



MICHIGAN LICENSED GAME BIRD HUNTING PRESERVES

Revised April 2015

This booklet must be read in its entirety and retained for future reference by anyone applying for a Game Bird Hunting Preserve License. For the purposes of this circular the terms “shooting preserve” and “game bird hunting preserve” have the same meaning. Questions should be addressed to: Permit Specialist, Michigan Department of Natural Resources, Wildlife Division, PO Box 30444, Lansing, Michigan 48909-7944, 517-284-6210 or reitzc@michigan.gov.

OVERVIEW

Pheasants, bobwhite quail, Hungarian partridge, mallard ducks and exotic game birds may be raised and released for hunting for an extended season on hunting preserves licensed by the Michigan Department of Natural Resources (Michigan DNR, or Department). Public Act 451 of 1994, and rules promulgated pursuant to that Act provide the MDNR with authority to issue hunting preserve licenses and to regulate the taking of game birds on the licensed premises. Game Bird Hunting Preserve Licenses are issued on a three-year renewal cycle, expiring on the third June 30 after the date of issue. The license fee is \$105 for preserves 320 acres or less, or \$180 for preserves over 320 acres. The license must specifically indicate the species authorized for use, and indicate an estimate of the number of each species to be released annually. Hunting preserve property must be owned or leased by the applicant/licensee. Hunting preserves can be established for private or public use. Those open for public use may designate a public membership requirement and/or hunting by reservation only requirement. Applicants may also designate that their preserve be included on a list for general distribution.

ACREAGE REQUIREMENTS

Hunting preserves are generally restricted to one continuous tract of land. Preserves utilizing upland game birds must be at least 80 acres. Preserves utilizing only mallard ducks can be as small as 50 acres. Preserves shall not be greater than 640 acres at any one licensed location. Two or more parcels may be licensed as one preserve if the parcels are close enough to be operated as one (as determined by the Department), and provided each parcel meets the minimum acreage requirement. Preserves licensed prior to July 1, 1991 with separate parcels less than the minimum acreage requirement will continue to be approved by the Department provided the total acres covered by that license meets or exceeds the minimum acreage requirement. After July 1, 1991 if more than one parcel is covered under a single license, each parcel must meet the minimum acreage requirement.

BASIS FOR APPROVAL OR DENIAL OF A LICENSE

Upon receipt of a properly filed application, the property will be subject to an inspection. The Department's primary focus when evaluating a proposed new game bird hunting preserve is to determine whether or not an excessive number of wild birds would be killed if the area was licensed as a preserve. Habitat, population surveys, and knowledge regarding winter concentrations of birds are taken into account when making this determination. As wild pheasant numbers have continued to remain relatively low, the opportunity to hunt pheasants on preserves is becoming more popular. Due to the declining likelihood of negative impacts to wild pheasant populations, properly completed game bird hunting preserve applications are likely to be approved. However, a Department representative may recommend denial of the license for the following reasons:

1. If it appears probable that an excessive number of wild game birds may be killed at the proposed location.
2. If the proposed location supports a known large winter concentration of wild game birds, is an important waterfowl production area, or attracts large numbers of migrating waterfowl.
3. If mallard ducks are proposed for use and the proposed layout of buildings, pens, duck towers, duck ponds, blinds, etc., are not adequate and proper (see “Mallards”).
4. If a preserve at the proposed location may create a hazard (safety zone or other) or the Department determines that the issuance of a license is not in the public interest.

The proposed hunting preserve property will be inspected and/or evaluated by both, a MDNR, Wildlife Biologist and a MDNR, Law Enforcement Conservation Officer. The Wildlife Biologist and Conservation Officer may make this inspection together or separately. The Wildlife Biologist will complete a Game Bird

Hunting Preserve Application Inspection Report. The Conservation Officer will co-sign this report. Inspectors may recommend a modification to the application or proposed property boundary as a condition for approval.

SAFETY ZONES

If the proposed preserve boundary includes the safety zone of a neighbor, inspectors may require the applicant to modify the boundary such that there is no safety zone infringement; or post the safety zone with signs prohibiting hunters from entering the safety zone; or obtain written permission from the land owner allowing hunting within the safety zone. Safety zones are all areas within 150 yards of an occupied building, house, cabin, or any barn or other building used in a farm operation. No person may hunt or discharge a firearm in a safety zone, or shoot at any wild animal or wild bird within a safety zone without the written permission of the owner or occupant of such safety zone.

