hunting season. When the three-year average success rate rises, fewer licenses are necessary to achieve the desired harvest of a particular BMU, and vice versa.

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

Recommendations
All three BMUs in this region are subject to the 2007 Inland Consent Decree, and the State-licensed desired harvest is adjusted for Tribal harvest, including Red Oak BMU (12.5 percent),

Gladwin BMU (10 percent), and Baldwin BMU (12.5 percent). The license quota recommendation for the 2019 and 2020 seasons in Red Oak, Baldwin, and Gladwin BMU are:

- Red Oak BMU: a total of 700 state licenses; no change from 2018. The Tribal allocated harvest is 35 bears
- Baldwin BMU: a total of 260 licenses; an increase of 105 licenses from 2018. The Tribal allocated harvest is 19 bears.
- Gladwin BMU: a total of 110 licenses; an increase of 10 licenses from 2018. The Tribal allocated harvest is 2 bears.

These license allocation recommendations are intended to achieve a total desired state-licensed harvest of 400 bears for the NLP Region, which is an increase of 45 bears from the desired harvest in 2018.

UP Recommendations

Biological

The habitat quality and capacity of the UP has supported growth of the bear population in recent years. The UP-wide bear population estimate is 10,799 bears, based on the SCAA model, and has risen by over 24 percent since 2012. This estimate is from pre-hunt 2018 and includes yearlings and adults only. Numerous indicators at the BMU scale are also monitored and used in allocating harvests between BMUs to address local bear abundance concerns. Additionally, bear predation on deer fawns has been considered, as predation rates appear to be more pronounced in the moderate snowfall zone than the low snowfall zone. The trajectory goal in the UP is to continue to increase the bear population but at a slower growth rate, by decreasing harvest slightly. Even with a decrease in harvest, SCAA projections suggest continued growth in the population. Department experts will continue to use the SCAA estimator and local indicators on an annual basis to assess the population trend, and harvests will be closely monitored, and recommendations adjusted accordingly during subsequent two-year cycles. The recommended desired State-licensed harvest of 1,180 bears (20 less than in 2018) in the UP would require a 1.4 percent decrease in licenses, due to increased success rates in recent years. This recommendation would allow for continued growth in the bear population, albeit at a slower rate, over the next two years.

Social

Most members of the Bear Forum support the recommended desired harvest and continued growth of the bear population over the next two years. In December, during an "on" year for bear regulations, the three-year average success rates are updated by incorporating the success rate from that previous hunting season. When the three-year average success rate rises, fewer licenses are necessary to achieve the desired harvest of a particular BMU. Nuisance and crop damage complaints across the UP region fluctuate annually, primarily due to varying availability of natural foods, but remain manageable by field staff.

Economic

The proposed slight reduction of available licenses will result in a small reduction in revenue generated by the Department. It may also slightly reduce the collective time that bear hunters

spend traveling in the region and contributing to the local economy. Nevertheless, the proposed reduction is unlikely to have significant economic impacts to the UP Region.

Recommendations

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

The license quota recommendations for the 2019 and 2020 seasons in the UP Region are:

- Amasa BMU: a total of 490 licenses for the three hunt periods; a decrease of 40 licenses from 2018.
- Baraga BMU: a total of 1,550 licenses for the three hunt periods; an increase of 60 licenses from 2018.
- Bergland BMU: a total of 1,195 licenses for the three hunt periods; a decrease of 15 licenses from 2018.
- Carney BMU: a total of 600 licenses for the three hunt periods; a decrease of 15 licenses from 2018.
- Gwinn BMU: a total of 1,060 licenses for the three hunt periods; a decrease of 145 licenses from 2018. The Tribal allocated harvest is 17 bears.
- Newberry BMU: a total of 1,110 licenses for the three hunt periods; a decrease of 20 licenses from 2018. The Tribal allocated harvest is 37 bears.
- Drummond Island BMU: a total of 5 licenses; no change from 2018. The Tribal allocated harvest is 1 bear.

These license allocation recommendations are intended to achieve a total desired State-licensed harvest of 1,180 bears for the UP Region, which is a decrease of 20 bears from the desired harvest in 2018.

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Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on February 14, 2019, at the Natural Resources Commission meeting. This item appeared on the Department's January calendar and may be eligible for approval on March 14, 2019.

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

Daniel Eichinger, Director

Date 3/14/19

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WILDLIFE CONSERVATION ORDER

Amendment No. 4 of 2019

By authority conferred on the Natural Resources Commission and the Director of the Department of Natural Resources by sections 40107 and 40113a of 1994 PA 451, MCL 324.40107 and 324.40113a, it is ordered that effective March 15, 2019, the following section(s) of the Wildlife Conservation Order shall read as follows:

3.200b Bear population, harvest quotas.

