



Senate Fiscal Agency
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Senate Bill 860 (Substitute S-1 as passed by the Senate)
Sponsor: Senator John Cherry
Committee: Natural Resources and Agriculture

Date Completed: 10-16-24

RATIONALE

The American woodcock is a migratory bird with a breeding range in Michigan and other states with upland geography. According to testimony before the Senate Committee on Natural Resources and Agriculture, since the late 1960's the American woodcock population has been declining at a rate of 1% each year. In an effort to conserve the species, the Association of Fish and Wildlife Agencies developed the American Woodcock Conservation Plan that established state-level conservation goals (see **BACKGROUND**). It has been suggested to codify a conservation plan to ensure the American woodcock's population goals are met and sustained.

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 have input from 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. The DNR would have to develop the plan with input from 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 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 providing information on tools for the 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.
- With input 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

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.

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 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

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Conservation efforts to aid the American woodcock population are essential to preserving the State's hunting industry. According to testimony before the Senate Committee on Natural Resources and Agriculture, the woodcock's preferred habitat of aspen-birch forest is also the preferred habitat for many of the State's game species, such as white-tailed deer and the ruffed grouse, among others. Hunting has a large economic impact on the State for the tourism industry in local governments. The woodcock is considered a bellwether for other species and as the woodcock population continues to decline, so do the State's hunting opportunities.⁴ In 2015, over 36,000 hunters pursued woodcock in the State and in 2019, that number decreased to around 29,000; since 1969, the statewide annual decline of the woodcock population is around 1% and this rate of decline is estimated to continue.⁵ This decline is largely due to habitat loss, and the United States Forest Service estimates that over 20 million acres of new woodcock habitat need to be created across the country to return the woodcock populations to preferred densities. The State should develop a long-term conservation strategy to protect and restore the habitat of the American woodcock and ensure the future of the State's other game species.

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.

⁴ "Bellwether" is a term to describe an indicator of complex trends.

⁵ "Ruffed Grouse and American Woodcock Status in Michigan 2019.", Department of Natural Resources. September 2019. Pp2-4.