NEIGHBORS AND LOCAL GOVERNMENTS

Notification to local governments and neighbors, by the Department or by applicants, is not a requirement of the application process. There is nothing within Act 451 of 1994 or Orders issued pursuant to that Act, requiring applicants to obtain local government approval, or inform neighbors, prior to applying for, or being issued, this license. However, it is recommended that new applicants discuss their plans to apply for this license with their neighbors and the local unit of government. This may provide an opportunity for interested parties to be a ware of the proposed preserve and address any zoning issues or other concerns. A MDNR Game Bird Hunting Preserve License does not provide any authorization to circumvent federal, state, local zoning, or any other local laws and ordinances. It is the applicant's responsibility to know and comply with federal, state, and local laws. It is the local unit of government's responsibility to enforce local laws and zoning ordinances.

SEASONS

The hunting season for released pheasants, bobwhite quail, Hungarian partridge, and mallard ducks on a hunting preserve is August 15 through April 30. Exotic game birds, which include chukar partridge, coturnix quail, Tennessee red quail, and fancy pheasants (Reeves, golden, etc.) can be taken at any time on a hunting preserve.

DOG TRAINING

The dog training season for pheasants, bobwhite quail, Hungarian partridge, and mallard ducks on a hunting preserve is July 9 through April 15. Dogs may be trained on exotic game birds year-round. Live ammunition may be used while training dogs. When live ammunition is used, a license is required. Dogs being trained, or used in hunting, shall be confined to the preserve premises at all times.

HUNTING LICENSE REQUIREMENTS

Gamebird preserve hunters are no longer required to purchase a gamebird hunt preserve license as of March 1, 2014. This includes non-resident hunters. However, licenses are still required for game that is not covered by a gamebird preserve license.

MALLARDS

The shooting of mallard ducks is specially regulated to reduce the possibility of wild birds being taken. Mallard ducks are the only waterfowl that can be used in preserve operations. All mallards are to be flown from release towers or similar stations for pass shooting only. Mallards shall not be hunted or shot less than 40 yards from a lake, stream, or pond and it is unlawful to shoot in the direction of a lake, stream, or pond that is less than 80 yards from the hunting preserve. Blinds shall be so constructed to make it impossible to shoot in the direction of the water. Only non-toxic steel shot may be used for the shooting of mallards. Federal law requires that all mallard ducks held in captivity be marked by the removal of the hind toe from the right foot of each bird before the birds are six weeks old; or that the birds be identified by other methods described within federal regulations. For more information regarding the marking, possession, and sale of mallard ducks contact: U.S. Fish and Wildlife Service Migratory Bird Permit Office, 5600 American Blvd. W., Bloomington, MN 55437, (612) 713-5489, Fax (612) 713-5393.

LAPEER COUNTY RESTRICTIONS

Game bird hunting preserve regulations limit the amount of area that can be licensed to no more than one percent of the total land mass in any one county. Currently, Lapeer is the only county that is at this limit. Therefore, new licenses cannot be issued in Lapeer County. If they so choose, current Lapeer County

licensees will be allowed to reconfigure their preserve property and amend their licenses, provided the total acres licensed does not increase. There is a waiting list for new applicants wishing to utilize land in Lapeer County. If land becomes available due to the non-renewal of current licenses, applicants will be allowed to apply in the order that they were put on the waiting list. For more information, contact the Permit Specialist (517-284-6210 or reitzc@michigan.gov).

WILD TURKEYS

Game bird hunting preserve licenses must specifically list the types of game birds approved for use. For example, ring-necked pheasants, and bobwhite quail. Although game bird hunting preserve statutes allow for the use of pen reared wild turkeys and wild turkey hybrids, no current preserves have been approved for the use of wild turkeys. This is due to statewide concerns regarding possible negative impacts to wild turkey populations in Michigan. Because of these concerns, it is not likely that applications requesting the use of wild turkeys will be approved.

FENCING

Fencing of game bird hunting preserves is not required. However, upon issuance of a Game Bird Hunting Preserve License, it is required that licensees post the boundary of their preserve. Fencing is recommended to help reduce the likelihood of trespassing onto or off of preserve property. In case the license is not approved, new applicants should not fence their property prior to license issuance.