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

TABLE 5

Bear Management Unit (BMU) Hunt Periods and License Quotas

BMU Name	Hunt Period	Licenses	Total
Amasa	First	100	
	Second	130	
	Third	260	
Unit total			490
Baraga	First	250	
	Second	440	
	Third	860	
Unit total			1,550
Bergland	First	180	
	Second	280	
	Third	735	
Unit total			1,195
Carney	First	100	
	Second	150	
	Third	350	
Unit total			600
Drummond	First	5	5
Gwinn	First	140	
	Second	270	
	Third	650	
Unit total			1,060
Newberry	First	210	
	Second	240	
	Third	660	
Unit total			1,110
UP Total			6,010
Baldwin	First	260	
Gladwin	First	110	
Red Oak	First	700	
NLP total			1,070
State-wide total			7,080

3.201 Bear hunting; kill tag requirements; method of take; season limit.

Sec. 3.201 (1) The department shall issue a kill tag as part of the bear hunting license. An individual shall not kill

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or attempt to kill a bear unless the individual has a valid bear kill tag issued in the individual's name for the bear management unit in which the individual is hunting. The licensee must provide the kill tag and bear license to a conservation officer upon request.

(2) A licensee who kills a bear shall immediately validate the kill tag by notching out the appropriate information on the tag and attach the kill tag to the lower jaw of the bear in a secure and permanent manner. The kill tag shall remain attached to the bear until the animal is registered and sealed by the department. It shall be unlawful to possess a bear that is not tagged with a validated kill tag or a bear that is not sealed unless the provisions of section 3.207 have been met.

(3) A firearm, crossbow, and bow and arrow are legal for the taking of bear, pursuant to all regulations of state law and this order.

(4) Hunting with dogs shall be legal for the taking of bear when meeting the provisions of all regulations of state law and chapters VI and XIV of this order.

(5) A licensee less than 14 years of age may hunt bear with a firearm on public or private land and a parent or guardian, or another individual authorized by a parent or guardian who is at least 18 years old, must accompany the minor child.

(6) The season limit shall be 1 bear per bear kill tag.

3.203 Bear hunting, open seasons, defined.

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

Open Season for Taking Bear			
BMU Name	**Hunt Period**	**Season Dates for 2019**	**Season Dates for 2020**
Amasa	First	September 11 to October 21	September 9 to October 21
	Second	September 16 to October 26	September 14 to October 26
	Third	September 25 to October 26	September 25 to October 26
Baraga	First	September 11 to October 21	September 9 to October 21
	Second	September 16 to October 26	September 14 to October 26
	Third	September 25 to October 26	September 25 to October 26
Bergland	First	September 11 to October 21	September 9 to October 21
	Second	September 16 to October 26	September 14 to October 26
	Third	September 25 to October 26	September 25 to October 26
Carney	First	September 11 to October 21	September 9 to October 21
	Second	September 16 to October 26	September 14 to October 26
	Third	September 25 to October 26	September 25 to October 26
Drummond Island	First	September 11 to October 21	September 9 to October 21
Gwinn	First	September 11 to October 21	September 9 to October 21
	Second	September 16 to October 26	September 14 to October 26
	Third	September 25 to October 26	September 25 to October 26
Newberry	First	September 11 to October 21	September 9 to October 21
	Second	September 16 to October 26	September 14 to October 26
	Third	September 25 to October 26	September 25 to October 26
Baldwin	First	September 15 to September 23	September 13 to September 21
Gladwin	First	September 15 to September 23	September 13 to September 21

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Red Oak	First	September 15 to September 23	September 13 to September 21
Dansville	First	No Open Season	No Open Season

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

3.205 Bear; unlawful acts.

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

(2) It shall be unlawful for an individual to hunt bear with dogs in zone 1 from September 5 through September 15, 2019 and from September 5 through September 13, 2020.

(3) It shall be unlawful for an individual to hunt bear with dogs in zones 2 and 3 on September 15, 2019 and on September 13, 2020.

(4) In zones 2 and 3 it shall be unlawful to take a bear without the aid of dogs on September 22 and 23, 2019 and on September 20 and 21, 2020.

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

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

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

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

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

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

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

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

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

(14) Bear baiting, unlawful acts, definitions.

(a) It shall be unlawful to establish or tend a bait station that attracts bear prior to 31 days before the bear hunting season in any bear management unit. It also shall be unlawful to tend or establish a bait station for the purposes of attracting bear after the close of bear season in any management unit. Barrels described in subjection (j) shall be removed from department-managed lands no later than five days after the close of the bear season. For the purposes of this section, "bait station" means a site where food or lure is placed that may attract bear, including a barrel as described in subsection (j) and all materials used to establish the bait station.

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

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

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

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

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

(g) In an area where it is unlawful to feed deer or elk or bait deer the following regulations apply:

(i) On department-managed lands, it shall be unlawful to hunt over bait that contains any food materials other than meats, meat products, fish, fish products, or bakery products unless the bait is placed in a steel barrel as described in subsection (j).

(ii) On private lands and commercial forest lands as defined in Part 511, Commercial Forests, of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.51101 to 324.5112, it shall be unlawful to hunt over bait that contains any food materials other than meats, meat products, fish, fish products, or bakery products.

