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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



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MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Deer Regulations
Wildlife Conservation Order Amendment No. 6 of 2020

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 deer regulations during their June 11, 2020, regularly scheduled meeting. The NRC requested that the Department bring back a revised Wildlife Conservation Order (WCO) amendment that removes the hunter orange requirement on occupied ground blinds in sections 2.9 (7) and 2.10 (3). The Department has removed the recommendation from this memorandum and WCO amendment.

Deer regulations are on a three-year regulatory cycle and were set for 2017-2019. However, due to the finding of chronic wasting disease (CWD), the Department and the NRC made regulatory changes outside of the three-year cycle for CWD management in 2018 and 2019. In preparation for the 2020-2022 deer regulatory cycle, deer regulations, such as open/closed deer management units (DMUs), license quotas, antler point restrictions (APRs), season dates, disease, and other various regulations were reviewed or developed with internal staff, stakeholder groups, and the public earlier this year as part of the three-year regulatory cycle process. The Department's recommendations, as explained in this memorandum, are intended to simplify and reduce confusing regulations, slow the spread of disease, and increase deer harvest opportunities for hunters.

The Department will continue to review deer regulations as data continues to show a decline in hunters and a decline in revenue from hunting license sales as the deer population continues to grow. The Department will also continue to review deer regulations for disease and population management goals.

Statewide Recommendations:

Liberty and Independence Hunts

The Accessibility Advisory Council (AAC) requested to add a qualification for the Liberty and Independence Hunts to include deaf individuals as defined by section 2 of 1937 PA 72, MCL 408.202. “Deaf person” means a person who is not able to process information aurally, with or without amplification, and whose primary means of communication is visual or by receiving spoken language through other sensory input, including, but not limited to, lipreading, sign language, finger spelling, or reading. The Department recommends this proposal at the request of the AAC. Allowing a relatively small number of additional hunters with disabilities to participate in these hunts will provide additional recreational opportunities and another weekend of public and private land hunting for these newly qualified individuals.

Issues Pros and Cons

The AAC provides guidance to help the Department develop, manage and plan opportunities for those of all abilities to enjoy Michigan’s natural resources. The AAC also strives to educate citizens on the importance of accessibility and to involve citizens in the planning and development of facilities and programs that are accessible to all users.

These hunts give hunters with disabilities the opportunity to hunt deer on public or private land without competition from other hunters and allow Michigan’s deer resources to be more accessible to hunters with disabilities.

There may be some pushback from hunters who do not agree with these special hunts and allowing additional opportunities for a specific group of hunters.

Biological

In 2018, approximately 474 deer were harvested during the Independence Hunt and approximately 10,062 deer were harvested during the Liberty Hunt, though it’s presumed most of this harvest in this season is by eligible youth hunters. The Department does not expect a biological impact.

Social

Allowing a relatively small number of additional hunters with disabilities to participate in these hunts is unlikely to create any issues with current hunters.

The Independence Hunt has limited participation statewide; there were approximately 2,154 hunters in 2018. The Liberty Hunt (both hunters with disabilities and youth hunters) has higher participation statewide, with approximately 30,000 hunters participating in 2018; most of these hunters are believed to be youth hunters.

Economic

The Department does not expect an economic impact.

APR Applicability for New and Young Hunters

Under current regulations, APRs do not apply to youth hunters licensed under the mentored youth hunting program and juniors (ages 10-16) hunting during the Liberty Hunt. During all other deer seasons, APRs are enforced for all junior hunters as well as all apprentice hunters. Apprentice hunters are typically new hunters who have not yet completed hunter's safety but are interested in trying hunting, and therefore, purchase the apprentice license. In order to simplify communication, provide an increase in recreational opportunities and provide a way to introduce new hunters to Michigan's rich outdoor heritage, the Department recommends removing APRs for all youth hunters (16 years of age and younger) and apprentice hunters. In addition, the Department recommends that these individuals be exempt from APRs during all deer seasons. This includes the four-point APR on the restricted tag of the deer combination license. The Department expects this change to simplify regulations and offer an opportunity for novice hunters.

Issues Pros and Cons

Removing APRs for all youth hunters (16 years of age and younger) and apprentice hunters is another avenue to introduce new hunters to the sport of hunting. In addition, eliminating APRs on deer that may be harvested may help increase hunter success rates and satisfaction during all deer seasons. Expanding the APR exemption to all deer seasons for these individuals will simplify regulations and provide additional recreational opportunities.

Removing APRs for these individuals during all deer seasons may result in some social conflict.

Biological

The Department does not expect a biological impact. Even if success rates increase, the Department does not anticipate the level of harvest to have a negative biological impact by impacting the age structure of male deer on the landscape.

Social

This recommendation was supported by all but one member of the APR workgroup.

Economic

The Department does not expect a significant increase or decrease in participation, and therefore, does not expect an economic impact.

Season Purchase Limits for Private Land Antlerless Deer Licenses

Current regulations allow hunters to purchase a season limit of up to 10 private land antlerless deer licenses in disease areas, including DMUs 452, 487, the Core CWD Area, and the CWD Management Zone. In the rest of the state, the season purchase limit is up to 5 private land antlerless deer licenses. In order to eliminate confusion and simplify regulations, the Department recommends a statewide season purchase limit of up to 10 private land antlerless deer licenses.

Issues Pros and Cons

Implementing a statewide season purchase limit of up to 10 private land antlerless deer licenses will create consistency and simplify regulations across the state. The Department expects this recommendation to impact a minimal number of hunters.

Some deer management units that have a season purchase limit of 5 private land antlerless deer licenses also have a very low private land antlerless quota. Increasing the season purchase limit from 5 to 10 private land antlerless licenses may result in the quota selling out faster, as hunters may purchase all 10 licenses, limiting the ability for other hunters to purchase licenses. This issue can potentially be addressed in future regulation cycles by increasing antlerless quotas, if necessary.

Biological

The Department encourages additional harvest of antlerless deer, especially on private lands, in order to lower deer population levels in some areas. Given that the 2018 Deer Harvest Survey showed that only one percent of hunters purchase four or more antlerless licenses, the Department does not expect a biological impact.

Social

There may be a perception that a purchase limit of 10 private land antlerless deer licenses will result in an overharvest of deer. However, data show that approximately 60 percent of hunters don't purchase an antlerless license and approximately 30 percent purchase one.

Economic

This recommendation may result in less staff time issuing DMAPS in those areas that currently have a season purchase limit of 5 private land antlerless deer licenses.

Baiting Exception for Hunters with Disabilities

The NRC approved regulations that grant a baiting exception for hunters with disabilities who meet specific requirements during the Liberty and Independence Hunts. In Alcona, Alpena, Montmorency, and Oscoda Counties, and within the UP Core CWD Surveillance Area, CWD Management Zone, and Core CWD Area, hunters with disabilities may bait provided they use not more than two gallons at a time of single-bite baits, which include shelled corn, nuts, beet pulp, deer feed or pellets, or wheat or other grain. Hunters with disabilities in all other areas can use any type bait during the Liberty and Independence Hunts (regular baiting restrictions apply). There is currently no evidence that shows changing the type of bait being used can mitigate risk in transmission of CWD and continuing a regulation that promotes that difference promotes an idea not yet determined by research. In order to reduce confusion, provide statewide consistency, and simplify regulations, the Department recommends removing the single bite bait regulation and allowing hunters with disabilities to use any legal type of bait during the Liberty and Independence Hunts provided that all other baiting regulations are followed.

Issues Pros and Cons

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.

Biological

The relationship between baiting, feeding, and CWD transmission is in the risks associated with congregating wildlife. While natural food sources also congregate wildlife, human activities such as baiting do so at rates above natural sources and therefore increase the risks of transmitting disease. That is, disease transmission due to human activities is additive—over and above transmission due to natural sources of congregation. The risks of congregating animals around bait are manifold: it increases the probability of direct contact between infected and noninfected animals, and it also increases the risk of contaminating the food source itself or the surrounding environment. There are no available data that indicates single-bite baits generate less additive-risk than other baits.

Social

The Department does not have any data on the success rate for hunters with disabilities when hunting over bait vs. not hunting over bait. Allowing baiting to occur in known disease areas, even for hunters with disabilities is generally not consistent with sound disease management ideals.

Economic

The Department does not expect an economic impact.

Upper Peninsula Recommendations:

Open/Closed DMUs and Antlerless Quotas

Since the harsh winters of 2013 and 2014 which had an impact on the Upper Peninsula (UP) deer herd, the Department has seen recovery in the deer herd as evidenced by increasing harvest and hunter success rates. In the southern UP, the Department is observing the highest densities of deer with the highest harvest levels anywhere on the Peninsula. In 2019, the Department recommended additional opportunities for hunters to manage the local deer herd, in addition to the detection of CWD and recovering deer numbers in that area. Compared to 2019 quotas, the proposed antlerless deer license quotas would result in an increase of 120 public land antlerless licenses and no change in the private land antlerless licenses in the UP.

For the 2020 deer hunting season, the Department recommends additional antlerless harvest opportunity on public land. This includes:

- Increasing antlerless license quotas, as shown below, for public land licenses in each of the following DMUs:
 - Increasing antlerless licenses available in DMU 121 to 500 public land.

- Increasing antlerless licenses available in DMU 122 to 300 public land.
- Increasing antlerless licenses available in DMU 155 to 400 public land.

2019 UP Antlerless Deer License Quota

DMU	Public	Private	Total
121	480	800	1,280
122	240	1,000	1,240
155	360	1,800	2,160
Totals	1,080	3,600	4,680

2020 UP Antlerless Deer License Quota Recommendation

DMU	Public	Private	Total
121	500	800	1,300
122	300	1,000	1,300
155	400	1,800	2,200
Totals	1,200	3,600	4,800

Biological

The UP region varies significantly in capability of habitat to support deer, winter impacts on deer, predator populations, and other factors that influence deer numbers. Antlerless harvest was highly restricted in the UP during the 2014-16 regulation cycle due to a 3-year span of harsh winters. Only three DMUs were open to antlerless license issuance, and quotas were conservative. Deer numbers in the UP began to rebound by spring 2017 following two consecutive mild winters. In 2019, antlerless harvest opportunity was expanded to five DMUs, and antlerless license quotas were increased. A few units located in the south-central UP where deer numbers tend to be higher and winter conditions are far less severe were proposed to have an increase in private land antlerless licenses and additional public land open for antlerless hunting opportunities.

Social

Units in which only one to two bucks are harvested per square mile tend to produce low deer sighting rates and hunter satisfaction, and antlerless harvest is generally highly restricted or unavailable in these areas. Deer management units in the south-central UP typically provide outstanding deer hunting with buck kills exceeding five per square mile. In these units, antlerless licenses may be issued to manage the population and to provide additional recreational opportunity.

Economic

The number of deer harvested by farmers this past summer on deer damage shooting permits to protect their crops from damage in the south-central UP reached a 5-year high. Antlerless

harvest opportunities will continue to be important in DMUs in the south-central UP to address agricultural crop damage and forest regeneration concerns.

