

MICHIGAN DEPARTMENT OF NATURAL RESOURCES

INTEROFFICE COMMUNICATION

April 22, 1975

TO: C. T. Yoder, Regional Manager - Region II  
FROM: W. W. Shapton, Chief - Bureau of Field Operations  
SUBJECT: Kirtland's Warbler Closure Area

Special efforts by the U. S. Forest Service, the U. S. Fish and Wildlife Service and this Department to protect the Kirtland's Warbler will be made this year beginning about May 1, 1975. This species has been officially listed as endangered by the U. S. Fish and Wildlife Service under authority of P.L. 93-205. A recovery team has been named by the Secretary of Interior made up of personnel from the U.S.F.S., U.S. F&WS, Michigan DNR and private individuals who have studied the warbler. John Byelich was designated as team leader.

The warbler population is at a critically low level; only 167 males were counted last year. As part of an emergency program formulated by the recovery team every effort will be made to protect this bird from any disturbance that may interfere with its survival. Many well-meaning people innocently cause the greatest disturbance. People walking about in the nesting areas, photographing the females and young, recording and playing back the songs of the adult males, have a decidedly harmful effect on the bird. Therefore, it will be necessary that we restrict all unnecessary traffic within the active nesting areas.

This order is your authorization to close all active Kirtland's Warbler nesting areas on state lands against entry to anyone without written permission. Boundaries of the closed areas will be determined by John Byelich in cooperation with the field biologists in District 7. A copy of the Rule 1 order directing the closure and instructions for posting the areas is attached.

Permits will be issued only to certain people authorized to work in the Kirtland's Warbler areas. A permittee must exhibit his permit card on request.

To comply with the Rule 1 order we are asking that all areas listed in the order for closing be posted on or about May 1. The signs will be provided

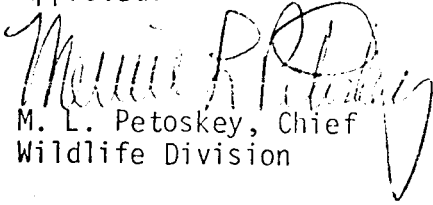
and delivered to Roscommon. Posts and backboard for the signs will be acquired by the Regional Wildlife Biologist. The job of placing posts and backboards will be handled through the Regional Biologist.



W. W. Shapton  
Chief - Bureau of Field Operations

Written by:  
John Byelich

Approved:



M. L. Petoskey, Chief  
Wildlife Division

Plan Approved:



C. D. Harris  
Chief - Bureau of Resources Management

KIRTLAND'S WARBLER NESTING AREA

In accordance with Rule 1 of the Rules for State Lands other than State Parks and Recreation Areas, being Rule R 299.331(1) of the Michigan Administrative Code, promulgated by the Commission of Natural Resources under the authority of Sections 2 and 3a of Act 17 of the Public Acts of 1921, as amended, and Sections 9 and 252 of Act 380 of the Public Acts of 1965, as amended, being paragraphs 299.2, 299.3a, 16.109 and 16.352 of the Compiled Laws of 1970, I hereby order that between May 1 and August 15 it shall be unlawful for any person to enter, without a written permit from the Department of Natural Resources, all state-owned lands posted with signs reading:

"Endangered Species Area  
Kirtland's Warbler Nesting Habitat  
Unlawful To Enter  
Without Written Permission  
Between May 1 and August 15  
Michigan Department of Natural Resources  
In Cooperation With  
U. S. Forest Service And U. S. Fish and Wildlife Service"

Provided, however that nothing in this order shall be construed as restricting designated personnel of the Forest Service, Fish and Wildlife Service, and Michigan Department of Natural Resources from necessary entry for administration and the enforcement of laws and regulations, and;

Provided, further that the public may be permitted entry as members of tour groups guided by authorized personnel of any of the above named cooperating agencies.

Signs containing the foregoing regulation shall be posted in such a manner and at such locations as will provide reasonable notice of same to the public.

Only state-owned lands within the following descriptions shall be posted.

Secs. 7, 8, 18	T 27 N, R 2 E
Secs. 11, 12, 13, 14	T 27 N, R 1 E
Secs. 5, 6, 7, 8	T 28 N, R 1 W
Secs. 8, 9, 10, 15, 16, 17	T 27 N, R 2 W
Secs. 15, 22, 27	T 24 N, R 1 E
Sec. 1	T 23 N, R 1 W
Secs. 5, 8	T 23 N, R 1 E
Secs. 11, 12	T 25 N, R 3 W

Issued this 17th day of April, 1975.



David H. Jenkins, Acting Director  
Department of Natural Resources

Violations of this regulation are punishable by fine and/or imprisonment.