



STATE OF MICHIGAN



JENNIFER M. GRANHOLM
GOVERNOR

DEPARTMENT OF NATURAL RESOURCES

LANSING

REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: May 11, 2009

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission
Subject: Order to Regulate Use of Managed State Game Areas and Wildlife Areas
Land Use Order of the Director Amendment No. 7 of 2009
FOR INFORMATION ONLY

Authority:

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

Discussion and Background:

A thorough review of the regulations and rules on managed waterfowl areas has recently been completed. During the review, several redundancies were found between regulations in the Land Use Orders of the Director, the Wildlife Conservation Order, and the State Land Use Rules. In several other cases, rules that were being publicized by the field offices were not included in regulations.

Department staff is recommending removing two regulations from the Land Use Orders that were found elsewhere. One regulation regarding occupying a hunting zone designated on a permit will still remain in the Wildlife Conservation Order and one regulation regarding parking areas will remain in the State Land Use Rules.

Pointe Mouillee State Game Area, Shiawassee River State Game Area, and the Harsens Island Unit of the St. Clair Flats Wildlife Area are recommending that entry into areas where a permit is required to hunt be restricted during small game and the regular waterfowl hunting season to individuals that possess a valid permit. These restrictions are 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. At Harsens Island, the restriction is recommended to go through January 1 to address additional safety concerns with pheasant and deer hunters in a relatively small area. These restrictions are currently published on the area maps as rules and therefore including them in the Land Use Orders will not be a new change to the administration of the areas. This change 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.

NATURAL RESOURCES COMMISSION
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Recommendation:

This order is being submitted for information and consideration. This item appeared on the Department's May 26, 2009 calendar and may be eligible for approval on July 9, 2009.

Russ Mason, Ph.D., Chief
Wildlife Division

Ronald A. Olson, Chief
Parks and Recreation Division

Lynne M. Boyd, Chief
Forest, Mineral and Fire Management Division

Gary Hagler, Chief
Law Enforcement Division

Arminda S. Koch
Resource Management Deputy

I approve the staff recommendations.

Rebecca A. Humphries
Director

Date Approved

LAND USE ORDERS OF THE DIRECTOR

Land Use Order No. 7 of 2009

By authority conferred on the Director of the Department of Natural Resources by Section 504 of Act No. 451 of the Public Acts of 1994, as amended, being section 324.504 of the Michigan Compiled Laws and in accordance with R 299.671 and R 299.922 of the Michigan Administrative Code, the Director of the Department of Natural Resources orders that the following order of the Land Use Orders of the Director shall read as follows:

3.1 Managed state game areas and wildlife areas, prohibited conduct.

Order 3.1. A person shall not do any of the following on the managed state game areas and wildlife areas designated in section 13.1 of the wildlife conservation act order **EXCEPT AS PROVIDED IN THIS ORDER**:

- (1) Construct a shooting pit or permanent blind.
- ~~(2) Occupy any hunting zone, area, post, or blind, other than designated on the permit issued to them by the department.~~
- ~~(3) Park outside of designated parking areas or on areas posted against such use.~~
- (24) ~~Have on their person,~~ **POSSESS** or carry into the area posted "state game area - hunting by permit only," any metal or glass beverage container commonly used to contain juices, soft drinks, or an alcoholic beverage, but excluding "thermos type bottles" during the period September 1 through January 1.
- (35) Camp or attempt to camp on designated parking areas or on any lands posted "state game area - hunting by permit only" during the period October 1 to the end of the migratory bird season, excluding fish point WA, Tuscola county, unless authorized by the director.
- (46) Operate or use an amphibious or all-terrain vehicle or any other motor-driven vehicle in any area posted "state game area - hunting by permit only," **"WILDLIFE REFUGE,"** or any area posted against such use, except for vehicles authorized by the department.
- (57) Fish in any area posted against such use.
- (68) Operate a motorboat at other than a safe, no-wake speed, or in any area posted against such use, in those managed hunting areas listed below and posted "state game area - hunting by permit only":
 - (a) Fish point WA
 - (b) Nayanquing point WA
 - (c) Pointe Mouillee SGA
 - (d) Shiawassee river SGA
 - (e) The Harsens island unit of the St. Clair flats WA

Order 3.6. A person shall not do any of the following on the Pointe Mouillee SGA, Wayne and Monroe counties:

(1) Enter, use, or occupy the area between the hours of 11:00 p.m. and 4:00 a.m., unless otherwise permitted by posted notice.

(2) Possess or consume an alcoholic beverage.

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

(4) Target, skeet, or trap shoot with a firearm, **CROSSBOW**, or bow and arrow.

(5) Enter the area formerly designated as a shooting range except with the permission of the **WILDLIFE MANAGEMENT UNIT SUPERVISOR** ~~district wildlife supervisor~~.

(6) ENTER ANY PART OF THE AREA POSTED "STATE GAME AREA - HUNTING BY PERMIT ONLY," FROM SEPTEMBER 15 TO THE END OF THE REGULAR WATERFOWL SEASON WITHOUT A VALID PERMIT.

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 15 TO THE END OF THE REGULAR WATERFOWL SEASON 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 TO JANUARY 1 WITHOUT A VALID PERMIT.

This amended order shall be posted on or after July 10, 2009.

Issued on this 9th day of July, 2009.

Rebecca A. Humphries
Director