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

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

(j) It shall be unlawful to place, establish, tend, or hunt over bait contained in a barrel at a bait station on department-managed lands unless all the following conditions are met:

(i) Barrel is at least 33 gallons in size.

(ii) Barrel is steel.

(iii) Bait barrels shall have a mechanically attached, securely affixed lid and no more than three open holes, each hole no greater than one inch in diameter.

(iv) Barrel is securely anchored to a post or stake in the ground with a chain or cable no greater than eight feet in length.

(v) The user or individual possessing the barrel shall permanently affix their complete Michigan driver's license number or DNR sportscard number on a tag to the outside of the barrel.

(vi) There shall be a maximum of one barrel per bait station.

(vii) Barrel is placed no more than 100 yards from a state forest road or a roadway as defined in MCL 324.81101.

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(k) Subsection (j) shall be rescinded on December 31, 2020.

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

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

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

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

6.4 Hunting with dogs, unlawful acts.

Sec. 6.4 (1) It shall be unlawful for any person to hunt bear with dogs in zone 1 from September 5 through September 15, 2019 and from September 5 through September 13, 2020.

(2) It shall be unlawful for any person to hunt bear with dogs in zones 2 and 3 on September 15, 2019 and on September 13, 2020.

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

6.5 Dog training, unlawful acts.

Sec. 6.5 (1) It shall be unlawful for any person to dog train on bear in zone 1 from September 5 through September 15, 2019 and from September 5 through September 13, 2020.

(2) It shall be unlawful for any person to dog train on bear in zones 2 and 3 from September 9 through September 14, 2019 and from September 8 through September 12, 2020.

12.557 "Baldwin bear management unit" defined.

Sec. 12.557 (1) "Baldwin bear management unit" means all of Benzie, Lake, Leelanau, Manistee, Mason, Muskegon, Newaygo, Oceana counties; and those portions of Kalkaska, Grand Traverse, Mecosta, Montcalm, Osceola, and Wexford counties located west of US-131.

14.5 Dog training, unlawful acts.

Sec 14.5 (1) It shall be unlawful for nonresidents to dog train on bear, bobcat, fox, coyote, raccoon, or opossum, except upon areas authorized in section 14.4 from April 16 to July 8; upon dog training areas established under Part 421 of 1994 PA 451, when participating in an authorized field dog trial, or when dog training on bear in Amasa, Bergland, and Carney BMUs.

(2) It shall be unlawful to begin to dog train on bear between one-half hour after sunset to one-half hour before sunrise.

(3) It shall be unlawful to dog train on bear or bobcat in an area where the state has not established an open season for those species at some time during the license year.

(4) It shall be unlawful to dog train on a captive, tethered, or caged bear.

(5) It shall be unlawful to dog train in state parks without permission of the land administrator.

(6) It shall be unlawful to dog train more than eight dogs on bear at any one time.

(7) Subject to section 43510, subsections (2) and (3), of Part 435, as amended, hunting and fishing licensing, MCL 324.43510, it shall be unlawful for a person to possess a firearm other than a shotgun, pistol, or revolver or ammunition other than blank cartridges, while engaged in training dogs unless specifically authorized in writing by the director or by an authorized representative of the director.

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(8) A person not listed as a field dog trial participant, or dog training in an area not open to nonresident training by subsection (1) shall carry proof of residency and shall produce proof of residency upon the demand of a conservation officer or other law enforcement officer.

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Issued on this 14th day of March, 2019.

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.

Daniel Eichinger
Director

DE VP

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

GRETCHEN WHITMER
GOVERNOR

DANIEL EICHINGER
DIRECTOR

SUBMITTED: January 18, 2019
RESUBMITTED: February 19, 2019

APPROVED
March 14, 2019
MICHIGAN NATURAL RESOURCES COMMISSION
Cheryl Nelson
(ASSISTANT TO THE COMMISSION)

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Migratory Game Bird Hunting Seasons
Wildlife Conservation Order Amendment No. 3 of 2019

Authority:

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

Discussion and Background:

The United States Fish and Wildlife Service (USFWS) annually prescribes migratory bird hunting season frameworks, or outer limits, for dates and times when hunting may occur and the maximum number of birds that may be taken and possessed. Federal frameworks are negotiated with states via the Flyway Councils.

Beginning with the 2016-17 hunting seasons, the USFWS streamlined the process by which it sets annual migratory bird hunting seasons and daily limits. The two-year cycle of regulatory process was compressed into a single annual process. The new approach to set annual migratory bird hunting seasons and bag limits relies on biological data from the previous year to set hunting season dates and project appropriate harvest limits for each game species. This is possible because the USFWS and the Department have decades of data from population surveys, banding, and harvest surveys for many migratory game bird species that is used to develop models and harvest strategies to predict population change and inform harvest management decisions. These frameworks are adjusted to influence harvest regulations based on the previous year's monitoring information and regulatory decisions. This change gives biologists more time to analyze survey data from the USFWS's regulatory decisions and allows more time for public comment. A major benefit is that State agencies can set their season dates in the early spring, allowing hunters to plan their schedules well before the first hunting seasons open.