Reinstate the Antlerless Option During Archery Deer Season for Hunters Hunting on the Deer License or Deer Combination License in the Entire UP

In 2015, the NRC approved regulations that eliminated the antlerless option during archery deer season for hunters hunting on a deer license or deer combination license in the entire UP in response to declining deer numbers. Then in 2019, the NRC approved regulations that reinstated the antlerless option during archery season for hunters hunting on the deer license or deer combination license in DMUs open to antlerless licenses. That included DMUs located in the south-central UP, where deer numbers tend to be higher and winter conditions are less severe. In order to provide additional antlerless harvest opportunities and provide consistency in regulations across the UP, the Department recommends reinstating the antlerless option during archery season for hunters hunting on the deer license or deer combination license in the entire UP.

Issues Pros and Cons

Reinstating the antlerless option during archery season for hunters hunting on the deer license or deer combination license in the entire UP will provide hunters with more flexibility and opportunity to hunt across the UP. In addition, this will also provide for simplified and consistent regulations across the UP.

There may be some confusion regarding the option to take antlerless deer with a deer license or deer combination license; however, the Department will continue effective communications and customer service related to the regulatory changes.

Biological

The UP region varies significantly in capability of habitat to support deer, with winter impacts on deer, predator populations, and other factors that influence deer numbers. The severe winters of 2013-2014 and 2014-2015 resulted in high snow depths and harsh winter conditions. These conditions left many areas of the UP with low deer numbers. Since that time, the deer herd has begun to grow due to conservative regulations and the relatively mild to average winter conditions over the last couple of years. Allowing antlerless harvest on a deer license or deer combination license during archery deer season will increase antlerless hunting opportunities and support continued management of the population.

In addition, prior to the removal of this regulation, it was estimated that less than 6,000 antlerless deer were estimated to have been harvested on average each year under this option across the entire UP. This equates to less than .4 deer per square mile. While this may have some localized population impacts, it will provide additional opportunity to hunters, especially those who are subsistence participants.

Social

Providing the option to take an antlerless deer during archery season on a deer license or a deer combination license will provide additional recreational opportunity.

Providing additional antlerless harvest in the UP may result in some social conflict.

Economic

Antlerless harvest opportunities will continue to be important in DMUs to address agricultural crop damage and forest regeneration concerns.

Remove APRs on the Deer License in the Remainder of DMU 122

Current regulations in DMU 122 are split because the UP Core CWD Surveillance Area encompasses majority of the DMU, except for the northern portion. In the UP Core CWD Surveillance Area, there are no APRs on the deer license or deer combination license. In the rest of DMU 122, there is a 3-point APR on the deer license and deer combination regular license, and a 4-point APR on the deer combination restricted license. This causes confusion and enforcement issues for hunters and staff. In order to simplify and create consistent regulations, the Department recommends removing the APRs in the northern portion of DMU 122 on the deer license. This will align the deer license and deer combination license with the rest of the UP, except for the UP Core CWD Surveillance Area.

Issues Pros and Cons

This change will provide consistent and simplified regulations. At first, this may result in some pushback by hunters who are already familiar with APRs in DMU 122, but the Department will provide clear communication to the hunting community.

Biological

Removing the APRs is not likely to impact overall harvest. Changes to male age structure harvest would have been most affected last year when deer regulations were changed in the UP Core CWD Surveillance Area.

Social

Removing the APRs in the northern portion of DMU 122 on the deer license will provide additional recreational opportunity that includes antlered deer less than three points per side.

Economic

The Department does not expect an economic impact.

Lower Peninsula Recommendations:

Open/Closed DMUs and Antlerless Quotas

The Department recommends a change in public land antlerless deer license quotas and private land antlerless deer license quotas in the Lower Peninsula (LP). Compared to 2019 quotas, the proposed antlerless deer license quotas would result in an increase in both public and private land antlerless licenses in the Northern Lower Peninsula (NLP) and the Southwest Lower Peninsula (SWLP). In the Southeast Lower Peninsula (SELP), no change is proposed for both public and private land antlerless licenses.

It is proposed that 46,300 public land antlerless licenses (up from 39,300 in 2019), and that a total of 129,100 private land antlerless licenses be available (up from 123,000 in 2019) in the NLP.

It is proposed that 18,150 public land antlerless licenses (up from 15,560 in 2019), and that a total of 66,000 private land antlerless licenses be available (up from 48,500 in 2019) in the SWLP. Because of the presence of CWD in many counties in the SWLP, private land quotas are not issued, which allows hunters to pursue antlerless deer without the risk of licenses being sold out.

It is proposed that 17,100 public land antlerless licenses be available (no change from 17,100 in 2019), and that a total of 146,000 private land antlerless licenses be available (no change from 146,000 in 2019) in the SELP.

Overall, these proposals would result in 9,590 more public land antlerless licenses and 23,600 more private land antlerless licenses available in the LP.

The proposed increases in the NLP and the SWLP, as well as the consistency in the SELP, reflect a recognition from Department staff that deer hunters are decreasing at a rate of two to four percent per year statewide and do not have the ability to manage deer populations at the level they once did. With this knowledge, Department staff would like to maximize hunter opportunity and success across the LP. Therefore, many areas are attempting to allow for quotas to meet hunter demand in each DMU.

Preliminary harvest estimates from the 2019 season were not yet available prior to submission of antlerless license quota proposals. However, to accompany 2020 regulations proposals, field staff has prepared narrative documents reporting and analyzing multiple-year trends in data and deer management issues in each DMU. These documents are available separately for review to the NRC and will be available to the public. Summaries of conditions by management region are provided below.

Northern Lower Peninsula Region

For several years prior and in the years following the harsh winter of 2013-2014, the northern LP experienced relatively mild winters and staff observed deer populations steadily increasing. All DMUs within the region are recommended to be open for antlerless licenses on both private and

public land, with the exception of private land licenses for DMU 145 (North Manitou Island), as no private land is contained within that DMU.

Biological

Winter is a major factor of deer populations in many areas of the NLP. The impacts of winter tend to lessen when moving north to south in the NLP. In addition, the deer numbers are driven more by resource availability. Over the last three years, the NLP has seen relatively mild winter conditions. This has led to increases in deer numbers across majority of the region. For this reason, the NLP is proposing an increase in many DMUs on both public and private land.

Social

Currently, there is a 3-point APR in 13 DMUs in the northwest LP. As part of these APRs, biologists are aiming to have at least a 1:1 harvest of bucks to does in order to achieve a more balanced buck to doe ratio in addition to keeping deer numbers low for impact management. Adequate antlerless quotas are necessary to achieve this goal, which may have a biological impact but has also been driven by hunter preference for implementing regulations to achieve a more satisfying deer hunting experience.

Economic

Issues with agricultural crop damage can be highly variable in the NLP, even within given DMUs. Distinct private and public land antlerless quotas and the availability of early and late antlerless seasons on private land provide the opportunity to make tools available to private landowners experiencing damage as a result of concentrations of deer where their numbers are not excessive overall. Economic impacts also result from the presence of bovine tuberculosis in the eastern NLP, and disease eradication efforts require continued availability of antlerless licenses in these DMUs.

Southwest and Southeast Lower Peninsula Region

It is recommended that all DMUs in the southern LP be open for antlerless deer licenses. The sole exception is to leave DMU 025 (Genesee County) closed for public land antlerless deer licenses, as no public land is contained within that DMU.

Biological

For approximately the past decade, deer population estimates and indices (including deer/vehicle collisions, crop damage complaints, and observations of deer by the hunting community and field staff) in the southern LP have stabilized. Department management efforts are intended to reduce deer densities throughout most of the region. The Department recommends more opportunities for hunters to manage the local deer herd, in addition to the detection of CWD and recovering deer numbers in the SWLP.

Social

Based on previous drawing histories, most proposed private land antlerless quotas are expected to exceed hunter demand for the recreational opportunity offered through antlerless harvest.

Economic

Where local deer abundance continues to contribute to incidence of agricultural damage, additional antlerless harvest within DMUs otherwise constrained by antlerless quotas will be possible through field staff efforts to work with property owners to provide DMAPs. An increasing number of suburban communities in which hunting is still feasible have taken advantage of this opportunity, and the Department is working statewide to more efficiently address these needs that are often driven by community concerns regarding economic impacts from deer browsing and deer-vehicle collisions.

Allow Antlerless Deer to Be Taken on Deer License and Deer Combination License During Firearm and Muzzleloader Seasons in the Entire Lower Peninsula

Current regulations in the LP are confusing due to the lack of consistent regulations. During the archery deer season, a hunter choosing to harvest a deer on a deer license or deer combination license has the option of shooting an antlerless or antlered deer (APRs may apply). However, during the firearm and muzzleloader season, antlerless deer can only be taken in the CWD Management Zone and Bovine Tuberculosis (TB) Zone. In order to simplify and create consistent regulations across all seasons in the LP, the Department recommends allowing antlerless deer to be taken on the deer license or deer combination license during the firearm and muzzleloader season.

Issues Pros and Cons

Allowing antlerless deer to be taken on a deer license or deer combination license during firearm and muzzleloader season in the entire LP will eliminate confusion and provide consistent regulations across the LP.

This change will provide consistency and some familiarity between the CWD Management Zone, TB Area, and the rest of the state. At first, this may result in some pushback by hunters who are already familiar with not taking antlerless deer during the firearm or muzzleloader seasons. However, this regulation is already implemented in the CWD Management Zone and TB Area, so providing this additional recreational opportunity will allow more flexibility for hunters hunting in various locations across the LP.

Biological

This change first occurred in six counties in the northeast, known as DMU 487. The change was made in 2010. While this did not increase antlerless harvest in comparison to prior years, it was able to show a slower decrease in harvest levels in comparison to adjacent counties that did not have this regulation in place.

Deer Harvest Levels During Firearm Deer Season in DMU 487 and Adjacent Counties

Firearm Season	DMU 487	Adjacent Counties
Average Antlerless Harvest (2001 – 2009)	8,004.0	3919.1

Average Antlerless Harvest (2010 – 2018)	7,579.4	2747,.8
% Change	-5.3%	-29.9%
Average Antlered Harvest (2001 – 2009)	12,152.9	7,831.0
Average Antlered Harvest (2010 – 2018)	10,803.9	6,929.7
% Change	-11.1%	-11.5%

The percentage of change observed in antlerless harvest was 5.3% decrease in DMU 487, whereas over the same time frame, a 29.9% decrease was observed in antlerless harvest in the adjacent counties that do not have this regulation. Looking at antlered harvest, the decrease in harvest observed is nearly the same with an 11.1% decrease in DMU 487 and an 11.5% in the adjacent counties. While the Department cannot say that harvest will increase due to this regulation change, it can be inferred that this will help to slow the harvest loss that may be seen over time as Michigan loses more hunters.