APPLICATION PROCESS

The process for new, renewal, and amended applications is detailed on the following pages. Estimated time frames are included for each step of the processes. Please note that new applications take approximately three months to process, not including the steps in the process that are dependant solely upon the applicant. Due to Department workload priorities and responsibilities, it is difficult to honor applicant's requests to expedite this application process faster than the allotted time for each step. However, applicants may check on the status of their application by contacting the Permit Specialist (517-284-6210). If any step in the process is not completed by the time allotted, every attempt will be made to move the process to the next step.

PROCESS FOR NEW APPLICATIONS

All applicants should read and understand the following steps involved in the application and permitting process.

1. Read this information circular (IC2192-3) and the application/permit form (PR2563) entirely. If you have questions, contact the Permit Specialist at 517-284-6210 or reitzc@michigan.gov.
2. It is recommended that new applicants discuss their plans to apply for this license with their neighbors and the local unit of government. See *Neighbors and Local Governments* within this circular.
3. Complete the application and attach the following:
 - a. A copy of a township plat map with the proposed preserve boundary clearly outlined.
 - b. A copy of the complete legal description of the proposed preserve.
 - c. A check or money order payable to the State of Michigan in the amount of \$105 for preserves 320 acres or less, or \$180 for preserves over 320 acres. Preserves may not exceed 640 acres.
 - i. Attachments must be 8 ½ inches by 11 inches in size. Incomplete or incorrectly completed applications will be returned.
4. Send completed check or money order to: Cashier, MDNR, PO Box 30451, Lansing, MI 48909-7951.
5. Once the Permit Specialist receives all the required documentation. A request for an inspection will go out to the local DNR Law Enforcement Conservation Officer and DNR Wildlife Biologist.
6. Depending on the inspection the Permit Specialist will approve or deny your permit within 90 days. Processing may take longer depending on the time of year.
7. If approved, you will receive a copy of your permit in the mail with an order form for Boundary Signs. Please see Supply Orders and Boundary Signs within this circular.
8. Boundary Signs should be posted at least 150 feet or less apart. Once posted your preserve is ready to be utilized.
9. The permit expires on the third June 30 after the date of issue.

PROCESS FOR RENEWING LICENSES

Permits are valid from the date of issue to the third June 30 after issue. For example permits issued on March 1, 2007 will be valid until June 30, 2010. You will be mailed renewal information the April prior to expiration. If you do not wish to renew your permit you must send us a letter stating you do not wish to renew and all boundary signs have been taken down.

1. Complete the application with current information.
2. Indicate "renewal" and your permit number in the appropriate area.
3. Indicate the species and estimate the total number of birds that will be released annually.
4. Attached a check or money order payable to the State of Michigan in the amount of \$105 for preserves 320 acres or less, or \$180 for preserves of 320 acres.
5. Send to: Cashier, Michigan DNR, PO Box 30451, Lansing, MI 48909-7951.

Note: Renewals can take up to 60 days. The goal is to have all permits received and renewed by June 30th.

PROCESS FOR AMENDING LICENSES

If any information on the approve license needs to be changed, the licensee must submit an amended application. Some examples of changes that would require amending a license would include a change in business name, telephone number, or address; adding or deleting species or changing the estimated number of birds for release; adding or deleting preserve property. Contact the Permit specialist (517-284-6210 or reitzc@michigan.gov) to obtain an application. Complete the entire application in accordance with the directions on the form, including:

1. Under "license Type" indicate "Amend".
2. Indicate license number in the appropriate area (tow the right of the applicant's signature and date).
3. Attach a written explanation for all the requested changes.
4. If changes proposed involve acreage or location please provide the following:
 - a. A copy of a township plat map with the current preserve property and the proposed changes clearly outlined.
 - b. A copy of the completed legal description of the entire new proposed preserve property. Applicants not proposing a change to their preserve property should not attach the plat maps or legal descriptions.

Note: Processing can take more than 60 days depending on the inspection. There is no fee for amending a license.

SUPPLY ORDER FORMS

Hunting preserve operators will receive a Supply Order Form with their approved license. This form may be used to order Official Shipping Tags (\$6 per 100 tags), Monthly Inventory Report forms (no charge), Game Bird Release Permit forms (no charge), and Game Bird Hunting Preserve boundary signs (\$6 per 50 signs). Requirements regarding these materials are described within this circular.