The Department's recommendations for the 2019-20 migratory bird seasons are based on the 2018 State and Federal assessments of waterfowl population status and habitat conditions, and public input including discussion with the Citizens Waterfowl Advisory Committee (CWAC) at their January 5, 2019 meeting.

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Biological

Since 1991, Michigan has collaborated with other states, the USFWS, and Canadian agencies in conducting aerial surveys of breeding ducks and geese. Spring mallard population estimates from Michigan, Minnesota, and Wisconsin are included in estimates of mid-continent mallard abundance and additionally are needed for establishing annual waterfowl hunting season frameworks for the Mississippi, Central, and Pacific Flyways. The spring 2018 breeding waterfowl survey was conducted late April to late May and the 2018 estimate of total ducks was 452,377, which was a 34% decrease from 2017 but not statistically different. The 2018 estimate for mallards was 251,362 mallards, which was 16% below the 2017 estimate but not statistically different. The 2018 statewide wetland abundance estimate of 525,996 wetlands was similar to the 2017 estimate. The 2018 estimate for Canada geese was 296,737, which is similar to the 2017 estimate.

Flyway Councils are advised by flyway technical committees consisting of state and provincial biologists. These technical committees evaluate species and population status, harvest, and hunter-participation data during the development of the Flyway Council recommendations. The USFWS then evaluates the Flyway Councils' recommendations, considering species status and biology, cumulative effects of regulations, and existing regulatory policy. Likewise, the Department's Waterfowl Workgroup and the CWAC review information on species status and habitat conditions when developing recommendations for waterfowl hunting seasons.

Social

The Department develops recommendations based on Waterfowl Workgroup discussions with the CWAC. The CWAC met on January 5 to make recommendations for the 2019-20 waterfowl seasons. The Department's recommendations are the same as those made by the CWAC with one exception (see Youth Waterfowl Season below).

The Department's Waterfowl Workgroup established goals for duck hunting seasons that include maintaining Michigan's waterfowl hunting heritage by increasing hunter recruitment and retention, simplifying regulations with maximum hunting opportunity, and ensuring that seasons encompass maximum duck numbers and abundant species.

Biannually, the Department mails Waterfowl Harvest Surveys to a sample of waterfowl hunters to estimate hunting activity and determine opinions and satisfaction with hunting regulations. The Department last conducted the Waterfowl Harvest Survey after the 2016 waterfowl hunting season.

Economic

In 2012, Michigan waterfowl hunters took about 371,000 waterfowl hunting trips and spent an average of $463 per hunter annually on waterfowl hunting trips. Collectively, waterfowl hunters spent an estimated $22.7 million on hunting trips primarily to hunt waterfowl in Michigan (2012 Waterfowl Harvest Report). The economic value of recreational goose hunting in the Mississippi Flyway was estimated at $185 million in 2006 and the economic costs of goose conflicts was estimated at $2.2 million in 2000. Businesses located in communities near well-known waterfowl hunting areas receive economic benefits from these waterfowl hunting trips.

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Youth Waterfowl Season

The Department recommends that the Federal youth waterfowl hunting season remain the third weekend in September (September 21 and 22, 2019). The Department recommends these dates to avoid overlap with the Liberty Hunt and to ensure greater duck abundance during the youth hunting days.

The CWAC recommended that the youth waterfowl season be the second weekend in September (September 14 and 15, 2019), however it was not known at the time of their discussion when the Liberty Hunt would be held. A poll after the CWAC meeting revealed that a majority of members would support keeping the youth waterfowl season the third weekend in September (September 21 and 22, 2019). There is a desire for the youth waterfowl season and the Liberty Hunt not to overlap.

Early Teal Season

The Department completed three years of evaluation of an experimental early teal season in 2014-2016 and as a result, the USFWS determined that Michigan can sustain an early teal season. An early teal season is now operationalized for teal production states including Michigan and the Department is recommending:

- September 1-16 statewide
- Daily bag limit of 6 teal and a possession limit of 18 which is three times the daily limit
- Hunting hours begin at sunrise

The Department and the CWAC recommend opening the early teal season as early as possible due to the greatest abundance of teal in Michigan during that time. Blue-winged teal are some of the earliest duck species to migrate each fall. Available information on teal migration in Michigan indicates that the peak of fall blue-winged teal migration is late August – early September. The Department and CWAC recommend utilizing the entire 16 days allowed under Federal Frameworks.

An estimated 5,906 hunters pursued teal during the early teal season in 2016. Although fewer duck hunters hunted teal in 2016, about 19% ± 2% of duck hunters (7,171 ± 780) indicated that they were very likely to hunt teal in 2018, while 31% ± 2% were somewhat likely to hunt teal (12,131 ± 971) in 2018 (2016 Waterfowl Harvest Survey).