Social

Some hunters may not accept this regulation and may result in a perception of overharvest that this may reduce the deer population. Likewise, there will be hunters who support this regulation as it provides flexibility in their harvest options and may save them money by purchasing fewer licenses.

However, this is a population regulation in DMU 487 where it has been in place for ten years. While it did not greatly impact hunter behavior or decisions, hunters have voiced that they appreciate the options that accompany this regulation.

Economic

This regulation may result in a decrease in antlerless license sales because of the opportunity to shoot an antlerless deer on the deer license or deer combination license. However, this may be offset by the number of hunters that choose to purchase a deer combination license rather than a single deer license.

Expansion of Early/Late Antlerless Firearm Deer Seasons

The Department is recommending expansion of areas open to both the early and late antlerless firearm seasons in the NLP. Cheboygan, Crawford, Emmet, Lake, Missaukee, Kalkaska, Ogemaw, Otsego, Roscommon, and Wexford counties are recommended to be open for these seasons. The Department is also recommending expansion of areas open to the early antlerless firearm season in the SWLP. Allegan, Van Buren, Cass, Berrien, St. Joseph, Kalamazoo, and Branch counties are recommended to be open for the early antlerless season.

Opening these counties to the early and late antlerless firearm season will open the entire LP for these seasons, except for the island DMUs 145, 245, 115, and 149. This will simplify and create consistent regulations across the LP.

Issues Pros and Cons

The Department encourages additional harvest of antlerless deer, especially on private lands, in order to maintain or lower deer population levels in some areas.

Opening all counties in the LP 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, opening these areas will provide additional means of addressing the occurrence of deer damage within localized areas of these counties.

Biological

In 2018, approximately 3 percent of the antlerless deer harvest occurred during the early antlerless firearm season and approximately 11 percent of the antlerless harvest occurred during the late antlerless firearm season.

Social

Among 240,871 NLP hunters and 278,922 Southern Lower Peninsula (SLP) hunters, approximately 13,057 have participated in the early antlerless firearm season and approximately 57,973 in the late antlerless firearm season according to the 2018 Deer Harvest Survey Report. Participation is less in the early antlerless firearm season, however providing additional opportunities may increase participation efforts.

Economic

This may result in an increase of antlerless deer licenses.

Deer License and Deer Combination License Valid for the Early/Late Antlerless Firearm Deer Seasons

The Department recommends that a valid deer license or deer combination license may be used on private lands to take an antlerless deer during the early and late antlerless firearm seasons. Currently, these licenses are only valid for the take of antlerless deer during these seasons on private lands in the Core CWD Area, CWD Management Zone, DMU 452, and DMU 487. This recommended change will simplify and create consistent regulations across the LP these seasons.

Issues Pros and Cons

Expanding the use of the deer license and deer combination license during the early and late antlerless firearm deer season will provide additional recreational opportunities and will support continued TB and CWD management along a broader area.

Biological

The Department does not expect a biological impact.

Social

This regulation will provide additional opportunities for hunters who have been unsuccessful in taking a deer during other deer seasons.

Economic

The Department does not expect an economic impact.

Muzzleloader and Late Antlerless Firearm Season Dates

Currently, muzzleloader season dates for zone 2 (NLP) and zone 3 (SLP) are different from one another, however the season dates for zone 1 (UP) and zone 2 (NLP) are the same. In order to create statewide consistency, the Department recommends aligning the SLP muzzleloader season dates with the UP and NLP. In addition, the Department recommends beginning the late antlerless firearm season the Monday after the muzzleloader season concludes. This will also create statewide consistency.

Issues Pros and Cons

The muzzleloader season statewide starts the first Friday after the firearm season concludes, however in the UP and NLP the season lasts for 10 days and in the SLP, the season lasts 17 days. The late antlerless firearm season starts the day after the SLP muzzleloader season. Aligning the muzzleloader season dates across the state and starting the late antlerless firearm season the Monday after the muzzleloader season concludes simplifies and creates consistent regulations.

Aligning the muzzleloader seasons between the NLP and the SLP will shorten the current muzzleloader season in the SLP, however will expand late antlerless firearm season in all regions. This regulation will provide for additional recreational opportunity in the late antlerless firearm season and will allow for more flexibility for hunters.

Biological

This regulation will focus on antlerless harvest efforts for a longer period. The Department does not expect a significant biological impact but does expect the regulation to better align management goals of a balanced harvest between antlered and antlerless deer.

Social

This regulation will provide more opportunity for private land antlerless harvest in both the NLP and SLP; however, it may provide less opportunity for public land muzzleloader hunters in the SLP. Additionally, this will be a loss of seven days of opportunity in the SLP to pursue antlered deer. There may be a perception that this may increase antlerless harvest dramatically, resulting in deer populations too low for hunters to be satisfied.

Economic

The Department does not expect an economic impact.

Open Muzzleloader Season to All Firearms in Zone 3

Current regulations allow the use of firearms during the muzzleloader season in the CWD Management Zone. To expand hunting opportunities in the existing muzzleloader season, the Department recommends opening opportunities to more hunters in the muzzleloader season in zone 3 (including the full counties of Oceana, Newaygo, Mecosta, Isabella, Midland, and Bay counties) by allowing firearms. All firearms that are legal during the firearms season for that respective zone will be legal during the muzzleloader season. This will simplify and allow for consistent regulations across the zone 3.

Issues Pros and Cons

Expanding the opportunity to allow firearms during muzzleloader season across all of zone 3 (including the full counties in which the zone 3 lines runs through) will increase participation and provide more opportunities for hunters. In addition, it simplifies and creates consistent regulations across most of the region. This will also provide for better enforcement.

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

Biological

Though it was only one year of data, for the 19 counties that had this option in 2018, a total of 10,081 deer were taken, representing an increase from 2017 where 8,146 deer were taken during the muzzleloader season. An increase of just under 1,000 hunters was observed during this season in 2018. When compared with adjacent counties (Oceana, Allegan, Kalamazoo, Branch, Monroe, Washtenaw, Livingston, Genesee, Saginaw, and Bay), this represented a different trend, where harvest decreased in 2018 to 3,256, down from 4,278 during this season. A decline in hunter participation was also observed in these counties during this season. These differences require further vetting as many other changes occurred in these counties during this time, but the initial response seemed to align with management direction.

Social

Hunters who prefer the tradition of an exclusive muzzleloader season will be opposed to this change. Hunters who desire more opportunity or are limited to only owning one shotgun or rifle will be afforded more opportunities to participate in an additional firearms season.

Economic

The Department does not expect an economic impact.

Resume 4-point APR on Restricted Tag of Deer Combination License in CWD Management Zone (Not Including Newaygo and Kent Counties)

Since the identification of CWD in 2015, the Department removed the 4-point APR from the restricted tag of the deer combination license. Though the DMUs for the CWD areas have changed each year, making between year comparisons is challenging, the Department has not had any evidence that removing APRs from the restricted tag of the deer combination license has changed either the yearling buck harvest percentage or increased the harvest of total antlered deer. The Department recommends resuming the 4-point APR on the restricted tag of the deer combination license in the CWD Management Zone. This recommendation does not include Newaygo and Kent counties since they are the control area of the APR Field Study.

Issues Pros and Cons

This change will provide consistency and familiarity between the 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 APRs in the Core CWD Areas, but the Department will provide clear communication to the hunting community.

Biological

Resuming the 4-point APR 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 APRs on the deer license or deer combination license. The information to date does not support the addition of APRs to all tags within a Core CWD Area for managing CWD. Additionally, there has seemingly been no impact on antlered harvest with the removal of the restricted tag on the deer combination license in the previous three years but adding back the original APR will create continuity and consistency for hunters.

Economic

The Department does not expect an economic impact.

CWD Management Zone and Zone 3 Regulatory Alignment

The CWD Management Zone was created according to the *Michigan's Surveillance and Response Plan for Chronic Wasting Disease of Free-Ranging and Privately-Owned Cervids* (Plan). 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. In 2018, the Department created a 16-county

CWD Management Zone and added additional counties in 2019. Since May of 2015, the Department has tested over 80,300 free-ranging deer for CWD and has a much better understanding of the distribution of CWD in SW Michigan because of these efforts. The Department recommends aligning the regulations in the CWD Management Zone with the proposed regulations throughout zone 3. It is recommended that there be no difference in regulations between counties in the CWD Management Zone and counties outside the CWD Management Zone.

Issues Pros and Cons

Aligning the regulations in the CWD Management Zone with the rest of zone 3 will certainly provide confusion with hunters accustomed to the approach developed over the previous five years, but will also standardized and simplify regulations that leads to reduced confusion while allowing the Department and the NRC to continue to offer maximum opportunities for deer harvest and potentially CWD management across the SLP. The Department will commit to increasing awareness to those areas that are at high risk of being impacted by CWD. In addition, it allows for continued management and surveillance as the current state of the science continues to develop related to CWD management. The Department continues to support an adaptive management strategy. The Department will need continued support from the hunters and the 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 80,300 free-ranging deer for CWD since May of 2015. Chronic wasting disease has been found in a total of 185 free-ranging deer in Michigan. Of those 185 free-ranging deer, 152 have been found with CWD in Kent and Montcalm counties. With expanded surveillance efforts in most of the current 19 county CWD Management Zone, the Department has a much better understanding of the current distribution of CWD in Southwest Michigan where that surveillance has occurred. Standardizing the regulations across zone 3 not only simplifies regulations which should limit confusion amongst hunters, but it also helps position Michigan to define a response for potential additional discoveries in currently undetected counties.

Social

There has been expressed support for the Department to continue CWD surveillance and management. The Department is committed to CWD surveillance, regardless of the definition of a Management Zone.

Economic

The Department does not expect an economic impact.

Carcass Transportation

In August of 2018, the Department and the NRC approved intrastate carcass transportation restrictions for the Core CWD Area and the CWD Management Zone as a precautionary effort to

reduce the transmission and geographic spread of CWD. Chronic wasting disease has been found in a total of 185 free-ranging deer in Michigan. Of those 185 free-ranging deer, 152 have been found with CWD in Kent and Montcalm counties. Since May of 2015, the Department has tested over 80,300 free-ranging deer for CWD. With the majority of CWD positive deer in Montcalm and Kent counties, the Department recommends only restricting deer carcass movement outside of Montcalm county, Northeast Kent county, and Northern Ionia County. To reduce confusion, simplify regulations, and reduce the spread of CWD, the Department recommends:

- A harvested deer cannot be possessed or transported outside of Montcalm County in its entirety, Otisco, Orleans, Ronald, and North Plains Townships in Ionia County and Nelson, Spencer, Courtland, Oakfield, Grattan and Cannon Townships in Kent County unless:
 - It's 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 mount; or
 - The deer carcass is taken directly to a registered processor; and/ or
 - The intact deer head detached from carcass is taken directly to a licensed taxidermist.