BOUNDARY SIGNS

New applicants shall not post their preserve property with boundary signs until after receiving an approved license. A Game Bird Hunting Preserve License is not valid unless the preserve property is posted with Michigan DNR supplied signs, or reproductions thereof, at intervals of 150 feet or less. If a hunting preserve is not re-licensed all signs shall be removed from the premises boundary within 15 days of the license expiration date.

SHIPPING TAGS AND IMPORTATION

Game bird species, specifically indicated on the preserve operator's license, may be:

1. raised by the licensed operator,
2. acquired from captive wildlife permittees,
3. acquired from other licensed hunting preserves or,
4. acquired from legal out-of-state sources.

Birds or eggs imported from another state must be accompanied by a Veterinarian's Certificate of Health issued in the state of origin. The certificate must show that the flock from which birds are being shipped are certified free of pullorum. The certificate must be kept on file for at least one year. Persons receiving shipments must be issued an Official Shipping Tag with any birds or eggs acquired from within the state. All

birds which leave a preserve, either as live birds or carcasses, shall be accompanied by an Official Shipping Tag completed in accordance with the instructions on the tag. Such tags shall either be attached directly to the birds or to the package containing the birds. One shipping tag is required for each shipment of birds. The shipping tag shall remain with the birds until they are released or consumed. The preserve's copy of the shipping tag (original soft copy) is to remain with the shipper for at least five years from the date of shipment. Birds harvested from game bird hunting preserves, which are to be consumed on the premises, must have an Official Shipping Tag attached to the carcass or package of carcasses until the birds are prepared for consumption. Shipping tags shall not be reused. If a preserve is not re-licensed, all unused shipping tags shall be returned to the Michigan DNR within 15 days of the license expiration date.

RECORDS

The hunting preserve records listed below must be kept on file at the preserve headquarters for at least five years. These records should not be submitted to the Michigan DNR, but are subject to inspection by a Conservation Officer or other Michigan DNR representative. The Michigan DNR will supply free Monthly Inventory Report forms, however, the use of these forms is not required.

Required Licensed Preserve Records:

1. Species and numbers of birds purchased or acquired, and dates of such acquisitions.
2. Names, addresses, telephone numbers, and permit or license numbers of individuals from whom birds are purchased or acquired.
3. Species and numbers of birds hatched on preserve property, and dates hatched.
4. Species and numbers of birds released onto preserve property, and dates released.
5. Species and numbers of birds found dead within rearing enclosures or on other preserve property, and dates dead birds were found.
6. Names, addresses, and hunting license numbers of all persons hunting upon the preserve, together with the date upon which they hunted and the number of each species taken.
7. Species and numbers of live birds sold or otherwise transferred, and dates of such transactions.
8. Names, addresses, and license or permit numbers of persons receiving live birds.

In most cases, record keeping requirements can be met by adhering to the following steps:

1. Keep all purchasing, rearing, and releasing records, along with all records pertaining to persons hunting upon the preserve.
2. Include the hunter's license number on all shipping tags issued, along with the other information required on the tag.
3. Keep the soft copy of all shipping tags issued.

GAME BIRD RELEASE PERMITS

Licensed hunting preserve operators possessing pheasants, bobwhite quail, or Hungarian partridge are authorized to issue Game Bird Release Permits to their customers wishing to purchase more than 12 of these birds live (or their eggs) for release or personal consumption. Birds held under the authority of a Game Bird Release Permit may not be propagated or sold. All surviving birds must be released within the county indicated on the permit, or consumed, within six months of the issue date of the permit. The permit must be obtained before, or at the same time as, the birds are acquired. A Game Bird Release Permit must be issued in strict accordance with the procedures on the form. Preserve operators wishing to utilize Game Bird Release Permits should contact the Permit Specialist 517-284-6210.