To improve waterfowl identification, the Department recommends no change to hunting hours (i.e., early teal season begin at sunrise rather than the usual half hour before sunrise for migratory bird hunting hours). Identifying duck species is difficult under low light conditions. The Canada goose season dates overlap the proposed teal season and goose hunting hours begin one half hour before sunrise. Very few (if any) enforcement issues have occurred related to these different opening hours, yet the Wildlife Division and Law Enforcement Division will continue to work together to mitigate hunter confusion through public education and communication with hunters while in the field, while providing maximum recreational opportunity.

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The Department will continue to educate hunters on the identification of teal and provide information to help guide them to hunting locations where they are likely to encounter teal to ensure a successful teal season.

Duck Seasons

3-Year Stable Opening Dates:

To achieve consistency and assist waterfowl hunters in planning their hunting seasons, the Department strives to propose opening dates of duck hunting seasons for a 3-year period. The Department and CWAC provide the following recommended opening days of duck seasons for 2019-2021. If Federal frameworks change during this period, then opening dates will be revisited:

- North Zone (last Saturday in September):
  - 2019: September 28
  - 2020: September 26
  - 2021: September 25
- Middle Zone (1st Saturday in October):
  - 2019: October 5
  - 2020: October 3
  - 2021: October 2
- South Zone (2nd Saturday in October):
  - 2019: October 12
  - 2020: October 10
  - 2021: October 9

The USFWS offered a 60-day season and six-duck daily limit based on an adaptive harvest management strategy using 2018 prairie pond numbers and mid-continent mallard abundance as a guide to season length and daily duck limit. The Department developed the following duck season dates for 2019 based on feedback from CWAC, analysis of data on hunter opinions, migration timing, and hunter success.

The recommended dates for the 2019 duck season are:

- North Zone – September 28 to November 24 and November 30 to December 1
- Middle Zone – October 5 to December 1 and December 14 to December 15
- South Zone – October 12 to December 8 and December 28 to December 29

The daily bag limit for ducks will be six ducks with the following species-specific restrictions: four mallards (no more than two hens), three wood ducks, three scaup, two black ducks, two redheads, two canvasbacks, and one northern pintail. In addition to the duck limit, hunters may take five mergansers, only two of which may be a hooded merganser. The possession limit is three times the daily limit for ducks, coots, and mergansers. The only change in duck bag limits from 2018 is that pintails have decreased from two to one.

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Goose Seasons

The Department recommends goose season dates based on Canada goose population goals, feedback from the CWAC, and surveys of waterfowl hunters. Waterfowl hunters expressed their desire for additional opportunities to hunt ducks and geese on the same days. The recommended season dates provide for overlap of goose and duck seasons.

Federal frameworks for the Mississippi Flyway allow for a 107-day Canada goose season with a daily bag limit of five from September 1-30 and three from October 1-February 15, 2020. The possession limit is three times the daily limit for geese.

While few other goose species are harvested in Michigan, the Department makes recommendations that allow goose hunters to take these species if they have the opportunity. The recommended dates for the season for white, blue, and Ross' geese, white-fronted geese, and brant are the same as the Canada goose seasons in each respective zone and Goose Management Unit (GMU). The daily bag limits for white, blue, and Ross' geese is 20. To maximize opportunity, the Department is again recommending a dark goose aggregate daily bag limit for Canada geese, white-fronted geese, and brant of five, only one of which can be a brant from September 1-30, only three of which can be Canada geese, and one can be a brant beginning October 1.

The 2018 Michigan Canada goose population estimate was above the goal range of 175,000-225,000. Federal frameworks for Canada geese in the Mississippi Flyway were liberalized to allow for 107 days of hunting, the maximum allowed under the Migratory Bird Treaty Act, and an increase in bag limits. The recommended season dates and bag limits take advantage of this liberalization. September dates of the Canada goose season are timed so that resident geese are most susceptible to harvest. This is a good tool to maintain Michigan's Canada goose population at or near the goal range which will help address human-goose conflicts.

The Department recommends the following dates and daily bag limits for Canada goose seasons:

- North Zone regular season: September 1-30 (5-bird daily bag limit) and October 1-December 16 (3-bird daily bag limit)
- Middle Zone: September 1-30 (5-bird daily bag limit) and October 5 - December 20 (3-bird daily bag limit)
- South Zone: September 1-30 (5-bird daily bag limit), October 12 - December 8 (3-bird daily bag limit), December 28 - December 29 (3-bird daily bag limit), and January 25-February 10, 2020 (3-bird daily bag limit)
- Allegan GMU: September 1-30 (5-bird daily bag limit), November 2 - November 12 (3-bird daily bag limit), November 21 - December 8 (3-bird daily bag limit), and December 14 - January 30, 2020 (3-bird daily bag limit)
- Muskegon County Waste Water GMU: October 19 - December 21 (3-bird daily bag limit)

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Falconry

For the falconry season, the recommended dates for the additional days outside the gun hunting seasons for ducks, mergansers, coots, and moorhens are December 30, 2019 to January 12, 2020 and February 25 to March 10, 2020. The daily and possession limits remain unchanged. The Department continues to discuss falconry dates with the Michigan Hawking Club.

