



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

SUBMITTED: February 18, 2014  
RESUBMITTED: March 17, 2014

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| <u>A P P R O V E D</u>                |
| _____, 20                             |
| MICHIGAN NATURAL RESOURCES COMMISSION |
| (ASSISTANT TO THE COMMISSION)         |

MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Field Dog Trials at Allegan State Game Area  
Wildlife Conservation Order Amendment No. 3 of 2014

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director and the Commission to issue orders to manage wild animals in this state.

Discussion and Background:

The United States Department of Interior’s Office of Inspector General (OIG) conducted an audit of the Department of Natural Resources (the Department) usage of the U.S. Fish and Wildlife Service’s Wildlife and Sport Fish Restoration (WSFR) grants – more commonly known as the Pittman-Robertson grants. The audit particularly reviewed costs incurred between October 1, 2008, and September 30, 2010, and the audit report cited conflicts with intended grant purposes. The report was delivered to the Department and a Corrective Action Plan (CAP) was created to respond to the findings.

*Biological*

The audit concluded that 400 acres of land acquired with grant funds and license revenues at the Allegan State Game Area (SGA) were being used and managed for field dog trials, and in turn, interfering with the intended grant purposes. The primary purpose of the grant funds was to acquire land for wildlife habitat management and restoration. A secondary benefit of these lands is to provide wildlife-related recreational opportunities, i.e. hunting, trapping, wildlife viewing. An agency may allow secondary, compatible uses at these grant-assisted sites; however, those secondary uses must not interfere with the primary purpose of wildlife management. In this case, it was determined that the field dog trials, a secondary use, interfered with the habitat management and wildlife restoration efforts because the Department mows trails, cuts wood, and trims brush or trees, which all have an adverse impact on nesting wildlife. In some cases, the local field dog trial groups were doing the mowing and often at the inappropriate times of the year.

The OIG recommended that the Department cease managing habitat for field dog trials at the Allegan SGA. This included no longer mowing trails, cutting wood, and trimming brush or trees within any area to benefit field dog trials. In addition, the Department must remove the field dog trial designation at the Allegan SGA, ensure all signage, marketing materials, maps, and website information are updated to remove the designation, and remove the Allegan SGA from the field dog trial permitting process.

Once the removal of the designation is approved, the Department will post signs at the site and at the Allegan SGA headquarters indicating the closure. The Department will encourage the local field dog trial groups to conduct their activities on other locations such as state recreation areas (Ionia Recreation Area, Brighton Recreation Area).

#### *Social*

Due to the audit of Killdeer Plains Wildlife Area in Ohio and the consequent shutdown of its very popular field dog trial area in 2010, many field dog trial area users anticipated that Allegan SGA would close as well. Allegan SGA staff has been told by stakeholders that they are now conducting field dog trials within the Ionia Recreation Area. The last field dog trial that was conducted at the Allegan SGA took place in 2011. In previous years, there were sometimes two trials per year.

#### *Economics*

When the last field dog trial event took place in 2011, there were approximately 15 participants. By removing field dog trials from this state game area, the Department expects to save costs on maintenance and advertising.

Recommendation:

The Department recommends removing the Allegan SGA field dog trial area designation from the Wildlife Conservation Order along with other related references to the area as part of completing the CAP. This order was submitted for information on March 13, 2014, at the Natural Resources Commission Meeting. This item appeared on the Department's February, 2014 calendar and may be eligible for approval on April 10, 2014.



Russ Mason, Ph.D., Chief  
Wildlife Division



Gary Hagler, Chief  
Law Enforcement Division



Bill O'Neill, Chief  
Forest Resources Division



Ronald A. Olson, Chief  
Parks and Recreation Division



James Dexter, Chief  
Fisheries Division



William E. Moritz, Ph.D.  
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.