Issues Pros and Cons

The carcass movement regulation was first developed in 2018 using an abundance of caution and not having a clear understanding regarding the scope of CWD in Southwest Michigan. Since that time, after sampling over 80,000 deer in the state, the Department has a better understanding of the current distribution of CWD on the landscape in 19 counties where CWD has been under intensive surveillance. There has been a lot of confusion on the current carcass transportation regulations. The current regulations restrict carcass transportation outside of the Core CWD Area and the CWD Management Zone unless the hunter “presents” the head at a designated drop off location within 24 hours of harvest. The intent of the regulation is to give hunters the option to transport a full deer carcass to a processor, taxidermist, or their home without spoiling the meat while also providing the hunter to option to submit the head for CWD testing. In addition, the regulation is confusing for processors and taxidermists because they are not allowed to accept a deer carcass outside of these areas without proof of the hunter “presenting” the head at a designated drop off location. This regulation makes it difficult for Law Enforcement Officers to enforce and for hunters, processors, and taxidermist to comply.

Limiting carcass movement best aligns the restriction to where the disease is currently being identified across a widespread area. Restricting deer carcass movement outside of Montcalm county, northeast Kent county, and north Ionia county will simplify regulations and provide for more effective enforcement. In addition, this recommendation provides flexibility for hunters to choose to take the carcass directly to a processor, or the head directly to a taxidermist where disposal is likely to align with CWD Best Management Practices.

This recommendation may reduce confidence in disease management because additional areas in the state have been found with CWD, however restricting carcass transportation movement

within Montcalm, Northeast Kent, and Northern Ionia county aligns better with known disease areas of highest risk. The existing CWD Management Zone and subsequent carcass movement restriction includes counties where CWD has not been detected or is not widespread where it has been identified. Furthermore, the size of the CWD Management Zone is large, and allows for long distance transport of deer within the zone with no restriction, limiting the impact of any potential ban.

Biological

Though additional counties in the Core CWD Area and CWD Management Zone have been identified with CWD, the Department has also sampled over 40,000 deer in these areas during the past two years. Prevalence throughout much of the CWD Management Zone is at very low levels. The Department will continue to conduct surveillance and management in these areas locally where CWD positive deer have been found.

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 area where majority of the CWD positive deer have been found is also a safeguard to keep infectious material contained to a small geographic area. Even with a carcass movement restriction, the expectation is for processors and taxidermist to dispose of the carcasses properly.

Social

According to the 2018 CWD Survey, about 59% of hunters indicated that prohibiting the transport of intact deer carcasses outside CWD-infected areas was acceptable.

Restricting deer carcass movement from Montcalm and parts of Kent and Ionia counties will eliminate the current confusion on the regulations for hunters, processors, taxidermists, and Department staff. Department staff anticipate that there will be difficulty in enforcing this regulation and it will be a challenge to communicate.

Economic

Processors and taxidermists may see a small economic benefit.

Extend the Urban Deer Management Zone for Macomb, Oakland, and Wayne Counties

In 2017, the NRC and Department established an Urban Deer Management Zone for Macomb, Oakland, and Wayne Counties that allowed for an extension of the archery season until January 31. The Urban Deer Management Zone and expansion of the archery season was approved for three years with a 2020 sunset clause. The Department is recommending extending the archery season in the Urban Deer Management Zone for one more year of evaluation with a 2021 sunset

clause. This will allow for inclusion of 2019 data, as well as further discussion with staff and stakeholders leading into the next regulation package to be presented to the NRC.

The Department recommends one more year worth of data in order to see whether this hunt effectively helps reduce human-deer conflicts in these urbanized areas.

Issues Pros and Cons

Macomb, Oakland, and Wayne are three of the most urbanized counties in Michigan and are experiencing human-deer conflicts at a high level of intensity. This includes high rates of deer-vehicle collisions and destruction of landscaping and natural areas on private and community owned properties. While the Department attempts to minimize deer-human conflicts by managing deer at appropriate levels through hunting, it is often difficult to recruit additional hunters to public areas within existing hunting seasons as many already have established hunting locations. Additionally, many public areas are designed for multi-use recreation, and the establishment of an active archery program in October and November often conflicts with the high volume of visitors experiencing other recreational pastimes in these urbanized areas during this time.

Biological

This season has provided an additive source of harvest to areas that are actively trying to reduce their deer population and limit deer conflicts.

In 2017, approximately 3,252 deer hunters participated in this hunt and approximately 530 deer were harvested. In 2018, approximately 2,895 deer hunters participated in this hunt and approximately 322 deer harvested.

Social

Public hunting, either with selected or state licensed hunters is the most preferred, economical and practical method of removing deer, even in urban areas. Even if firearms cannot be used, or are not feasible, archery and crossbow hunting can typically be safely used to remove deer in urban areas.

Economic

Damage to agricultural and horticultural crops, suppressed forest regeneration, deer-vehicle collisions, and destruction of landscaping and other property by deer in urban and suburban areas can result in significant costs to the landowner or automobile owner. There are no added costs to the Department.

Administrative Changes:

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

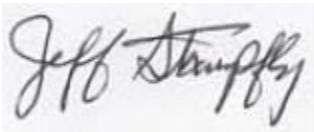
Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on May 14, 2020 and action on June 11, 2020, at the Natural Resources Commission meeting. This item appeared on the Department's April calendar and may be eligible for approval on July 16, 2020.



Daniel Kennedy, Acting Chief
Wildlife Division



Gary Hagler, Chief
Law Enforcement Division



Jeff Stampfly, Acting Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
Fisheries Division



Shannon Hanna
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

7/22/2020

Date

WILDLIFE CONSERVATION ORDER

Amendment No. 6 of 2020

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 July 17, 2020, the following section(s) of the Wildlife Conservation Order shall read as follows:

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, except in the core CWD surveillance area where an individual may take deer with a crossbow. 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, or 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.

2.9 "Ground blind" defined; requirements to use, occupy, place, build, construct, or maintain a ground blind on publicly owned lands; use or placement of blind does not convey exclusive hunting right.

Sec. 2.9 (1) For the purposes of this section, "ground blind" means a structure, enclosure, or any material, natural or manufactured, placed on the ground to elevate or otherwise assist in concealing or disguising the user or occupant for the purpose of taking an animal except for commercially manufactured ladder stands which lean up against and require the support of a tree to maintain their upright position.

(2) A person may use, occupy, place, build, construct, or maintain a ground blind on publicly owned lands only if one of the following applies:

(a) The ground blind is constructed exclusively of dead and natural materials found on the ground in the area where the blind is constructed, except that cloth, netting, plastic or other materials may be used by the occupant of a ground blind if the cloth, netting, plastic or other materials are not fastened to the blind and are carried out by the user at the end of each day's hunt. For the purposes of this section, "fastened" means stapled, nailed, glued, or other means of permanent attachment other than tying.

(b) The ground blind is clearly a portable blind and is removed at the end of each day's hunt. Fasteners, if used to attach or anchor a portable blind, shall be removed at the end of each day's hunt and shall not consist of any item that penetrates the cambium of a tree.

(c) The ground blind is a temporary ground blind constructed of materials other than dead and down materials found on the ground in the area where the blind is constructed and which meets all of the following conditions:

(i) The blind for deer hunting purposes is not located upon publicly owned lands from the day following the last day of the open deer season to September 1 unless allowed by the public agency administering the land on which the blind is located. A ground blind located on publicly owned lands anytime during the period defined in this subsection shall be considered an abandoned ground blind.

(ii) The blind for bear hunting purposes is not located upon publicly owned lands from five days after bear season closes to August 10 in the Amasa, Baraga, Bergland, Carney, Gwinn, and Newberry bear management units; to August 17 in the Red Oak, Baldwin, and Gladwin bear management units; except successful bear hunters must remove their ground blind within 5 days of harvesting a bear. A ground blind located on publicly owned lands anytime during the period defined in this subsection shall be considered an abandoned ground blind.

(iii) The name and address, Michigan driver's license number, or DNR sportcard number of the licensed bear hunter in the bear management unit where licensed, or, outside of the bear season, the person placing the ground blind, is permanently attached, etched, engraved, or painted on the ground blind.

(iv) Fasteners, if used to attach or anchor a temporary ground blind, shall be removed with the blind and shall not consist of any item that penetrates the cambium of a tree.

(v) The blind for elk hunting purposes is not located upon publicly owned lands from five days after elk season closes to August 15; except successful elk hunters must remove their ground blind within 5 days of harvesting an elk. A ground blind located on publicly owned lands anytime during this period defined in this subsection shall be considered an abandoned ground blind.

(vi) The name and address, Michigan driver's license number, or DNR sportcard number of the licensed elk hunter in the elk management unit where licensed, or, outside of the elk season, the person placing the ground blind, is permanently attached, etched, engraved, or painted on the ground blind.

(vii) The name and address, Michigan driver's license number, or DNR sportcard number of the person placing the ground blind shall be permanently attached, etched, engraved, or painted on the ground blind.

(3) This section shall not apply to blinds constructed and used for taking waterfowl as described in section 3.401 or structures constructed by a public agency upon lands administered by that public agency.

(4) The placement or use of a ground blind on publicly owned lands shall in no way convey exclusive hunting rights to the area surrounding that blind.

(5) A ground blind that does not meet the requirements of subsection (2) shall be an illegal ground blind. A person shall not use an illegal ground blind.

(6) Only ground blinds which meet the requirements of subsections (2)(a) or (2)(b) may be used in state game areas, state recreation areas and state parks that are located in zone 3.

2.10 Person with a disability defined; disabled person use of temporary blind on public land, conditions for use; exception for a person assisting a disabled person.

Sec 2.10 For the purposes of this section, a disabled person shall mean a person issued a permit to hunt from a standing vehicle under the authority of section 40114 of 1994 PA 451, MCL 324.40114, a person issued a placard by the department of state which entitles that person to the privileges bestowed by section 675 of 1949 PA 300, MCL 257.675, or a person with a disability as defined by section 81101 1994 PA 451, MCL 324.81101, or a person issued a crossbow permit pursuant to section 5.95 of this order.

(1) Notwithstanding the provisions of section 2.9, a person with a disability may place, use, and occupy a temporary blind constructed of manufactured materials which is left overnight on public land if all of the following conditions are met:

(a) The person has first etched, engraved, implanted, burned, printed, or painted on the blind the name and address, complete Michigan driver's license number, or DNR sportcard number of the person placing the blind on publicly owned lands in legible English. It shall be unlawful for a person to affix a fictitious name or address to a blind, or remove a name or address from a blind until after the blind is removed from publicly owned lands.

(b) The blind is a temporary blind which is manufactured for that purpose and is placed no earlier than 10 days prior to the open hunting season for which it is used and removed at the end of the season for which it is used.

(c) The blind is not affixed or attached to any tree or other natural feature using nails, screws, bolts, lag screws, wire, rope, or any other device or fastener made by a person.

(2) A person who is not a person with a disability may assist a person with a disability in placing or removing a lawful blind on public land.