DE VP

Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on February 14, 2019, at the Natural Resources Commission meeting. This item appeared on the Department's January calendar and may be eligible for approval on March 14, 2019.

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

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.

Daniel Eichinger, Director

Date 3/14/19

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WILDLIFE CONSERVATION ORDER

Amendment No. 3 of 2019

By authority conferred on the Natural Resources Commission and the Director of the Department of Natural Resources by sections 40107 and 40113a of 1994 PA 451, MCL 324.40107 and 324.40113a, it is ordered that effective March 15, 2019, the following section(s) of the Wildlife Conservation Order shall read as follows:

3.415 Migratory birds open seasons, possession limit defined, exceptions.

Sec. 3.415. The migratory bird possession limit shall be three times the daily limit. The migratory bird hunting open seasons and exceptions are as shown in table 10:

TABLE 10		
Migratory Bird Open Seasons		
Season and Species	**Zone or Management Unit**	**Open Season**
Ducks (regular season)	North Zone	September 28 to November 24 and November 30 to December 1
	Middle Zone	October 5 to December 1 and December 14 to December 15
	South Zone	October 12 to December 8 and December 28 to December 29
Merganser		Same dates as ducks in the respective zones
Coots		Same dates as ducks in the respective zones
Common Moorhens (Gallinules)	Statewide	September 1 to November 9
Canada Goose, White-fronted Goose, Brant, Snow Goose, and Ross' Goose	North Zone	September 1 to December 16
	Middle Zone	September 1 to September 30 and October 5 to December 20
	South Zone, excluding GMUs listed below in the table	September 1 to September 30, October 12 to December 8, December 28 to December 29 and January 25 to February 10, 2020
	Allegan County GMU	September 1 to September 30, November 2 to November 12, November 21 to December 8, and December 14, 2019 to January 30, 2020
	Muskegon County W.W. GMU	October 19 to December 21

3.416 Migratory game birds; daily limit.

Sec. 3.416. The daily limit of migratory game birds for the seasons specified in section 3.415 shall be as follows:

(1) Ducks, daily limit. The daily limit shall be 6 ducks of which no more than 4 may be mallards, no more than 2 may be a hen mallard, no more than 2 may be black ducks, no more than 3 may be wood ducks, no more than 1 may be a pintail, no more than 2 may be redheads, no more than 3 may be scaup, and no more than 2 may be canvasbacks.

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

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(3) Dark geese (Canada, white-fronted and Brant), north, middle, and south zones, including GMUs, daily limit. During September, in the north, middle, and south zones as described in sections 1.7, 1.8, and 1.9 of this order, respectively, and all GMUs as described in sections 12.702 and 12.703 the daily limit of dark geese shall be 5, only 1 of which can be a Brant. After September 30, the daily limit for dark geese shall be 5, only 3 of which can be Canada geese and 1 of which can be a Brant.

(4) Light geese (snow, blue and Ross), daily limit. The daily limit on light geese (snow, blue, and Ross) shall be 20.

(5) Coot, daily limit. The daily limit of coot shall be 15.

(6) Common moorhen (gallinule), daily limit. The daily limit of moorhen shall be 1.

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

Sec. 3.422. (1) The open season for taking common snipe (jacksnipe), woodcock, and Virginia and Sora rails by falconry shall be the same dates as the firearm seasons in the respective zones for these species as described in sections 3.415 and 3.420.

(2) The open season for taking geese shall be the same dates as the firearm seasons in the respective zones and goose management units.

(3) The open season for taking duck, merganser, coot and common moorhen (gallinule) shall be the same dates as the firearm seasons in the respective zones for these species, plus the season shall be open statewide December 30, 2019 to January 12, 2020 and February 25 to March 10, 2020.

(4) The daily limit for migratory game birds taken by falconry shall be 3 birds combined, and the possession limit shall be 9 birds combined.

Issued on this 14th day of March, 2019.

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

FOR

Vicki J. Pontz, Chair
Natural Resources Commission

Approved as to matters over which the Director has authority.

Daniel Eichinger
Director

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

GRETCHEN WHITMER
GOVERNOR

DANIEL EICHINGER
DIRECTOR

February 19, 2019

TO:	Daniel Eichinger, Director
INFORMATION:	Natural Resources Commission
Transaction:	Sale of Surplus DNR-Managed Land Hancock to Ripley Connector Trail – Houghton County Land Transaction Case #20180186
Sale:	0.0002 acre
Sale Price (*including fees*):	$1,000.00
Description:	Houghton County, Franklin Township, T55N, R34W, Section 36: Being a part of Government Lot 1, more completely described in the case file.
PA 240 of 2018:	The parcel is north of the Mason-Arenac county line and will result in a decrease of 0.0002 acre of DNR-managed lands.
Applicant(s):	County of Houghton, 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) March 5, 2019 calendar and is eligible for approval on March 12, 2019.
Acquired:	Acquired as a gift in 2003.
Minerals:	The state does not own the mineral rights.
Comments:	The applicant desires a triangular shaped strip, 8.27 square feet in size, on which their building is located. The proposed land disposal was reviewed and recommended for approval by the Land Exchange Review Committee on December 20, 2018. Proceeds from the sale will be deposited into the Land Exchange Facilitation Fund (LEFF) – Trailway Subfund. The LEFF allows the Department to sell rights in land and deposit the proceeds in a fund which can then be used to acquire replacement property.