LIVE BIRD POSSESSION AND ENCLOSURES

A Game Bird Hunting Preserve License authorizes the preserve operator to purchase, propagate, rear, sell, and otherwise possess game bird species specifically indicated on their license. A preserve operator possessing ring-necked pheasants, bobwhite quail, and/or Hungarian Partridge is not required to also obtain a Permit to Hold Wildlife in Captivity for those species provided the birds are held on the property licensed by the Game Bird Hunting Preserve License. If birds are propagated or sold by the licensed operator, pheasants, bobwhite quail, or Hungarian partridge, when older than 14 weeks, shall be kept in an enclosure no smaller than 100 square feet, subject to the following:

1. Pheasants without specs* require a minimum of 25 square feet per bird.
2. Pheasants with specs* require a minimum of 15 square feet per bird.
3. Bobwhite quail require a minimum of one square foot per bird.

4. Hungarian partridge require a minimum of eight square feet per bird.
5. Bobwhite quail and Hungarian partridge may be held in smaller breeding pens during the breeding season.
6. In order to reduce direct confrontation and interaction between birds, cover shall be provided in enclosures which hold pheasants and Hungarian partridge. Cover may be provided by growing vegetation, brush piles, old Christmas trees, corn shocks, bales of hay or straw, or other cover forms placed into or grown within each pen.

*Specs are small plastic blinders that can be attached to pheasants at six weeks or older to prevent cannibalism.

LIVE BIRD SALES

It is unlawful for ring-necked pheasants, bobwhite quail, and Hungarian partridge to be removed live from licensed premises unless they are being shipped directly out-of-state or the person receiving the live birds:

1. Has a Permit To Hold Wildlife In Captivity listing the species being acquired, or
2. Has a Hunting Preserve License listing the species being acquired, or
3. Has a Game Bird Release Permit listing the species be acquired, or
4. Has a Field Dog Trial Permit listing the species being acquired, or
5. Is receiving 12 or fewer pheasants, bobwhite quail, or Hungarian partridge for personal use (resale or propagation prohibited).

The operator of the licensed preserve has the responsibility to verify that anyone receiving live ring-necked pheasants, bobwhite quail, or Hungarian partridge has the necessary authorization.

Exotic game birds, not native to Michigan (chukar partridge, coturnix quail, fancy pheasants, Tennessee red quail, etc.), may be sold or transferred live by preserve operators. Individuals in Michigan receiving these birds are not required to possess captive wildlife or other permits authorizing their possession. Sales of exotic or native game birds to out-of-state customers must be in compliance with the receiving state's importation and possession regulations.

ADDITIONAL INFORMATION

From January 1 to March 15, a hunting preserve operator may not place corn, wheat, or other grains on their preserve property which may entice wild birds to come onto the preserve. This does not apply to unharvested or shocked grain or to the feeding of birds held within roofed enclosures.

Recall pens or traps for the recapture of released quail, pheasants, or Hungarian partridge may only be utilized within 50 feet of the principal bird holding pens in counties south of Muskegon, Newaygo, Osceola, Clare, Gladwin, and Arenac. In these and counties to the north, recall pens or recapture traps may be utilized on the entire licensed premises.

Licensed hunting preserves may allow the hunting of released game birds on Sundays, notwithstanding the provisions of local ordinances or regulations.

All hunting rules and regulations apply to people hunting on licensed preserves. For example, hunters must discharge firearms in a safe manner; hunter orange is required; hunting hours apply (one-half hour before sunrise to one-half hour after sunset); safety zones apply (no hunting, or shooting at birds within 150 yards of an occupied structure).

Failure to comply with the regulations within this circular and on the application/license form, is a violation of state law and may result in license revocation, fine, and/or imprisonment.

REGULATIONS

The regulations concerning licensed game bird hunting preserves are contained within the Public Act, Act 451, of 1994, (Natural Resources and Environmental Protection Act), Part 417, Game Bird Hunting Preserves, and Orders issued pursuant to that Act. Following is Act 451, Part 417 and the applicable Commission Order.

Public Act 451 of 1994, Part 417
Game Bird Hunting Preserves

324.41701 "License" defined.

Sec. 41701. As used in this part, "license" means a license issued by the department to operate a game bird hunting preserve.

324.41702 Game bird hunting preserves; license; fee; duration; Sunday hunting.

Sec. 41702. The department may issue licenses authorizing the establishment and operation of game bird hunting preserves. The fee for a license is \$105.00 for a preserve of 320 acres or less and \$180.00 for a preserve in excess of 320 acres. Unless revoked as provided by law, licenses issued under this section are valid from the date of issuance until June 30 of the third license year. Game bird hunting preserves licensed under this section may allow hunting on Sundays, notwithstanding the provisions of a local ordinance or regulation.