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 except for the core CWD surveillance area 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 intended for consumption by deer composed of grains, minerals, salt, fruits, vegetables, hay, or any other food materials, whether natural or manufactured. “Bait” does not include scents – whether composed of natural or synthetic materials – made inaccessible for consumption by deer and placed in such a manner to prohibit any physical contact with deer, 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 zone 2, zone 3, and the core CWD surveillance area.

(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 five days prior to the second Saturday in September to the last day of the season and the provisions of subsection (6b), (6c), and (6d) are met. 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 five days prior to the first day of the season through the last day of the season and the provisions of subsection (6b), (6c), and (6d) are met. 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, except that eligible participants participating in the Liberty Hunt may use bait five days prior to the second Saturday in September.

(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.

3.100b 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) Except as otherwise provided in this section, a person shall not do any of the following with a deer harvested in Montcalm County in its entirety, Otisco, Orleans, Ronald, or North Plains Townships in Ionia County or Nelson, Spencer, Courtland, Oakfield, Grattan or Cannon Townships in Kent County:

(a) Transport the harvested deer outside the listed areas or

(b) Possess the harvested deer outside the listed areas.

(2) Subsection (1) does not apply if:

(a) The harvested deer is 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 or skull cap cleaned of all brain and muscle tissue, hides, upper canine teeth, or a finished taxidermist mount or;

(b) The deer carcass is taken directly to a registered processor; and/or

(c) The intact deer head detached from the carcass is taken directly to a licensed taxidermist.

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, zone 2, and zone 3 shall be a total of 10 days from the first Friday in December to nine 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 in zone 3, including the entirety of Oceana, Newaygo, Mecosta, Isabella, Midland, and Bay counties, 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 on or before June 11, 2021.

(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 two-day hunt starting the Saturday following September 15 upon privately owned lands within Alcona, Allegan, Alpena, Antrim, Arenac, Bay, Barry, Benzie, Berrien, Branch, Calhoun, Cass, Cheboygan, Clare, Clinton, Crawford, Eaton, Emmet, Genesee, Gladwin, Grand Traverse, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Isabella, Jackson, Kalamazoo, Kalkaska, Kent, Lake, Lapeer, Lenawee, Livingston, Macomb, Manistee, Mason, Mecosta, Midland, Missaukee, Monroe, Montcalm, Montmorency, Muskegon, Newaygo, Oakland, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Ottawa, Presque Isle, Roscommon, St. Clair, St. Joseph, Saginaw, Sanilac, Shiawassee, Tuscola, Van Buren, Washtenaw, Wayne, Wexford counties, upon privately owned lands within that portion of Charlevoix county within deer management unit 015, and upon privately owned lands within that portion of Leelanau county within deer management unit 045. Only an individual possessing a valid private land antlerless deer license issued for the deer management unit in which they are hunting, a mentored youth hunting license, a deer license, or a deer combination license may take a deer during this season. A deer kill tag issued under the mentored youth hunting license, deer license, or deer combination license shall be used to harvest an antlerless deer only.

(7) A late antlerless firearm deer season shall be from the Monday following the conclusion of the muzzle-loading and black-powder firearms deer season through January 1 upon privately owned lands within Alcona, Allegan, Antrim, Alpena, Arenac, Barry, Bay, Benzie, Berrien, Branch, Calhoun, Cass, Cheboygan, Clare, Clinton, Crawford, Eaton, Emmet, Genesee, Gladwin, Grand Traverse, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Isabella, Jackson, Kalamazoo, Kalkaska, Kent, Lake, Lapeer, Lenawee, Livingston, Macomb, Manistee, Mason, Mecosta, Midland, Missaukee, Monroe, Montcalm, Montmorency, Muskegon, Newaygo, Oakland, Oceana, Ogemaw, Osceola, Oscoda, Otsego, Ottawa, Presque Isle, Roscommon, St. Clair, St. Joseph, Saginaw, Sanilac, Shiawassee, Tuscola, Van Buren, Washtenaw, Wayne, Wexford counties, upon privately-owned lands within that portion of Charlevoix county within deer management unit 015, and upon privately owned lands within that portion of Leelanau county within deer management unit 045. The late antlerless firearm season shall be open on public lands in zone 3 as provided for in subsection (a). Only an individual possessing a valid antlerless deer license issued for the deer management unit in which they are hunting, a mentored youth hunting license, a deer license, or a deer combination license may take a deer during this season. A deer kill tag issued under the mentored youth hunting license, deer license, or deer combination license shall be used to harvest an antlerless deer only.

(a) Subject to section 43510(2) and (3), 1994 PA 451 MCL 324.43510, except as provided in subsection (5), an individual hunting deer during the late antlerless firearm season on public lands in zone 3 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. Only an individual possessing a valid public land antlerless license for the deer management unit in which they are hunting, a mentored youth hunting license, a deer license, or a deer combination license may take a deer. A deer kill tag issued under a mentored youth hunting license, a deer license, or a deer combination license shall be used to harvest any deer.

(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 subsection (12) and sections 3.101a, 3.101c, 3.101i and 3.101j, 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
Deer license, deer combination regular license	Bow and arrow only seasons (zone 1)	Antlerless or an antlered deer, subject to the following: (a) Antlerless deer shall not be taken in DMUs in which the snow data accumulation system indicates a snow depth of twelve inches or greater for at least 100 nonconsecutive days during the previous hunting season. (b) Antlerless deer shall not be taken in DMUs 127, 066, 027, 131, 042, 036, and 031. (c) Antler point restrictions apply as provided in section 3.101a and 3.101c. (d) Antler point restrictions do not apply in the core CWD surveillance area.
Deer license, deer combination regular license	Bow and arrow only seasons (zones 2 and 3)	Antlerless or antlered deer. Antler point restrictions apply as provided in sections 3.101i and 3.101j.
Deer license, deer combination regular license	Firearm deer season, muzzleloading and black-powder firearms only season (zone 1)	Antlered deer. Antler point restrictions apply as provided in sections 3.101a and 3.101c. Antler point restrictions do not apply in the core CWD surveillance area.
Deer license, deer combination regular license	Liberty hunt and Independence hunt (zones 1, 2, and 3)	Antlerless or antlered deer.
Deer license, deer combination regular license	Firearm deer season, muzzleloading and black-powder firearms only season (zone 2 and 3)	Antlerless or antlered deer. Antler point restrictions apply as provided in sections 3.101i and 3.101j.
Deer combination restricted license	Bow and arrow only season (zone 1)	An antlerless deer or a deer which has at least 1 antler with 4 or more antler points 1 or more inches in length, subject to the following: (a) Antlerless deer shall not be taken in DMUs in which the snow data accumulation system indicates a snow depth of twelve inches or greater for at least 100 nonconsecutive days during the previous hunting season. (b) Antlerless deer shall not be taken in DMUs 127, 066, 027, 131, 042, 036, and 031. (c) Antler point restrictions do not apply in the core CWD surveillance area.

Deer combination restricted license	Bow and arrow only (zones 2 and 3)	An 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 except as provided in 3.101(j).
Deer combination restricted license	Firearm deer season or muzzleloading and black-powder firearms only season (zone 1)	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 core CWD surveillance area.
Deer combination restricted license	Liberty hunt and Independence hunt (zones 1, 2, and 3)	Antlerless or antlered deer.
Deer combination restricted license	Firearm deer season or muzzleloading and black-powder firearms only season (zones 2 and 3)	An 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 except as provided in 3.101(j).
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.

(12) Individuals possessing a deer license, deer combination regular license, or deer combination restricted license are exempt from antler point restrictions during all deer seasons as listed in table 2 if one of the following applies:

(a) The individual is a youth 16 years of age and younger. Individuals under the age of 10 must be licensed through the mentored youth hunting program.

(b) The individual is licensed under a base apprentice license.

3.101c Deer hunting in deer management unit 117 antler restriction, one antlered deer limit.

Sec. 3.101c (1) Notwithstanding any other provisions of this order, except sections 3.101e and 3.101g, in deer management unit 117 an individual possessing a deer license or deer combination regular license shall not take an antlered deer unless the deer has at least 1 antler with 3 or more antler points each 1 or more inches in length. An individual shall not take more than one antlered deer in deer management unit 117 in a deer hunting season.

3.101e Liberty hunt, season established, limits defined, adult requirements, hunting hours.

Sec. 3.101e (1) The liberty hunt shall be a 2-day hunt starting the second Saturday in September.

(2) Individuals wishing to participate in the liberty hunt shall be eligible if one of the following applies:

(a) A youth 16 years of age or less may participate in the liberty hunt. Hunters under the age of 10 must be licensed through the mentored youth hunting program and accompanied by a qualified mentor.

(b) A veteran with 100 percent disability as defined by the United States department of veterans affairs may participate in the liberty hunt. Documentation from the United States department of veterans affairs indicating 100 percent disability shall be in the possession of a veteran participating in this hunt.

(c) A resident rated by the United States department of veterans affairs as individually unemployable may participate in the Liberty hunt. Documentation from the United States department of veterans affairs indicating this rating shall be in the possession of a veteran participating in this hunt.

(d) An individual is in possession of a permit issued by the department to hunt from a standing vehicle.

(e) An individual is in possession of a permit issued by the department to hunt using a laser sighting device.

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

(g) An individual is deaf as defined by section 2 of 72 PA 1978, MCL 408.202.

(3) The following rules shall apply to an individual taking deer on the liberty hunt:

(a) A parent or legal guardian shall not allow a youth hunter to go afield to hunt deer unless the youth hunter is accompanied by an adult subject to section 43517 of 1994 PA 451, as amended, MCL 324.43517. Subject to section 43510(2) and (3) of 1994 PA 451, as amended, MCL 324.43510 and section 43517 of 1994 PA 451, as amended, MCL 324.43517, an adult accompanying a youth firearm deer hunter shall not possess or carry a firearm, crossbow, or bow and arrow, except as a qualified mentored youth hunting program mentor or a veteran with 100 percent disability may possess a firearm, crossbow, or bow and arrow if hunting under the authority of section 3.101e(2b).

(b) The hunting hours shall be one-half hour before sunrise to one-half hour after sunset, local time.

(c) 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 firearm deer season shall apply to an individual participating in the Liberty hunt.

(4) During the Liberty hunt a hunter may take one deer provided they possess a deer license, deer combination license, an antlerless deer license valid for the unit in which they are hunting, or a deer license issued under the mentored youth license. Notwithstanding any other provisions of this order, licenses are valid for either an antlered or an antlerless deer during the Liberty hunt, except that an antlerless deer license is valid only for an antlerless deer.

3.101g Independence hunt, season established, eligibility requirements, limits defined.

(1) The independence hunt shall be a total of 4 days starting the Thursday prior to the third Saturday in October and for 3 days thereafter upon privately owned land, or public land requiring an access permit and open to the independence hunt by lottery.