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Engagement:	Due to the small size of the parcel, the Land Exchange Review Committee determined local engagement is not necessary.
Recommendation:	1. That the land be sold to the applicant for $1,000.00. 2. That the proceeds of the sale be deposited in the LEFF – Trailway Subfund.

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.

Daniel Eichinger
Director

3/14/19
Date Approved

SALE OF DNR-MANAGED LAND

Hancock to Ripley Connector Trail – Houghton County
Land Transaction Case #20180186

Section 36, T55N, R34W, Franklin Township

- DNR land to be sold (0.0002 acre)
- County land
- State land
- Private land

N

Feet

0 25

02/01/2019

DNR Project Boundaries

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING

GRETCHEN WHITMER
GOVERNOR

DANIEL EICHINGER
DIRECTOR

February 19, 2019

TO:	Daniel Eichinger, Director
INFORMATION:	Natural Resources Commission
Transaction:	Sale of Surplus DNR-Managed Land Gwinn Management Unit – Alger County Land Transaction Case #20150181
Sale:	2.54 acres
Sale Price (*including fees*):	$3,485.00
Description:	Alger County, Limestone Township, T45N, R22W, Section 19: Part of the SE 1/4 of the SE 1/4, more completely described in the case file.
PA 240 of 2018:	The parcel is north of the Mason-Arenac county line and will result in a decrease of 2.54 acres of DNR-managed lands.
Applicant(s):	Harold and Marilee Juricny, Atlanta, 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) March 5, 2019 calendar and is eligible for approval on March 12, 2019.
Acquired:	By tax reversion in 1939.
Minerals:	To be disposed.
Comments:	The desired parcel is adjacent to the applicant's land and will resolve a trespass on DNR-managed land. The proposed land disposal was reviewed and recommended for approval by the Land Exchange Review Committee on April 20, 2017. Proceeds from the sale will be deposited into the Land Exchange Facilitation Fund (LEFF). The LEFF allows the Department to sell rights in land and deposit the proceeds in a fund which can then be used to acquire replacement property.

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SALE OF SURPLUS DNR-MANAGED LAND

Gwinn Management Unit – Alger County
Land Transaction Case #20150181

Section 19, T45N, R22W, Limestone Township

- Sale of surplus DNR-managed land (2.54 acres)
- Applicant's land
- State land
- Private land

N

Feet

0 1,000

02/01/2019

DNR Project Boundaries

Engagement: Due to the small size of the parcel, the Land Exchange Review Committee determined local engagement is not necessary.

Recommendation:

1. That the land be sold to the applicant for $3,485.00.
2. That the proceeds of the sale be deposited in the LEFF.
3. That the state retain 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.

Daniel Eichinger
Director

3/14/18
Date Approved

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

GRETCHEN WHITMER
GOVERNOR

DANIEL EICHINGER
DIRECTOR

February 19, 2019

TO:	Daniel Eichinger, Director
INFORMATION:	Natural Resources Commission
Transaction:	State Forest Land Exchange Gwinn Management Unit – Marquette County Crystal Falls Management Unit – Iron County Ford River Land Company Exchange Land Transaction Case #20170113
Applicant:	Ford River Land Company, LLC, Sagola, Michigan.
PA 240 of 2018:	PILT Estimate: $161.00. The parcels involved in the exchange are north of the Mason-Arenac county line and will result in an increase of 8 acres of DNR-managed lands.

Private Land Offered in Exchange:

Acreage:	40 acres
Location:	Marquette County, Ely Township, T48N, R28W, Section 12: The NE 1/4 of the NE 1/4
Value:	$ 31,000.00
Payment at Closing *(including fees)*:	$ 2,750.00
Total Compensation to be Provided by Applicant:	$ 33,750.00

State Land Desired in Exchange:

Acreage:	32 acres
Location:	Iron County, Iron River Township, T43N, R35W, Section 13: The South 4/5 of the SE 1/4 of the NW 1/4
Value:	$ 33,500.00

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Authority:	Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.
Notice:	This item will appear on the Department of Natural Resources (Department) March 5, 2019 calendar and is eligible for approval on March 12, 2019.
Comments:	The desired state-owned land is surrounded by private ownership. The offered land is adjacent to state land on two sides and will consolidate state ownership as well as provide direct access to a large block of state ownership. The desired state land was acquired by multiple undivided interests in 1966 and 1985. Under court litigation the E 1/2 of the W 1/4 was split into three portions with the state being granted full interest in the S 4/5 of the SE 1/4 of the NW 1/4. The state will convey mineral rights on the desired parcels. The owner will convey the mineral rights on the offered parcel. The proposed land exchange was reviewed and recommended for approval by the Land Exchange Review Committee on April 19, 2018.
Engagement:	Certified letters were sent to Iron County and Iron River Township on April 27, 2018, and to Marquette County and Ely Township on May 1, 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 Gwinn 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.