324.41703 Game bird hunting preserves; size; boundary signs.

Sec. 41703. Each game bird hunting preserve shall contain not less than 80 acres or more than 640 acres of land leased or owned by the licensee, except that those preserves whose operations are confined only to ducks may contain a minimum of 50 acres. The exterior boundaries of each preserve shall be clearly defined with signs erected at intervals of 150 feet or less.

324.41704 Species under game bird hunting preserve license; limitation; propagation, sale, and release of birds; requirements for wild turkeys or wild turkey hybrids.

Sec. 41704. (1) Only artificially propagated wild turkeys and wild turkey hybrids and other artificially propagated species as prescribed by the department may be hunted under a game bird hunting preserve license. A license holder may propagate and sell the prescribed birds, carcasses, or products, in addition to releasing the birds for hunting purposes, by adhering to all requirements, except breeder's license fee requirements of part 427 and orders issued by the department under that part.

(2) Wild turkey or wild turkey hybrids authorized under a license shall have 1 wing pinioned and shall be fenced and released in compliance with orders issued by the department under section 41710.

324.41705 Licenses; determination by department of percentage of species hunted.

Sec. 41705. The licenses provided for in this part entitle the holders of the licenses and their lessees and licensees to take, by hunting, the percentage of each species released on the premises each year as the department determines.

324.41706 Tagging of birds; cost; reuse.

Sec. 41706. Except as otherwise provided by an order issued under section 41710, before a game bird shot under authority of a game bird hunting preserve license is consumed on the premises or removed from the property, a stamp-mark, band, tag, or seal as designated by the department shall be affixed to the carcass or to the container holding the carcass. The bands, tags, or seals shall be furnished at reasonable cost to the operator of the game bird hunting preserve by the department. Except as otherwise provided by an order issued under section 41710, a person shall not remove the stamp-mark, band, tag, or seal from the carcass until the carcass is prepared for consumption or from the container until each carcass in the container is prepared for consumption. Such items of identification shall not be reused by any person.

324.41707 Species of wild animal or bird permitted to be hunted.

Sec. 41707. A wild animal, or a wild bird of a species other than those permitted to be hunted under authority of a license issued under this part, shall not be hunted or killed on a game bird hunting preserve except in accordance with the laws of this state governing the hunting of that species.

324.41708 Operator's records; contents; inspection; reports.

Sec. 41708. Each operator of a game bird hunting preserve licensed under this part shall maintain a record of the names, addresses, and hunting license numbers of all persons hunting upon the preserve, together with the date upon which they hunted and the number of each species taken. The operator shall also maintain an accurate record of the total number, by species, of birds propagated, reared, or purchased and, for each release of birds, the date of the release and the number of individuals of each species released. The records shall be open for inspection by the department at any reasonable time. The licensee shall also provide complete and accurate reports when and as required by the department.

324.41709 License; application; contents; forms.

Sec. 41709. A person applying for a license under this part shall submit an application to the department on forms furnished by the department, stating the name and address of the applicant, the legal description of the premises to be licensed, the kind of birds to be covered by the license, and other information required by the department. The department shall prepare and distribute suitable forms necessary to implement this part.

324.41710 Open season; duration; orders.

Sec. 41710. (1) By order, the department may establish an open season for game bird hunting preserves that shall be not less than 120 days. The department may issue other orders governing the administration of this part as the department considers expedient.

(2) Orders issued under subsection (1) shall be issued subject to the procedure under section 40107.

324.41711 License fees; credit to game and fish protection fund.

Sec. 41711. All money received from the sale of licenses and tags or seals as provided in this part shall be deposited in the state treasury to the credit of the game and fish protection fund created in part 435.

324.41712 Violation as misdemeanor; penalty; grounds for suspension or revocation of license.

Sec. 41712. (1) A person who violates this part or an order issued under this part is guilty of a misdemeanor punishable by imprisonment for not more than 90 days, or a fine of not more than \$100.00 and the costs of prosecution, or both.

(2) In addition to the penalty provided in this section, a license issued under this part may be suspended or revoked, after a hearing as provided by law, if the license holder fails to comply with the requirements of this part, if a licensee fails to maintain or submit accurate reports and records as required by the department, or if a licensee is convicted of a violation of this part. Birds held under a license that is suspended or revoked shall then be disposed of only in a manner approved by the department.

