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Senate Bill 860 (as introduced 5-7-24)
Sponsor: Senator John Cherry
Committee: Natural Resources and Agriculture

Date Completed: 9-30-24

CONTENT

The bill would amend Part 405 (Wildlife Restoration, Management, and Research) of the Natural Resources and Environmental Protection Act to require the Department of Natural Resources (DNR) to create an American woodcock restoration plan and to do the following:

- **Require the plan to align with the American Woodcock Conservation Plan and specify the parties with which the DNR would have to consult in the plan's development.**
- **Require the plan to include population goals, habitat treatments, cooperative efforts, strategies for habitat expansion on private lands, and other restoration measures.**
- **By December 31, 2025, require the DNR to submit the plan to the Legislature's natural resources standing committees.**
- **Require the DNR to review the plan every five years and update it if necessary.**
- **Require the DNR to provide biannual progress reports on the plan and updates as necessary to the Legislature's natural resources standing committees.**

Specifically, the bill would require the DNR to create a plan to restore the American woodcock (*Scolopax minor*) populations in alignment with the American Woodcock Conservation Plan (see **BACKGROUND**). The DNR would have to develop the plan in consultation with all the following:

- The American Woodcock Society.
- The Ruffed Grouse Society.
- The Michigan United Conservation Clubs.
- The Wildlife Management Institute.
- The DNR's Timber and Forestry Products Advisory Council.
- The United States Forest Service.
- The United States Fish and Wildlife Service.
- Other interested individuals.

The plan would have to include the following:

- Interim and final habitat population goals for American woodcock and associated species for the entire State and each region of the State, State or national forest management unit, State wildlife area, and State game area.
- Habitat treatments.

- Use of Good Neighbor Authority under Federal law on National Forest lands.¹
- Information identifying American woodcock habitat needs on private lands, methods to expand American Woodcock habitat and populations on private lands, and implementation of those methods.
- Any other measures necessary for the State to properly contribute to the restoration of American woodcock populations.

The bill would require the DNR to do all the following:

- By December 31, 2025, submit the initial plan to the standing committees of the Senate and House of Representatives with primary responsibility for natural resources issues.
- In consultation with individuals described above, review the plan every five years and, if necessary, update the plan.
- Submit updated plans to the standing committees of the Senate and House of Representatives with primary responsibility for natural resources issues.
- Every two years on July 1, submit to the standing committees of the Senate and House of Representatives with primary responsibility for natural resources issues a report on progress in meeting the goals set by the plan.

Proposed MCL 324.40503

PREVIOUS LEGISLATION

(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)

The bill is a reintroduction of House Bill 5631 of the 2021-2022 Legislative Session. House Bill 5361 was reported from the House Committee on Natural Resources and Outdoor Recreation but received no further action.

BACKGROUND

American Woodcock

The American woodcock is a migratory bird with a breeding range in Michigan, Minnesota, and Wisconsin, other states and with upland geography. American woodcock rely on young-growth forests for reproduction and specifically require the following habitats:

- Small clearings for mating rituals.
- Second growth shrubs and hardwoods, such as birch and aspen in the State's upper peninsula or maple and ash in the State's southern peninsula.
- Feeding areas with moist and rich soil.
- Roosting areas with open grounds with fields or grasslands.²

American Woodcock Conservation Plan

The American Woodcock Conservation Plan was created in 2008 by the Woodcock Task Force under the Association of Fish and Wildlife Agencies. According to the Plan, American woodcock populations have declined significantly due to the degradation of young-growth forest habitats. The Plan is a comprehensive strategy aimed at restoring woodcock populations by

¹ The Good Neighbor Authority allows the United States Forest Service and the Bureau of Land Management to enter into cooperative agreements with state forestry agencies to perform various forest, rangeland, and watershed restoration services on Federal lands.

² "Landowner's Guide: Woodcock.", DNR.

https://www.dnr.state.mi.us/publications/pdfs/huntingwildlifehabitat/landowners_guide/Species_Mgmt/Woodcock.htm. Retrieved 9-30-24.

implementing habitat treatments, using cooperative efforts among forest and wildlife services, expanding and managing habitats, monitoring population trends, conducting research, and performing public education and outreach.³

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill likely would have a negative fiscal impact for the DNR. At this time, the extent of this impact is unclear. The bill would require the DNR to create a plan for the restoration of American woodcock populations in collaboration with a number of entities, both private and public. The bill would not provide for additional funding, and it's unclear at this time if implementation and staffing costs would be fully covered by existing appropriations.

Fiscal Analyst: Jonah Houtz

³ Woodcock Task Force, "American Woodcock Conservation Plan." p. iv, February 2008.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.