STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

RICK SNYDER
GOVERNOR

DR. WILLIAM E. MORITZ
DIRECTOR

SUBMITTED: February 16, 2016
RESUBMITTED: March 14, 2016

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Order to Regulate Use of Managed State Wildlife and Game Areas
Land Use Order of the Director Amendment No. 2 of 2016

Authority:

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

Discussion and Background

Land Use Orders of the Director are designed to prohibit certain conduct on state game areas or wildlife areas in order to protect and preserve public lands and other property from depredation, damage, or destruction or wrongful or improper use or occupancy.

Limited Access at Managed State Wildlife and Game Areas

In the Nayanquing Point State Wildlife Area and Fish Point State Wildlife Area, the Department recommends restricting access to areas where signage is posted "state game area - hunting by permit only" to only individuals who possess a valid permit from September 1 to January 1. This restriction would include individuals who are not hunting as well. Department staff will have the ability, as needed, to issue permits for appropriate activities such as scouting prior to waterfowl season, managed trapping, and deer hunting in these areas. Limiting entry during the small game and the regular waterfowl hunting season is designed to reduce disturbance to waterfowl and waterfowl hunters that are hunting with managed waterfowl area permits. Safety concerns will also be addressed by limiting the contact between hikers, wildlife watchers, etc. and hunters in these heavily hunted areas.

In addition, between September 1 and January 1 in the Shiawassee River State Game Area and St. Clair Flats State Wildlife Area, the Department recommends restricting access to areas where signage is posted "state game area - hunting by permit only" to only individuals who possess a valid permit. This recommendation is a technical change. Currently, Shiawassee River State Game Area restriction dates are from September 15 to the end of the regular waterfowl season and in St. Clair Flats State Wildlife Area, the restriction dates are from September 15 to January 1. This recommended change will provide consistent dates across the Southeast region.

Wildlife Refuges at Nayanquing Point State Wildlife Area, Fish Point State Wildlife Area, and St. Clair Flats State Wildlife Area, Harsens Island Unit

Currently, at Nayanquing Point State Wildlife Area, Fish Point State Wildlife Area, and St. Clair Flats State Wildlife Area, Harsens Island Unit, entry into any area where signage is posted "wildlife refuge - do not enter," is prohibited year-around, unless posted otherwise. At Nayanquing Point State Wildlife Area, a portion of the wildlife refuge is posted, "wildlife refuge- do not enter between September 1 and January 1". This prohibits entry into the portion of the wildlife refuge between September 1 and January 1 and opens up the refuge to all use and occupancy between January 2 to the end of August. The Department recommends that the entire refuge of Nayanquing Point State Wildlife Area be posted, "wildlife refuge - do not enter between September 1 and January 1". In addition, the Department recommends that the entire refuge of Fish Point State Wildlife Area be posted, "wildlife refuge - do not enter between September 1 and January 1". Allowing both refuges to be open outside of September 1 and January 1 will add an additional 1,189 acres across the Southeast region that were previously closed year-around.

These recommendations would allow the legitimate, lawful use of the area by hunters and other permitted activities, while still serving to restrict access to the area for unauthorized purposes.

Recommendation:

This order was submitted for information on March 10, 2016, at the Natural Resources Commission Meeting. This item appeared on the Department's February calendar and may be eligible for approval on April 14, 2016.

Russ Mason, Ph.D., Chief
Wildlife Division

Gary Hagler, Chief
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Deb Begalle, Acting Chief
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Fisheries Division

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LAND USE ORDERS OF THE DIRECTOR

Amendment No. 2 of 2016

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, 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:

3.7 Shiawassee river state game area, Saginaw county, prohibited conduct.

Order 3.7. A person shall not do any of the following on the lands and public waters of the Shiawassee river state game area, Saginaw county:

(1) Enter, use, or occupy the area between the hours of 11:00 p.m. and 4:00 a.m., unless legally hunting coyotes, fox, or raccoons.

(2) Possess or consume an alcoholic beverage.

(3) Build or use any ground fire of any kind.

(4) Enter any part of the area posted "state game area - hunting by permit only" from September 1 to January 1 without a valid permit.

3.29 St. Clair flats state wildlife area, Harsens island unit, St. Clair county, prohibited conduct.

Order 3.29 A person shall not do any of the following on the St. Clair flats state wildlife area, Harsens island unit, St. Clair county:

(1) Enter any part of the area posted "state game area - hunting by permit only" from September ~~15~~ **1** to January 1 without a valid permit.

3.36 Nayanquing point state wildlife area, Bay county, prohibited conduct.

Order 3.19. A person shall not do any of the following on the lands and public waters of the Nayanquing point state wildlife area, Bay county:

(1) Enter any part of the area posted "state game area - hunting by permit only" from September 1 to January 1 without a valid permit.

3.37 Fish point state wildlife area, Tuscola county, prohibited conduct.

Order 3.20. A person shall not do any of the following on the lands and public waters of the Fish point state wildlife area, Tuscola county:

(1) Enter any part of the area posted "state game area - hunting by permit only" from September 1 to January 1 without a valid permit.

This amended order shall be posted on or after the 15th day of April, 2016.

Issued on this 14th day of April, 2016.

William E. Moritz, Ph.D.
Director