(2) An individuals wishing to participate in the independence hunt shall be eligible if one of the following applies:

(a) An individual is in possession of a permit issued by the department to hunt from a standing vehicle.

(b) 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 this hunt.

(c) A resident rated by the United States department of veterans affairs as individually unemployable. Documentation from the United States department of veterans affairs indicating this rating shall be in the possession of a veteran participating in this hunt.

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

(e) An individual is in possession of a permit issued by the department to hunt using a laser sighting device.

(f) An individual is deaf as defined by section 2 of 72 PA 1978, MCL 408.202.

(3) An eligible individuals wishing to participate in the independence hunt on public land must apply for a permit through a lottery system in accordance with instructions provided by the land manager.

(4) 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 firearm deer season shall apply to an individual participating in this hunt.

(5) During the independence hunt, a qualifying hunter may take one deer provided they possess a deer license, deer combination license, or an antlerless deer license valid for the unit in which they are hunting. Notwithstanding any other provisions of this order, during the independence hunt, a deer license or deer combination license is valid for either an antlered or an antlerless deer.

3.101i Deer hunting in the northwest Lower Peninsula, antler restriction.

Sec. 3.101i (1) Notwithstanding any other provisions of this order, except sections 3.101e and 3.101g, in deer management units 005, 010, 015, 024, 028, 040, 043, 045, 051, 053, 057, 067, 083, and 115, an individual possessing a deer license or deer combination regular license shall not take an antlered deer unless the deer has at least 1 antler with 3 or more antler points each 1 or more inches in length.

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) An individual may purchase up to a season limit of 10 private land antlerless deer licenses statewide 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

DMU	DMU Name	Public licenses	Private licenses	Total licenses
003	Allegan County	750	10,000	10,750
005	Antrim County	1,200	7,000	8,200
006	Arenac County	600	7,000	7,600
007	Big Bay Unit	0	0	0
008	Barry County	1,500	10,000	11,500
009	Bay County	200	3,000	3,200
010	Benzie County	1,000	1,600	2,600
011	Berrien County*	0	0	0
012	Branch County*	0	0	0
013	Calhoun County	100	10,000	10,100
014	Cass County*	0	0	0
015	Charlevoix County	1,200	6,000	7,200
016	Cheboygan County	1,800	2,000	3,800
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	1,200	1,200	2,400
021	Manistiquie Unit	0	0	0
022	Crystal Falls Unit	240	500	740
023	Eaton County	250	***	250***
024	Emmet County	1,000	3,200	4,200
025	Genesee County	0	7,000	7,000
026	Gladwin County	1,400	8,000	9,400
027	Watersmeet Unit	0	0	0
028	Grand Traverse County	1,000	1,600	2,600
029	Gratiot 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	600	800	1,400

041	Kent County	1,400	***	1,400***
042	Keweenaw Unit	0	0	0
043	Lake County	900	5,000	5,900
044	Lapeer County	2,000	12,000	14,000
045	Leelanau County	600	1,600	2,200
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	1,500	3,500	5,000
053	Mason County	400	8,000	8,400
054	Mecosta County	500	***	500***
055	Menominee Unit	1,200	7,000	8,200
056	Midland County	1,500	7,500	9,000
057	Missaukee County	600	5,000	5,600
058	Monroe County	100	1,000	1,100
059	Montcalm County	1,600	***	1,600***
061	Muskegon County	800	***	800***
062	Newaygo County	1,500	***	1,500***
063	Oakland County	2,500	6,000	8,500
064	Oceana County	1,500	6,000	7,500
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	1,800	2,000	3,800
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	500	800	1,300
122	Norway Unit	300	1,000	1,300
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	400	1,800	2,200
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	600	1,000	1,600
273	Shiawassee Unit	**	0	**
311	Keeler Unit (Berrien – Cass – Van Buren)	600	14,000	14,600

312	Sherwood Unit (Branch – Kalamazoo – St. Joseph)	1,200	16,000	17,200
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	84,790***	353, 200***	437,990***

*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

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

3.105a Deer management units open to antlerless license quotas.

Sec. 3.105a (1) Notwithstanding any other provision of this section the status of each deer management unit for antlerless deer licenses shall be as shown in table 4:

TABLE 4
Open and Closed DMU Status

DMU Number	DMU Name	Private Land License	Public Land License
003	Allegan County	Open	Open
005	Antrim County	Open	Open
006	Arenac County	Open	Open
007	Big Bay Unit	Closed	Closed
008	Barry County	Open	Open
009	Bay County	Open	Open
010	Benzie County	Open	Open
013	Calhoun County	Open	Open
014	Cass County	Open	Open
015	Charlevoix County	Open	Open
016	Cheboygan County	Open	Open
017	Sault Ste. Marie Unit	Closed	Closed
018	Clare County	Open	Open
019	Clinton County	Open	Open
020	Crawford County	Open	Open
021	Manistique Unit	Closed	Closed
022	Crystal Falls Unit	Open	Open
023	Eaton County	Open	Open
024	Emmet County	Open	Open
025	Genesee County	Open	Closed
026	Gladwin County	Open	Open
027	Watersmeet Unit	Closed	Closed
028	Grand Traverse County	Open	Open
029	Gratiot County	Open	Open
030	Hillsdale County	Open	Open
031	Nissula Unit	Closed	Closed
032	Huron County	Open	Open
033	Ingham County	Open	Open
034	Ionia County	Open	Open
036	Amasa/Michigamme Unit	Closed	Closed
037	Isabella County	Open	Open
038	Jackson County	Open	Open
039	Kalamazoo County	Open	Open
040	Kalkaska County	Open	Open

041	Kent County	Open	Open
042	Keweenaw Unit	Closed	Closed
043	Lake County	Open	Open
044	Lapeer County	Open	Open
045	Leelanau County	Open	Open
046	Lenawee County	Open	Open
047	Livingston County	Open	Open
048	Newberry Unit	Closed	Closed
050	Macomb County	Open	Open
051	Manistee County	Open	Open
053	Mason County	Open	Open
054	Mecosta County	Open	Open
055	Menominee Unit	Open	Open
056	Midland County	Open	Open
057	Missaukee County	Open	Open
058	Monroe County	Open	Open
059	Montcalm County	Open	Open
061	Muskegon County	Open	Open
062	Newaygo County	Open	Open
063	Oakland County	Open	Open
064	Oceana County	Open	Open
065	Ogemaw County	Open	Open
066	Ontonagon County	Closed	Closed
067	Osceola County	Open	Open
069	Otsego County	Open	Open
070	Ottawa County	Open	Open
072	Roscommon County	Open	Open
073	Saginaw County	Open	Open
074	St. Clair County	Open	Open
075	St. Joseph County	Open	Open
076	Sanilac County	Open	Open
078	Shiawassee County	Open	Open
079	Tuscola County	Open	Open
080	Van Buren County	Open	Open
081	Washtenaw County	Open	Open
082	Wayne County	Open	Open
083	Wexford County	Open	Open
115	Beaver Island	Open	Open
117	Drummond Island	Closed	Closed
121	Bay De Noc	Open	Open
122	Norway Unit	Open	Open
127	Ironwood Unit	Closed	Closed
131	Twin Lakes Unit	Closed	Closed
145	North Manitou Island	Closed	Open
149	Round/Bois Blanc Island	Open	Open
152	Gwinn Unit	Closed	Closed
155	Gladstone Unit	Open	Open
174	St. Clair Flats	Open	Open
245	South Fox Island	Open	Open
249	Trout Lake Unit	Closed	Closed
252	Rock Unit	Closed	Closed
255	La Branche Unit	Open	Open
273	Shiawassee Unit	Closed	Open
311	Keeler Unit (Berrien - Cass - Van Buren)	Open	Open

312	Sherwood Unit (Branch - Kalamazoo - St. Joseph)	Open	Open
332	Greenleaf Unit (Huron - Sanilac - Tuscola)	Open	Open
349	Engadine Unit	Closed	Closed
452	TB Core Area	Open	Open
487	NLP Multi-County Unit	Open	Open

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 or 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.

(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.

4.4 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 or 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.

Issued on this 16th day of July, 2020.

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

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

David Nyberg, Acting Chair
Natural Resources Commission

Approved as to matters over which the Director has authority.

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

Daniel Eichinger
Director



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: May 19, 2020
RESUBMITTED: June 18, 2020



MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Mandatory Elk Hunt Orientation
Wildlife Conservation Order Amendment No. 7 of 2020

Authority:

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

Discussion and Background:

Current regulations require successful elk drawing applicants to attend an in-person elk hunt orientation class the day before their scheduled hunt. The mandatory elk hunt orientation class is an in-person half-day training session that covers hunter safety, elk biology, bovine tuberculosis surveillance, carcass handling, hunting rules and regulations, and recommended hunt locations. Due to the uncertain timelines surrounding the global coronavirus (COVID-19) pandemic, the Department has taken numerous actions to keep Michigan residents safe and healthy. In order to allow maximum flexibility for our resource management and to continue to keep Michigan's residents safe and healthy, the Department recommends a slight language change to the Wildlife Conservation Order (WCO) that allows the mandatory elk hunt orientation class to potentially be held in an online format for the 2020-21 elk season. The recommended WCO language will provide flexibility for the Department to decide how the elk hunt orientations will be handled in the future. This will give the Department the option to continue with the online training format or return to the in-person training format.

Issues Pros and Cons

The in-person half day training session has been required for successful elk drawing applicants for many years. Due to the uncertainty of the COVID-19 pandemic and how it may affect social gatherings in the future, altering WCO language to offer hunters opportunity to pursue elk without the requirement of gathering in large congregations provides flexibility for the Department to decide how elk hunt orientations will be handled (online vs. in-person). It will also aid in keeping successful elk drawing applicants safe, while still being able to provide all the necessary training materials and information.

Regardless of the training type, successful elk drawing applicants will be issued their elk license upon completion of the orientation and elk receipt purchase.

Biological

This change provides a safeguard that allows hunters to pursue elk if social distancing is required at the time leading up to the elk season without violating WCO language. Hunters are the only method the Department utilizes to manage elk populations in Michigan.

Social

The Department is hopeful that successful elk drawing applicants understand why the Department may provide an online training format for the 2020-21 mandatory elk hunt orientation. The online training format will provide flexibility to complete the training at a time that is convenient for the successful elk drawing applicants. The Department will be available to answer any questions or concerns by email or phone. The Department will evaluate how the online training format works for the 2020-21 mandatory elk orientation and will decide if modifications are needed for the future.

Economic

The Department expects that providing an online training format will save the Department time and cost of an in-person training. In addition, it will also save time and the cost of traveling to the onsite training location.

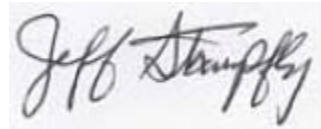
Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on June 11, 2020, at the Natural Resources Commission meeting. This item appeared on the Department's May calendar and may be eligible for approval on July 16, 2020.



