



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

March 20, 2017

Mr. David Udy
Gerrish Township Supervisor
2997 East Higgins Lake Drive
Roscommon, Michigan 48653

Dear Mr. Udy:

This letter serves as an authorization to lethally take mergansers on Higgins Lake in Roscommon County. We agree to the items outlined on the US Fish and Wildlife Service Special Purpose - Miscellaneous permit **MB56627B-0**.

Specifically, we allow the take of:

*25 common mergansers per year in 2015, 2016, and 2017, as part of a comprehensive action plan to address swimmers itch in Higgins Lake. No juveniles or flightless birds may be taken.

*25 common merganser nests and all eggs herein per year in 2015, 2016, and 2017. **Note: Only nest/egg destruction is for natural nests and not for artificial nest boxes. Nest boxes are not allowed under this authorization since it could attract more common mergansers to Higgins Lake.**

*Harassment is as preferred by the Michigan DNR. Harassment does not include physically handling the birds.

*Annually a bird count must take place and a report of the data shall be supplied to the Michigan DNR Waterfowl Specialist Barbara Avers.

*All shooting and harassment must take place before broods are present on the lake or by May 22nd.

*All shooters must be trained. Red-breasted mergansers may not be taken.

Prior to the lethal take of any birds, please notify the DNR District 5 Law Enforcement Office at 989-275-5151.

Mr. David Udy
Page 2
March 20, 2017

We are committed to continuing to work with the Higgins Lake Swimmer's Itch Task Force to address their concerns and seek appropriate solutions. If you have questions, please contact Barbara Avers, Waterfowl and Wetland Specialist, at 517-641-4903.

Yours in conservation,

A handwritten signature in black ink, appearing to read "Russ Mason".

Russ Mason, Ph.D., Chief
Wildlife Division
517-284-6206

cc: Mr. Rex Ainslie, DNR
Ms. Barbara Avers, DNR
Mr. Mark Boersen, DNR
Ms. Casey Reitz, DNR
Ms. Kerry Wieber, DNR



DAMAGE AND NUISANCE ANIMAL CONTROL PERMIT

Issued Under the Authority of Act 451 P.A. 1994, as Amended.
Failure to Comply With the Provisions of This Permit may Result in Criminal Prosecution.

Name of Complainant Gerrish Township	Complaint No.	District Complaint #	Date 03/28/17
Address of Complainant 2997 E. Higgins Lake Drive City, State, ZIP Roscommon, MI 48653	County Roscommon	Forty-Section-Town-Range T24N, R3W	
Type and Extent of Damage Host to swimmers itch organism	Estimated Number and Kind of Birds or Animals Causing Damage Common mergansers		

CONTROL PERMIT

Under Authority of Section 324.40114(4), Act 451, PA. 1994, and Orders Established Thereunder, Permission is Hereby
Granted to Control by Harassment (see attached) the Depredations of Common mergansers
at the Above Described Location, or Gerrish Secs 5-9, 16-18, 20-22, 27-29, 32-34 Animals and Birds Taken Shall
be Reported to Wildlife Biologist Mark Boersen
and Disposed of as Follows: N/A

Duration of Permit

From March 28, 2017

To May 22, 2017

Signature (Biologist / Conservation Officer Issuing Permit)

3/28/17

Date

NOTICE TO PERMITTEE

Michigan courts have held the State is not liable for damage caused by wildlife. There is no statute that imposes on the State a legal duty to protect landowners from damage of wildlife.

Permits shall expire on or before December 31 of the year issued. Normally, permits should not be in effect on lands or waters open to hunting and/or trapping for game animals during their respective seasons.

Initial investigation will be made as soon as possible after receipt of complaint. Preliminary reports will be submitted for deer damage complaints only.

This permit will allow the permittee to engage others, individuals, as well as nuisance animal control companies, to effect control of depredations under conditions as set forth in the permit. The cost of any control measures so undertaken is the responsibility of the permittee.

Control of damage caused by protected migratory birds requires acquisition of a Federal permit prior to consideration of a state permit. If issued, the federal permit countersigned by a state official will be your state permit and this separate state permit form will not be required.

Actions taken outside of the authority granted by this permit, or violations of the terms and conditions of this permit, may result in criminal prosecution.

Permittee hereby releases, waives, discharges and covenants not to sue the State of Michigan, its departments, officers, employees and agents, from any and all liability to Permittee, its officers, employees and agents, for all losses, injury, death or damage, and any claims or demands thereto, on account of injury to person or property, or resulting in death of Permittee, its officers, employees or agents, in reference to the activities authorized by this permit.

Permittee hereby covenants and agrees to indemnify and save harmless, the State of Michigan, its departments, officers, employees and agents, from any and all claims and demands, for all loss, injury, death or damage, that any person or entity may have or make, in any manner, arising out of any occurrence related to (1) issuance of this permit; (2) the activities authorized by this permit; and (3) the use or occupancy of the premises which are the subject of this permit by the Permittee, its employees, contractors, or its authorized representatives.

I understand that I am required by law to complete the FINAL REPORT portion of this permit upon completion of control activities or expiration of this permit, whichever occurs first, and submit to the address specified on the Final Report (page 2).

I Have Read This Permit and the Instructions and Agree to the Terms and Conditions as Stated

Permittee Signature

3/28/17

Date



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DR. WILLIAM E. MORITZ
DIRECTOR

Attachment to Gerrish Township common merganser harassment permit, March 28, 2017.

Conditions of permit:

Harassment is restricted to the surface waters of Higgins Lake that lie within Gerrish Township only.

Harassment using watercraft and pyrotechnics is permitted.

Harassment is allowed from ½ hour before sunrise to 4 PM.

Harassment is permitted from March 28 to May 22, 2017.

Each person engaged in harassment activities must have a copy of the harassment permit in their possession.

Each person engaged in harassment activities will have been trained in common merganser identification and the safe use of harassment devices.

Harassment within Lyon Township, or upon the surface waters of Higgins Lake that lie within Lyon Township, is not allowed.

Physical contact with waterfowl is not allowed.

Harassment using live ammunition is not allowed.

Harassment of hens with accompanied broods is not allowed.

Destruction of active nests is not allowed.

A log of harassment activity must be maintained and shall include, at a minimum, the following information: dates/times of harassment, number of different common mergansers observed, number of different common mergansers harassed, approximate locations of observed common mergansers, and behavior of harassed common mergansers. A copy of this activity log must be provided to Michigan DNR Wildlife Biologist Mark Boersen by June 15, 2017.

Prior to harassment, Higgins Lake residents must be notified of the program through email, newspaper ads, radio spots, fliers, etc.

Prior to harassment activities, all local law enforcement agencies and Roscommon County Central Dispatch must be notified.

Initials of Gerrish Township representative