\_\_\_\_\_  
Keith Creagh, Director

\_\_\_\_\_  
Date

# WILDLIFE CONSERVATION ORDER

## Amendment No. 3 of 2014

By authority conferred on the Natural Resources Commission and the Director of the Department of Natural Resources by sections 40107 and 40113a of 1994 PA 451, MCL 324.40107 and 324.40113a, it is ordered that effective April 11, 2014, the following section(s) of the Wildlife Conservation Order shall read as follows:

### **14.3 Dog training, seasons, exceptions.**

Sec. 14.3. (1) Dogs may only be trained on game which can be lawfully hunted with dogs as defined in section 6.2 during the period of July 8 of one year to April 15 of the following year, except as provided in subsections (2) and (3), sections 14.4 and 15.2, or as otherwise permitted by law.

(2) Fox may be chased from April 16 to July 8 in zone 3 on state-owned land with written authorization from the director upon an application form approved by the director.

(3) Game which can be lawfully hunted with dogs may be chased throughout the year on state-owned lands within the following portions of the designated field dog trial areas:

(a) Section 35, T7N R7W, and section 2, T6N R7W, within the Ionia recreation area.

(b) All those portions of the Highland recreation area, Holly recreation area, Lapeer state game area, and Sharonville state game area designated as field dog trial areas in section 15.2.

(4) Trainers may train their dogs from horseback on those portions of Highland and Ionia recreation areas defined in subsection (3).

### **15.2 Field dog trial, defined; designated field dog trial areas established.**

Sec. 15.2 (1) For the purposes of this chapter, "field dog trial" means a trial or meet, advertised as such and open to entry by persons whose dogs qualify, in which not less than 4 participants, with dogs, under control, are permitted to dog train in competition or contest. This definition does not apply to an individual cast within a field dog trial. There may be fewer than 4 participants with dogs in an individual cast. Dogs in a field dog trial are awarded points, trophies, or other actual honors for their performance and demonstration of hunting skills. A person or a group of persons dog training their dogs in competition but not under permit by the department are not participating in a field dog trial.

(2) Designated field dog trial areas are established on state-owned lands within the following described areas:

(a) That portion of section 26 lying west of Beaumont road; the following portions of section 35 - the south 1/2 lying east of Pettibone lake road, that portion of the NW 1/4 lying between Pettibone lake road and Beaumont road, the south 1/4 of the NE 1/4, the NW 1/4 of the SW 1/4 of the NE 1/4, and that portion of the NW 1/4 of the SW 1/4 lying west of Pettibone lake road; the E 1/2 of the SE 1/4 of section 34; the west 1/2 of the SW 1/4 of section 36; T3N R7E, Oakland county, within the Highland recreation area.

(b) Section 23 east of Jossman road, T5N R8E, Oakland county, within the Holly recreation area.

(c) Section 2; the NW 1/4 of section 4; that portion of section 5 lying south of Riverside drive, T6N R7W; the SE 1/4 of the SE 1/4 of the SE 1/4 of section 32; that portion of section 33 lying south of Riverside drive; that portion of the N 1/2 of section 34 lying south of Riverside drive; the NW 1/4 of the SW 1/4 of section 34; and section 35, T7N R7W, Ionia county, within the Ionia recreation area.

(d) Sections 13 and 24 west of Five lakes road, T8N R10E, Lapeer county, within the Lapeer state game area.

(e) All of sections 24 and 25, and that portion of section 36 north of Sharon valley road, T3S R2E, Jackson county, within the Sharonville state game area.

(f) Sections 3, 4, 5, 6, 7, 8, 9, and 10, T20N R2W, Gladwin county, within the Gladwin forest area of the Au Sable river state forest, which shall be known as the Gladwin field dog trial area.

Issued on this 10<sup>th</sup> day of April, 2014.

Approved as to matters over which the Natural Resources Commission has authority.

J. R. Richardson, Chairman  
Natural Resources Commission

Approved as to matters over which the Director has authority.

Keith Creagh  
Director