Daniel Kennedy, Acting Chief
Wildlife Division



Gary Hagler, Chief
Law Enforcement Division



Jeff Stampfly, Acting Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
Fisheries Division



Shannon Hanna
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

7/22/2020

Date

WILDLIFE CONSERVATION ORDER

Amendment No. 7 of 2020

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 July 17, 2020, the following section(s) of the Wildlife Conservation Order shall read as follows:

3.4 Elk hunt, application and selection procedures; requirements; unlawful acts; ineligible persons.

Sec. 3.4 (1) Only Michigan residents may apply for an elk license. Residents under 10 years of age must purchase a mentored youth license before applying for an elk license. A person who is not a resident of Michigan shall not hunt elk in Michigan. A person shall be ineligible to receive an elk license for more than 1 hunt period.

(2) A person issued an antlerless-only elk license valid for taking an antlerless elk subsequent to the 2003 license year shall be ineligible to apply for, obtain, or purchase an elk license for 10 license years subsequent to receiving the license. A person issued an elk license valid for taking a bull elk on or after February 1, 2004, shall subsequently be ineligible to apply for, obtain, or purchase an elk hunting license.

(3) Eligible residents wishing to participate in the hunting of elk must apply for a license through the retail sales system in accordance with instructions provided by the department. If more applications are received than the number of licenses to be issued, a random weighted lottery will be held for the selection of successful applicants. The director shall establish provisions for the transfer of application success to an unsuccessful youth applicant or any individual with an advanced illness.

(4) All elk drawing applicants shall be eligible for a license which is valid for the harvest of a bull elk. Those who are not selected may be considered for an antlerless-only elk license at their option, indicated at the time they make application.

(5) All successful applicants must participate in a training session before the hunt as determined by the department. Upon completion of this training, each successful applicant will be issued their elk license along with other pertinent information and materials.

3.6 Elk hunting, tagging, sealing, requirements; unlawful acts.

Sec. 3.6 (1) The department shall issue a kill tag as part of the elk hunting license. An individual shall not kill or attempt to kill an elk unless the individual has a valid elk kill tag issued in the individual's name for the elk management units in which the individual is hunting. The licensee must provide the kill tag and elk license to a conservation officer upon request.

(2) The licensee shall complete the elk hunt information sheet, as directed by the department, prior to participating in any elk hunting activity.

(3) (a) A person who kills an elk shall immediately validate the kill tag by notching out the appropriate areas of the kill tag and shall immediately attach the kill tag to the antler, lower jaw, or gambrel of the elk in a secure and permanent manner. The kill tag shall remain attached to the elk until the animal is registered and sealed by the department.

(b) A person who attempts to kill or kills an elk shall clearly mark the kill site and other locations as instructed in the training session. Any elk that are wounded or killed with an improper tag and not recovered must be reported to a department employee as instructed in the training session.

(4) Within 24 hours of killing an elk and before removing any elk from the area open to elk hunting, the carcass shall be presented, by the licensee that killed the elk, to the department for examination, sealing, and registration. An examination will be made for such biological or other information as may be desired. The carcass need not be entire, but all parts must be readily identifiable and presented for sealing.

(5) Within 2 weeks of killing an elk, a licensee shall take the head of the animal to a department management unit or field office for submission to the department.

(6) It shall be unlawful to possess or transport an elk or parts of an elk without a kill tag or confirming seal attached. A confirming seal shall remain attached to the elk until the conditions in section 3.103(2) are met. A person, corporation, or common carrier shall not receive for transportation or have in possession at the initial billing station the carcass or dead body of an elk more than 48 hours after the closing time when the taking of elk is authorized by law.

(7) It shall be unlawful to take an elk over bait. For the purposes of this section, "bait" means a substance composed of grain, fruit, vegetables, or other food placed to lure or entice elk. This does not apply to standing farm crops under normal agricultural practices or other natural growing grains, fruits, or vegetables.

(8) It shall be unlawful for a hunter with an antlerless-only license to take or possess an elk with antlers. It shall be unlawful for an individual to take more than 1 elk per valid kill tag.

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

(10) It shall be unlawful for an individual to hunt an elk with a dog.

(11) It shall be unlawful to take an elk by any method other than by firearm, bow and arrow, or crossbow.

Issued on this 16th day of July, 2020.

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



David Nyberg, Acting Chair
Natural Resources Commission

Approved as to matters over which the Director has authority.



Daniel Eichinger
Director



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: May 19, 2020
RESUBMITTED: June 18, 2020

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

SUBJECT: Order to Regulate Camping on State Forest Lands in Benzie County
Land Use Order of the Director Amendment No. 04 of 2020

Authority:

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

Discussion and Background:

Land Use Order of the Director 4.10 currently prohibits, between 1:00 a.m. and 4:00 a.m., the use or occupancy of certain state forest lands in a portion of the Traverse City Management Unit located in Section 2, T25N, R15W, Benzonia Township, Benzie County. The purpose of this proposed amendment is to update LUOD 4.10 to also prohibit camping and tending fires due to extensive resource damage occurring at these locations.

The location known as the Homestead Dam area is located on the Betsie River, downstream of US 31. Over the past few years, this location has experienced extreme levels of fishing pressure due to the abundant fishery present. Most of the use occurs during the fall salmon run; however, the use during the spring steelhead run has also greatly increased. Anglers line the banks in this location and compete for opportunities to fish. Angler traffic to the bank is constant, with anglers never leaving the site for days.

The existing order does not prohibit establishing or tending campfires, a practice that has drastically degraded the area in question. Anglers and campers scavenge any available woody debris, cut live vegetation, and trample all forest growth in the proximity of these fires. Nearly all dead and down woody debris has been burned. Conservation Officers report that in the fall of 2019 violators utilized electric chainsaws to reduce their risk of detection. This extensive removal of vegetation in the area has led to streambank erosion and widening of the river corridor.

While angler use of the streambank area is taxing enough, the concentration of angler camps in this area is even more damaging. Because of the number of anglers that visit this area, the concentration of camps far exceeds the capacity the land can adequately sustain. This level of use has damaged the surrounding state-owned land and adjacent private property.

Existing regulations are difficult to enforce to prevent the establishment of camps and fires in part because the regulations only regulate certain uses of the state land between 1:00 a.m. and 4:00 a.m., and the regulations do not expressly prohibit establishing fires or camping. And, although the Betsie River is regulated under the Natural Rivers Program, which prohibits

camping near the river under R 299.922(u), it is nevertheless possible to establish a camp outside of the area regulated under the Natural Rivers Program.

With anglers not leaving the site for days, their associated camping results in enormous amounts of garbage and accumulations of human waste being left onsite. Additionally, campers process their daily catch and leave the remains of processed fish. Roadways routinely become clogged by parked vehicles. When access becomes limited by the volume of people visiting the site, vehicles are parked illegally in restricted locations and in trespass on private property. This often blocks access to the area, including by emergency vehicles responding to situations that occur due to the excessive number of people utilizing the site. Anglers then further exacerbate this situation by trespassing across private property to access the river, which angers adjacent property owners.

Before recommending this amendment, the Department took several steps to curtail the damaging activities occurring on this site, including surveying the site and marking boundaries between state-owned land and private property, road work to improve the condition of the legal access to this site, placement of numerous boulders to restrict vehicle access to established parking areas, and posting signs to educate anglers and clearly identify relevant restrictions that exist on the property. The Department invested approximately \$25,000 on this work.

In addition to site work, during the 2018 fall fish run, Law Enforcement Division dedicated 22 officers for a total of 834.5 hours to patrol the site. These officers made 2,946 contacts, received 25 complaints, gave 104 verbal warnings, issued 4 civil infractions, and made 139 misdemeanor arrests. Even after the concerted law enforcement effort in 2018, the 2019 fall fish run resulted in a significant increase in damaging activities. Seventeen officers spent a total of 915 hours patrolling the Homestead Dam area during the first two weeks of the fall run. During this time, officers made a total of 3,875 contacts, received 76 complaints, gave 293 verbal warnings, issued 54 civil infractions, and made 349 misdemeanor arrests.

Regardless of the efforts to improve legal site access and a consistent law enforcement presence in the area, resource degradation and illegal activities continue to increase in the Homestead Dam area. Competition for access along the streambank in this area results in users camping along the riverbank and never leaving the site for days. The concentration of camping use in the area and the duration of occupancy has become unmanageable. As previously discussed, this overuse has exacerbated the excessive violation of numerous State Land Use Rules related to refuse disposal, restricting site access, and resource damage. See R 299.922(d), (h), (k), (l), (u), and (ff). Existing regulations are inadequate to properly address these destructive activities, and no existing regulations adequately address the concentration of camping use and tending of fires that occurs on State Land in Section 2.

Therefore, the relevant divisions that manage this area recommend amending the Land Use Order of the Director to prohibit any camping and the establishment or tending of any fires, on state-owned lands surrounding the Homestead Dam area. The goal is that by prohibiting camping and fires, anglers will be required to leave the site rather than stay for multiple days, which will curtail the other illegal activities occurring at the site.

Order to Regulate Camping on State Forest Lands in Benzie County

Land Use Order of the Director Amendment No. 04 of 2020

Page 4

June 18, 2020

Recommendation:

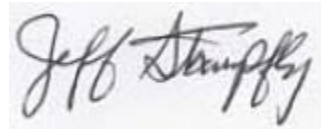
Relevant divisions have contributed to the preparation of this order. This order was submitted for information on June 11, 2020, at the Natural Resources Commission meeting. This item appeared on the Department's May calendar and may be eligible for approval on July 16, 2020.



Daniel Kennedy, Acting Chief
Wildlife Division



Gary Hagler, Chief
Law Enforcement Division



Jeff Stampfly, Acting Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
Fisheries Division



Shannon Hanna
Natural Resources Deputy

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 04 of 2020

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 Natural Resources orders the following:

4.10 Certain state-owned lands, Benzie county, use or occupancy prohibited at certain times, prohibited conduct.

Order 4.10 (1) A person shall not use or occupy for any purpose the following described state-owned lands in Benzie county-between the hours of 1 a.m. and 4 a.m.:

- (a) Homestead dam boating access site located within section 2, T25N R15W.
- (b) US-31 boating access site located within section 2, T25N R15W.
- (c) Grace road boating access site located within section 34, T26N R15W.

(2) A person shall not do any of the following on state-owned lands within section 2, T25N R15W:

- (a) Camp.
- (b) Establish or tend a fire for any purpose.

This amended order shall be posted on or after the 17th day of July 2020.

Issued on this 16th day of July 2020.

