JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING

REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: May 14, 2007
RESUBMITTED: June 12, 2007

APPROVED
_____, 20____
MICHIGAN NATURAL RESOURCES COMMISSION

_____
(ASSISTANT TO THE COMMISSION)

Memorandum to the Natural Resources Commission:

SUBJECT: Managed Waterfowl Area and Selected State Parks Waterfowl Hunting Regulations

Authority:

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

Discussion and Background:

Managed waterfowl areas serve several important functions. Their primary purpose is to provide high quality, secure habitats for migrating waterfowl. An important secondary benefit of these areas is the provision of high quality recreational hunting opportunities. Waterfowl hunting is the primary focus of this hunting opportunity, but the hunting of other species is also encouraged where conflicts do not arise with the primary function of the area.

Managed waterfowl hunting is an important activity on six of Michigan's managed state game and wildlife areas. Each area is unique based on the local habitat, species utilizing the area, ownership acreage, and social traditions of the area. Where possible, the Department attempts to have consistent regulations between the areas, while acknowledging local public desires.

This amendment proposes to open both Fish Point and Nayanquing Wildlife Areas to archery deer hunting under a permit during the open waterfowl hunting seasons on the managed portions of these two areas. This change for these two areas is consistent with current regulations at Shiawassee State Game Area and will help address unacceptable deer browsing damage to habitat plantings in the managed areas.

Amendment 12 also restricts firearm deer hunting during the open waterfowl hunting seasons on the managed waterfowl portions of the Fish Point and Nayanquing Point wildlife areas to enhance safe hunting practices. Local stakeholder groups have been involved in and have agreed to these proposed changes, especially as an important step in providing consistent deer hunting regulations for these two managed wildlife areas.

This amendment also authorizes a current hunting license and appropriate stamps to act as the valid permit for hunters to hunt species other than waterfowl outside the refuge areas of Fish Point, Nayanquing Point, and Shiawassee State Game Areas when the managed waterfowl hunt season is closed. This simplifies the regulations and makes it easier to hunt small game, furbearers, and turkey during the special seasons on these areas.

NATURAL RESOURCES COMMISSION
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The Department is also recommending technical corrections regarding Port Crescent State Park and Wm. C. Sterling State Park. These corrections are necessary to address incorrect wording in the present regulations and to address completed land transactions. These changes will allow hunting and trapping in the appropriate areas within these parks.

Recommendation:

This order is being submitted for information and consideration. It will be submitted for final action on July 12, 2007.

William E. Moritz, Chief
Wildlife Division

Alan Marble, Chief
Law Enforcement Division

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

Ronald A. Olson, Chief
Parks and Recreation Division

Arminda S. Koch
Resource Management Deputy

Dennis Fedewa
Chief Deputy

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

Rebecca A. Humphries
Director

WILDLIFE CONSERVATION ORDER

Amendment No. 12 of 2007

Under the authority of sections 40107 and 40113a, Act No. 451 of the Public Acts of 1994, as amended, being sections 324.40107 and 324.40113a of the Michigan Compiled Laws, the Natural Resources Commission and the Director of the Department of Natural Resources ordered that effective July 13, 2007, the following sections of the Wildlife Conservation Order shall read as follows:

7.31 Port Crescent state park, hunting and trapping allowed; exception.

Sec 7.31. Hunting and trapping shall be allowed during the established seasons on all state-owned lands within the dedicated boundary of Port Crescent state park in sections 3 and 8 to 10, T18N R12E, except for that portion bounded by a line beginning at a point on the east fractional line of section 3, T18N R12E, at the water's edge of Saginaw bay; then southerly along the east line of section 3 including the most southern portion of section 3 south of highway M-25; then south along the northeast corner of section 10 to the property line; then westerly along the property line crossing highway M-25 and up to the Old Pinnebog river channel; then northerly along a line 50 feet easterly of the bank of the channel to the water's edge of Saginaw bay; then along the water's edge of Saginaw bay to the point of beginning.

7.35 Sterling state park, trapping, early and late Canada goose hunting, waterfowl hunting allowed.

Sec. 7.35. (1) Trapping shall be allowed during the established trapping seasons on all state-owned lands in the dedicated boundary except within the developed areas of land known as the Bartnick boat launch, the beach and picnic areas, and campground of Sterling state park.

(2) Canada goose hunting shall be allowed during the late season south and west of the park entrance road, except there shall be no taking of any animals within posted safety zones This portion of the park shall also be open to early Canada goose season as specified in section 3.412.