Daniel Eichinger
Director

3/14/19
Date Approved

STATE FOREST LAND EXCHANGE

Crystal Falls Management Unit – Iron County
Gwinn Management Unit – Marquette County
Land Transaction Case #20170113

Section 13, T43N, R35W
Iron River Township, Iron County

Section 12, T48N, R28W
Ely Township, Marquette County

- Surplus DNR land to be sold (32 acres)
- State land
- Private land

- Land offered to DNR in exchange (40 acres)
- State land
- Private land
- DNR Project Boundary

N
Feet
0 2,000
04/03/2018

DNR Project Boundaries

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

GRETCHEN WHITMER
GOVERNOR

DANIEL EICHINGER
DIRECTOR

February 19, 2019

TO:	Daniel Eichinger, Director
INFORMATION:	Natural Resources Commission
Transaction:	Parks and Recreation Easement Acquisition Gaylord District – Cheboygan County Water Level Monitoring Easement Land Transaction Case #20170173
Purchase:	0.01 acres - $50,000.00
Funding Source:	Waterways Fund
Description:	Cheboygan County, City of Cheboygan, T37N, R01W, Section 19: Part of Government Lot 5 and part of the SW 1/4 of the SE 1/4, as more completely described in the case file.
Seller(s):	Patricia Galacz, Cheboygan, 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) March 5, 2019, calendar, and is eligible for approval on March 12, 2019.
Management Purpose:	The easement will be used by the Parks and Recreation Division to access water level monitoring equipment located on the sea wall of the Cheboygan River. This acquisition is critical for enabling Department staff to collect water level data used in maintaining water levels in the reservoir.
Comments:	The easement permits Department staff to access the drive and yard of this private residential property to regularly maintain the water level monitoring equipment located along the sea wall at the back of the property. Acquisition of this parcel will contribute to the Department's goal of increasing public recreation opportunities.
Engagement:	As this is an access easement for management and monitoring purposes, no public engagement was initiated.
Recommendation:	1. That the acquisition be approved, with payment to be made from the Waterways Funds.

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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.

Daniel Eichinger
Director

3/14/19
Date Approved

PARKS AND RECREATION EASEMENT ACQUISITION

Gaylord District – Cheboygan County
Land Transaction Case #20170173

Section 19, T37N, R01W, City of Cheboygan

- ● Water level monitoring equipment
- Easement to be acquired by DNR (0.01 acre)
- Private land

N

Feet
0 200

02/11/2019

DNR Project Boundaries

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

GRETCHEN WHITMER
GOVERNOR

DANIEL EICHINGER
DIRECTOR

February 19, 2019

TO:	Daniel Eichinger, Director
INFORMATION:	Natural Resources Commission
Transaction:	Parks and Recreation Land Acquisition Porcupine Mountains Wilderness State Park – Gogebic County The Cotten Purchase Land Transaction Case #20170245
Purchase:	5.62 acres - $200,000.00
Funding Source:	Michigan Natural Resources Trust Fund, Act 93 of 2017
PA 240 of 2018:	PILT Estimate: $2,202.55 This parcel is located north of the Mason-Arenac county line and will result in an increase of 5.62 acres of DNR-managed lands.
Description:	Gogebic County, Wakefield Township, T50N, R45W, Section 16: Part of Government Lot 4, in the SE 1/4 as more completely described in the case file.
Seller(s):	Gerald M. Cotten, Jr., Brooklyn Park, Minnesota.
Authority:	Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.
Notice:	This item will appear on the Department of Natural Resources (Department) March 5, 2019 calendar and is eligible for approval on March 12, 2019.
Management Purpose:	The property will be managed by the Parks and Recreation Division. The property will be an added amenity along the Lake Superior shoreline, accessible from the Iron Belle Trail/North Country National Scenic Trail. This acquisition will contribute to achieving quality recreation opportunities, protecting and managing natural resources, and meeting 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 a rectangularly shaped 5.62-acre parcel of land with shore frontage on Lake Superior. Tieble Creek, a trout stream, traverses the property, and the Iron Belle/North Country National Scenic Trail crosses the southerly extent of the parcel. The parcel supports a small cabin and associated outbuildings.

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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 Gogebic County and Wakefield Township.

Recommendation:

1. That the acquisition be approved, with payment to be made from the Michigan Natural Resources Trust Fund, 2017 PA 93.
2. This land is to be dedicated as part of the Porcupine Mountains Wilderness State Park.

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.

Daniel Eichinger
Director

3/14/19
Date Approved

PARKS AND RECREATION LAND ACQUISITION

Porcupine Mountains Wilderness State Park – Gogebic County
Land Transaction Case #20170245

Section 16, T50N, R45W, Wakefield Township

Land to be acquired by DNR (5.62 acres)
State land
Private land
Existing buildings

N
Feet
0 250
02/06/2019

DNR Project Boundaries