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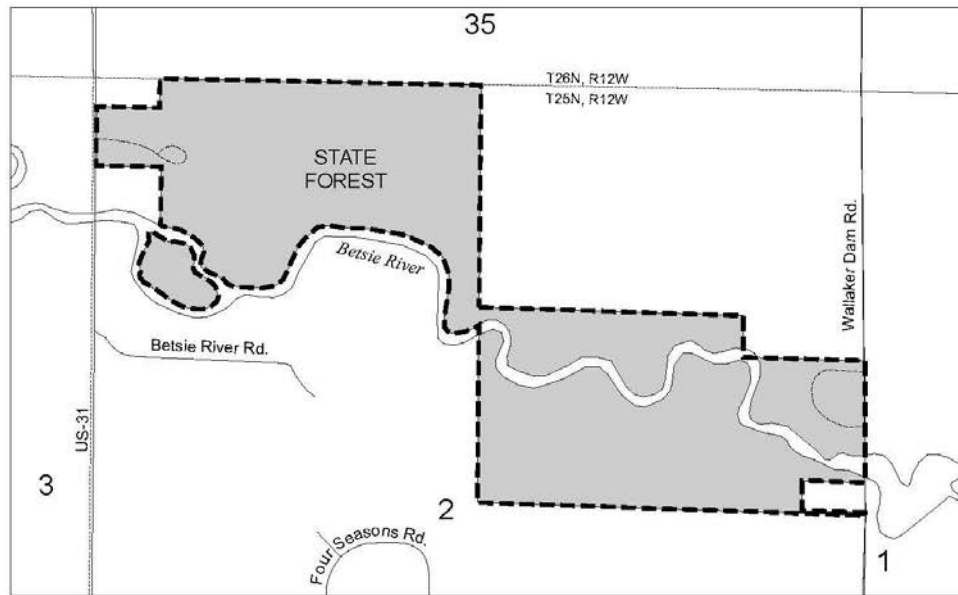
Daniel Eichinger
Director

Order to Regulate Camping on State Forest Lands

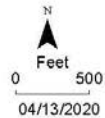
Land Use Order of the Director, Amendment No. 4 of 2020

Traverse City Management Unit - Benzie County

Compartment No. 27, Section 2, T25N, R15W



- Area to be closed to camping
- State land
- Private land





GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

June 18, 2020

TO: Daniel Eichinger, Director

INFORMATION: Natural Resources Commission

Transaction: Forest Resources Land Acquisition
Atlanta Management Unit – Presque Isle County
The Little Ocqueoc River Property
Land Transaction Case #20190132

Purchase: 80 acres - \$190,000.00

Funding Source: Michigan Natural Resources Trust Fund, Act 165 of 2018 – TF18-0245

PA 240 of 2018: PILT Estimate: \$600.00
This parcel is located north of the Mason-Arenac county line and will result in an increase of 80 acres of DNR-managed lands.

Description: Presque Isle County, Ocqueoc Township, T35N, R03E, Section 24:
The S 1/2 of the NW 1/4

Seller: Paul Spens, Ocqueoc, 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 7, 2020 calendar and is eligible for approval on July 14, 2020.

Management Purpose: Acquisition of this parcel will allow it to be managed as part of the Atlanta Management Unit. The property is adjacent to state forestland on 3.5 sides and will consolidate state ownership. It will be managed for timber, specifically for winter deer habitat, upland game bird habitat, other wildlife habitat, fisheries habitat, and resource-based recreational uses. Snowmobile Trail #99 traverses through the property. The land will be managed to maintain and enhance the natural features, with a major emphasis on protecting the unique Karst formation on the property.

Comments: The property is diverse forestland with over 1,600 feet of the Little Ocqueoc River corridor that includes the “undergrounds.” A stretch of the river disappears underground and resurfaces further downstream. This is a unique feature created by the Karst topography in the area. The Little Ocqueoc River is also a wild brook trout stream, supporting steelhead and Coho salmon. The property provides habitat for a variety of wildlife species including white-tailed deer, black bear, fisher, marten,

June 18, 2020

ruffed grouse, and a variety of fur-bearing species. Recreational opportunities are abundant, including snowmobiling, hunting, fishing, trapping, hiking, wildlife viewing, and viewing of the unique land formation and underground river that exist on the property.

The seller will convey mineral rights.

Recommendations:

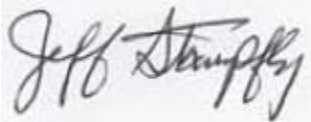
1. That the acquisition be approved, with payment to be made from the Michigan Natural Resources Trust Fund – TF18-0245.
2. That this land be dedicated as part of the Atlanta Management Unit.



Daniel Kennedy, Acting Chief
Wildlife Division



Mark H. Hoffman
Chief Administrative Officer



Jeff Stampfly, Acting Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
Fisheries Division



Shannon Hanna
Natural Resources Deputy

I approve the staff recommendations.



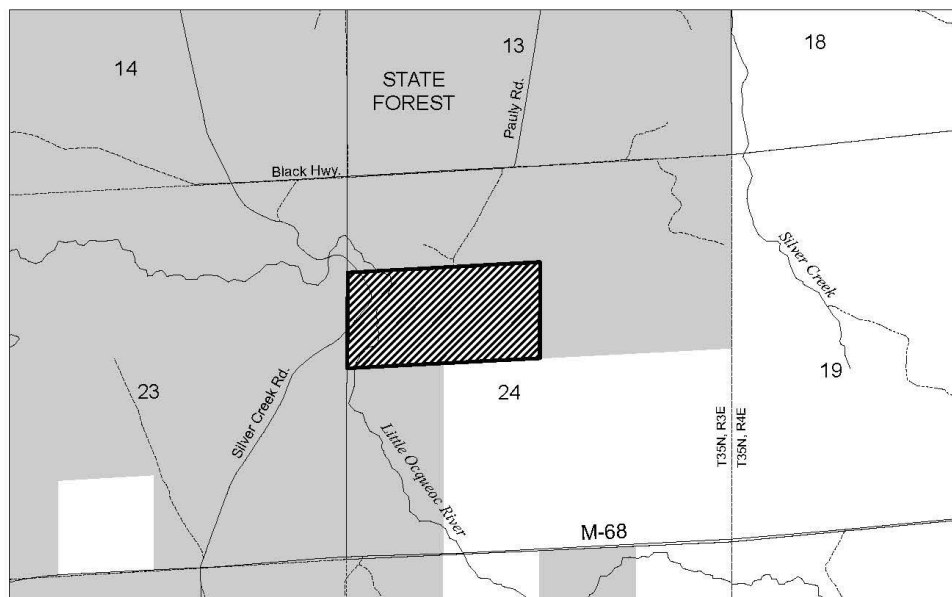
Daniel Eichinger
Director

7/22/2020




Date Approved:

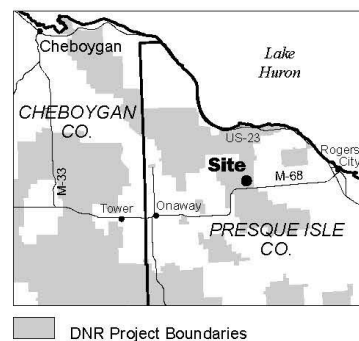
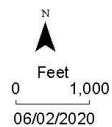
FOREST RESOURCES LAND ACQUISITION

Atlanta Management Unit - Presque Isle County
Land Transaction Case #20190132



Section 24, T35N, R03E, Ocqueoc Township

-  Land to be acquired by DNR (80 acres)
-  State land
-  Private land





GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

June 18, 2020

TO: Daniel Eichinger, Director

INFORMATION: Natural Resources Commission

Transaction: Sale of Surplus DNR-Managed Land
Cadillac Management Unit – Wexford County
Land Transaction Case #20190206

Sale: 0.12-acre

Sale Price: \$1,000.00

Description: Wexford County, Haring Township, T22N, R09W, Section 08:
Part of the SE 1/4 of the SE 1/4, as more accurately described in the
case file.

PA 240 of 2018: This parcel is north of the Mason-Arenac county line and will result in
a decrease of 0.12-acre of DNR-managed lands.

Applicant: William and Lavana Olofson, Cadillac, 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 7, 2020 calendar and is eligible for approval on
July 14, 2020.

Acquired: By tax reversion in 1924.

Minerals: Mineral rights will be conveyed.

Comments: The desired parcel will result in splitting off a small piece of land
adjacent to private ownership to resolve a structural trespass.

The proposed land disposal was recommended for approval as
surplus by the Land Exchange Review Committee on
February 20, 2020.

Proceeds 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.

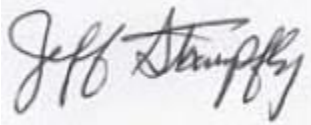
- Recommendations:
1. That the land be sold to the applicant for \$1,000.00.
 2. That the proceeds of the sale be deposited in the LEFF.
 3. That the state retain aboriginal antiquities.



Daniel Kennedy, Acting Chief
Wildlife Division



Mark H. Hoffman
Chief Administrative Officer



Jeff Stampfly, Acting Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
Fisheries Division



Shannon Hanna
Natural Resources Deputy

I approve the staff recommendations.

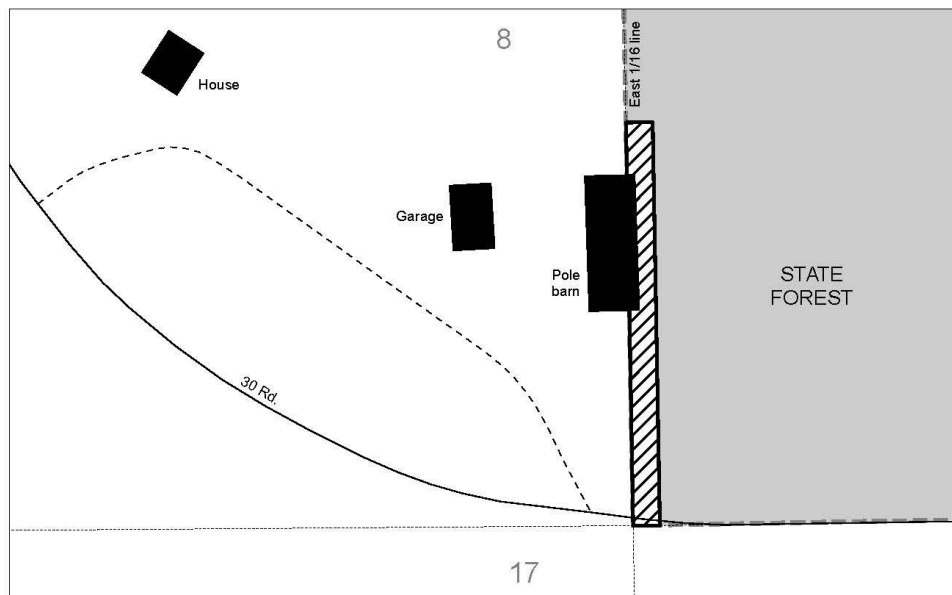


Daniel Eichinger
Director

7/22/2020

Date Approved:

SALE OF SURPLUS DNR-MANAGED LAND
Cadillac Management Unit - Wexford County
Land Transaction Case #20190206



Section 8, T22N, R09W, Haring Township

- Surplus DNR land to be sold (0.12 acre)
- State land
- Private land
- DNR Project Boundary