(3) Waterfowl hunting shall be allowed during the established seasons on all state-owned lands in the dedicated park boundary in the southern most 300 acres bordered by Elm street on the south, interstate highway I-75 on the west, the rail trail on the north and Visteon corporation on the east, Monroe township, Monroe county. In addition, the area east of Waterworks road, west of the Army Corps of Engineers confined disposal facility fence extending out half-way into the water channel and south of Sandy creek and north of the park entrance road, also known as the restored lake plain prairie area and Sterling harbor basin.

13.3 Fish Point wildlife area; Nayanquing Point wildlife area; Pointe Mouillee state game area; Shiawassee river state game area; St. Clair flats wildlife area (Harsens island unit); additional rules.

Sec. 13.3. On those portions of the Fish Point wildlife area, Nayanquing Point wildlife area, Pointe Mouillee state game area, Shiawassee river state game area, and St. Clair flats wildlife area (Harsens island unit) posted "state game area hunting by permit only," a permit is required to take any animal and the following rules shall apply:

(1) A person shall not take an animal except as specified in the hunter's permit regarding species, location, and time period.

(2) No person may possess or fire from a shotgun more than 25 shot shells during any hunting period, except as otherwise specifically provided in this order.

(3) Hunting of any animal is prohibited from September 1 to the opening of the general waterfowl season, except as otherwise provided in section 13.9, 13.10, and 13.16

(4) Hunting shall be by reservation only on those days and units designated and published by the area manager. The area manager shall determine the number of reserved hunting permits to be issued. Applicants may not apply for more permits than authorized per hunter. The hunting reservation is not transferable from the original applicant to any other person.

(5) To hunt together as a party in a party permit area, all members of a group must register together prior to the drawing, except that a single hunter not participating in the drawing may join a party of 2 or 3 if that hunter's completed registration card is filed in the check station at the time of the drawing and the maximum party size is not exceeded. Party members must hunt together in their assigned permit area.

(6) During a day designated and published by the area manager as "youth day(s)," hunting parties made up of at least 1 youth, 10 to 16 years old, accompanied by 1 or 2 parents, guardians, or other persons authorized by the parent or guardian who is 18 years of age or older, with appropriate licenses and stamps, shall be given first priority for hunting permits.

(7) It is unlawful to use or possess any shot, whether loose or loaded in shot shells, of a material other than those specified in section 3.411, subsections (1) to (3) except single projectile loads.

13.9 Shiawassee river state game area; rules.

Sec. 13.9. The following rules are established on those portions of the Shiawassee river state game area, Saginaw county, posted "state game area - hunting by permit only" being all or portions of sections 13 to 17, 21 to 29, 32 to 35, T11N R3E; sections 2 to 4, 9 to 11, T10N R3E; and sections 19, T11N R4E:

(1)A current hunting license and appropriate stamps shall constitute a valid permit to hunt in the non-refuge areas, except as specified in 13.9 (2) and (5).

(2) Hunting permits are required for all deer and waterfowl hunting and permits shall be returned to the check station immediately upon completion of the hunting period for which it was valid or upon termination of hunting, whichever occurs first.

(3) During the firearm deer seasons, a person hunting deer under a valid permit may only use single projectile loads.

(4) It shall be unlawful to camp or attempt to camp on designated parking areas or on any lands posted "state game area - hunting by permit only" from October 1 to January 1.

(5) During any waterfowl season within the managed waterfowl hunting area:

(a) There shall be no firearm deer hunting.
(b) There shall be no small game hunting.

(6) During the regular November firearm deer season there shall be no small game hunting.

13.10 Fish Point wildlife area; rules.

Sec. 13.10. The following rules are established on those portions of the Fish Point wildlife area, Tuscola county, posted "state game area - hunting by permit only" being all or portions of section 10, T15N R8E; sections 15 to 16, T15N R8E; and sections 21 to 22, T15N R8E:

(1) A current hunting license and appropriate stamps shall constitute a valid permit to hunt in the non-refuge areas, except as specified in 13.10 (2) and (4).

(2) Hunting permits are required for all deer and waterfowl hunting and permits shall be returned to the check station immediately upon completion of the hunting period for which it was valid or upon termination of hunting, whichever occurs first.

(3) No hunting of deer with firearms during any open waterfowl hunting season

(4) During the managed waterfowl hunting season, small game hunters must participate in the waterfowl drawing to hunt in the managed waterfowl hunting zones.

13.16 Nayanquing Point wildlife area; additional rule.

Sec. 13.16. The following rules are established on those portions of the Nayanquing Point wildlife area, Bay county, posted "state game area-hunting by permit only" being all or portions of section 13, T16N R4E; sections 23 to 26, T16N R4E; and section 18, T16N R5E:

(1) A current hunting license and appropriate stamps shall constitute a valid permit to hunt in the non-refuge areas when the managed waterfowl hunt season is closed, except as specified in 13.16 (2) and (4)

(2) Hunting permits are required for all deer and waterfowl hunting and permits shall be returned to the check station immediately upon completion of the hunting period for which it was valid or upon termination of hunting, whichever occurs first.

(3) No hunting of deer with firearms during any open waterfowl hunting season.

(4) During the managed waterfowl hunting season, small game hunters must participate in the waterfowl drawing to hunt in the managed waterfowl hunting zones.

3.412 Early September season for taking Canada geese; season dates and closures, exceptions.

Sec. 3.412. The early September season for taking Canada geese shall be September 1 to September 15 in the Lower Peninsula and September 1 to September 10 in the Upper Peninsula, except as follows:

State game areas.

(1) Within the posted boundaries of the following state game areas (SGA), the season shall be closed:

(a) The Highbanks, Fennville farm, and Bravo units of the Allegan SGA as described in section 13.11.

Muskegon county wastewater system management unit; Saginaw bay unit.

(2) The Muskegon county wastewater system management unit, as posted, shall be closed. The Saginaw bay unit, as described in section 12.708, shall be open September 1 to September 10.

State parks closed; exceptions listed, the day following Labor day to September 15 open season.

(3) Except as otherwise provided in this subsection and subsections (4), (5) and (6), all state parks shall be closed. All or portions of the following state parks, as described in chapter VII, shall be open from the day following Labor day to September 15:

(a) Cheboygan state park.

(b) Fisherman's Island state park.

(c) Hoeft state park.

(d) Leelanau state park.

(e) Ludington state park.

(f) Sturgeon Point state park.

(g) Wilderness state park.

(h) Silver lake state park, except there shall be no taking of any animals within the off-road vehicle area, Silver lake beach and modern camping area, park residences, lighthouse area, and headquarters area as posted.

(i) South Higgins lake state park, except for that area north of county roads 100 and 104 as posted.

(j) Seven lakes state park, except there shall be no taking of animals within 450 feet of any boat launch, campground, beach, parking area, or picnic area from the day following Labor day to September 15.

State parks open from the day following Labor day to September 10.

(4) All or portions of the following state parks, as described in chapter VII, shall be open from the day following Labor day to September 10:

(a) Brimley state park.

(b) Fayette state park.

(c) Indian lake state park.

(d) Palms book state park.

(e) Laughing whitefish falls scenic site.

(f) Tahquamenon falls state park.

(g) Wagner falls scenic site.

(h) Craig lake state park.

(i) McLain state park.

(j) Porcupine mountains state park.

(k) Van Riper state park.

Sterling state park; day following Labor day to September 15 open season; open areas, exceptions.

(5) That portion of Sterling state park, as described in section 7.35(2), shall be open from the day following Labor day to September 15, except there shall be no taking of any animals after 10:00 a.m. on those areas west of the park entrance road as posted; further, shooting from the east shore of the lagoons shall be in a westerly direction only.

State parks, open areas; September 1 to September 15 open season, exceptions.

(6) Except as otherwise provided, all or portions of the following state parks, as described in chapter VII, shall be open from September 1 to September 15:

(a) Sleepy Hollow state park, except there shall be no taking of animals after 8:00 a.m. from September 1 to Labor day in that area north of Price road or within posted safety zones.

(b) Grand Mere state park, all state-owned lands in Grand Mere state park except those lands posted closed to hunting.

(c) Thompson's Harbor state park.

(d) Negwegon state park.

State parks, open areas; September 1 to September 10 open season, exceptions.

(7) Except as otherwise provided, all or portions of the following state parks, as described in chapter VII, shall be open from September 1 to September 10:

(a) Port Crescent state park.

(b) Sleeper state park.

State recreation areas open, exceptions; September 1 to September 15 open season, exceptions.

(8) Those state recreation areas described in chapter VII as closed to the taking of animals shall be closed during the early September hunting season for Canada geese. All other state recreation areas not within the Saginaw bay unit shall have an open season from September 1 to September 15, except for those portions of the following areas which shall be closed and shall be posted in such a manner and at such locations as will provide reasonable notice of the closure to the public:

(a) Waterloo recreation area, in addition to those areas closed to the taking of animals by section 7.52, there shall be no taking of animals from September 1 to September 15 within 450 feet of any boat launch, campground, beach, parking area, or picnic area in the high use areas at Green, Sugar Loaf, and Crooked lakes.

(b) Lake Hudson recreation area shall be closed to the taking of animals in that portion of the park bounded on the south by the park entrance road, on the east by the picnic area road, by the campground on the west, and the lakeshore on the north from September 1 to Labor day. In addition, there shall be no taking of animals within 450 feet of any campground, boat launch, beach, parking area, or picnic area from September 1 to September 15.

(c) Pontiac lake recreation area shall be closed to the taking of animals after 8:00 a.m. from September 1 to Labor day on all those state-owned lands in section 18, T3N R9E. In addition, there shall be no hunting at any time during the early September Canada goose season on those state-owned lands in sections 12 and 13, T3N R8E, south of Gale road; or on those state-owned lands in that area bounded on the north by the park entrance road, on the north and east by Cross road and Macaday lake road, on the south by Gale road, and on the west by the north-south mid-section line of section 11, T3N R8E, or within safety zone areas as posted.

(d) Island lake recreation area shall be closed to the taking of animals during September 1 to Labor day. In addition, there shall be no taking of any animals on those state-owned lands and waters north of the Chesapeake and Ohio railroad tracks in sections 4 and 5 and the W 1/3 of the NW 1/4 of section 3, T1N R6E, at any time during the early September Canada goose season. Kent lake shall be closed to the taking of animals within 450 feet of the swimming beaches, parking areas, boat launches, picnic sites, and campsites from the day following Labor day to September 15.

(e) Highland recreation area shall be closed to the taking of animals in the Haven hill unit normally posted closed to hunting.

(f) Proud lake recreation area, in addition to those areas closed to the taking of animals by section 7.57, and areas posted as safety zones, there shall be no taking of animals after 8:00 a.m. from September 1 to Labor day in that area west and south of Wixom road.

(g) Holly recreation area shall be closed to the taking of animals from September 1 to Labor day on all those state-owned lands bounded on the north and west by Grange hall road, on the east by Wildwood road, and on the south and west by Dixie highway.

(h) Ionia recreation area shall be closed to the taking of animals from September 1 to Labor day within 450 feet of any campsite, picnic areas, beach, parking area, or boat launch. In addition, no animals shall be taken from the day after Labor day to September 15 after 8:00 a.m. within 450 feet of any campsite, picnic area, beach, parking area, or boat launch.

(i) Metamora-Hadley recreation area shall be closed to the taking of animals from September 1 to Labor day. In addition, there shall be no taking of animals from the day following Labor day to September 15 within 450 feet of any campsite, boat launch, parking area, picnic area, or beach.

(j) Ortonville recreation area shall be closed to the taking of animals from September 1 to Labor day on Big Fish lake and Algoe lake. In addition, there shall be no taking of animals from September 1 to September 15 within 450 feet of any campsite, boat launch, beach, parking area, or picnic area.

(k) Pinckney recreation area shall be closed to the taking of animals from September 1 to Labor day within 450 feet of any state-owned boat launch, campground, beach, parking area, or picnic area at Bruin, Half Moon, and Silver lakes.

(l) Brighton recreation area shall be closed to the taking of animals after 8 am from September 1 to the day after Labor day on all those state-owned lands and waters east of Richardson road. In addition, there shall be no taking of animals from September 1 to September 15 within 450 feet of any campsite.

(m) Yankee Springs recreation area, in addition to those areas closed to the taking of animals as described in section 7.59, a person shall not take any animal from any state-owned lands or waters in the Yankee Springs recreation area from September l to Labor day.

(n) Fort Custer recreation area, in addition to those areas closed to the taking of animals as described in section 7.60, a person shall not take any animal from any state-owned lands or waters in the Fort Custer recreation area from September 1 to Labor day.

(o) Bald Mountain recreation area is closed to the taking of animals after 8:00 a.m. from September 1 to Labor day on those portions of the Bald Mountain recreation area east of highway M-24. In addition, there shall be no taking of animals within any posted safety zone.

(p) The Rifle river recreation area shall be closed to the taking of animals from September 1 to Labor day.

Rose lake wildlife research area, September 1 to September 15 open season.

(9) Notwithstanding R 299.1004 of the Michigan Administrative Code, appearing on pages 173 and 174 of the 1986 Annual Supplement to the 1979 Michigan Administrative Code, the Rose lake wildlife research area shall be open from September 1 to September 15 to the carrying and discharge of firearms by persons lawfully taking Canada geese.

Issued this 12th day of July, 2007.

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

Keith J. Charters, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.

Rebecca A. Humphries
Director