**Department of Natural Resources
The Shooting Preserve Commission Order**

Under the authority of section 41710, Act No. 451 of the Public Acts of 1994, as amended, being section 324.41710 of the Michigan Compiled Laws, the Director of the Department of Natural Resources ordered that effective September 1, 2000, the following sections of the Shooting Preserve Commission Order shall read as follows:

30.1 Short title.

Sec. 30.1. This order shall be known and may be cited as "the shooting preserve order."

30.2 Shooting preserves; enclosure and contiguity.

Sec. 30.2. Premises shall not be licensed as a shooting preserve unless they are enclosed and contained in a single block or tract of contiguous lands, except that the director of natural resources may license lands consisting of 2 or more enclosed single disconnected blocks or tracts when, in his judgment, it appears that it may be operated within the intent of the act authorizing preserves.

30.3 Boundary signs.

Sec. 30.3. The department of natural resources shall furnish boundary signs of such size and such wording as determined by the director.

30.4 Fees.

Sec. 30.4. An applicant shall pay the required fee upon filing their application.

30.5 Acreage limit per county.

Sec. 30.5. Licenses shall be limited so as not to result in total acreage licensed as shooting preserves in any 1 county being more than 1 percent of the gross land area of the county.

30.6 Denial of licenses.

Sec. 30.6. A license shall be denied when, in the opinion of the director, it appears probable that wild ducks or an excessive number of wild ducks or an excessive number of wild pheasants or wild bobwhite quail would be killed on the premises for which the license is applied for or when, for any other reason, the director determines that the issuance of a license is not in the public interest.

30.7 Birds which may be hunted on preserves.

Sec. 30.7. Pheasants (Phasianus), Hungarian partridges, bobwhite quail, mallard ducks, and nonnative upland game birds not established in the wild in the state may be released and shot on licensed preserves. Species of waterfowl, other than mallard ducks flown from release towers or similar stations, may not be hunted or killed on the lands of a preserve licensed to shoot ducks.

30.8 Open seasons.

Sec. 30.8. The shooting season for the taking of pheasants (Phasianus), Hungarian partridges, bobwhite quail, and mallard ducks on licensed preserves opens on August 15 and closes on April 30. The nonnative birds specified in section 30.7 may be shot throughout the season.

30.9 Pheasants, Hungarian partridges, and quail released before open season.

Sec. 30.9. Pheasants (Phasianus) of either sex, Hungarian partridges, and bobwhite quail, when released not earlier than 2 weeks prior to the opening of the season, may be taken in numbers not to exceed the total number released.

30.10 Nonnative upland game birds and mallard ducks.

Sec. 30.10. All nonnative upland game birds not established in the wild in this state released on licensed preserves may be taken either by shooting or by recapture while on the preserve for further release purposes. All mallard ducks, properly marked, shall be flown from release towers or similar stations for pass shooting and may be taken either by shooting or by recapture while on the preserve for further release purposes. Such ducks shall not be hunted or shot within 40 yards of a lake, stream, or pond which may be used by wild waterfowl and within 80 yards it is unlawful to shoot toward the lake, stream, or pond, and blinds shall be so constructed and arranged as to make it impossible to do so.

30.11 Recapture of released pheasants, Hungarian partridges, and quail.

Sec. 30.11. Released pheasants, Hungarian partridges, and quail may be recaptured for further release purposes by an operator anywhere on their licensed premises in any county except those located south of Muskegon, Newaygo, Osceola, Clare, Gladwin, and Arenac counties where recapturing is limited to within 50 feet of the principal bird holding pens.

30.12 Training of hunting dogs.

Sec. 30.12. Any person, with permission of the licensed operator, may train hunting dogs on and shoot in the training process, from July 15 to the closing dates of the respective open seasons, all species of birds permitted to be taken under authority of a shooting preserve license. Dogs being so trained or used in hunting shall be confined to the premises of the licensed area at all times.

30.13 Feeding of birds in winter.

Sec. 30.13. During the period January 1 to March 15 in each year, a licensee shall not put out, or allow or permit to be put out, on the lands included in their licensed shooting preserve any shelled or husked or unhusked corn, wheat, or other grains or feeds for the purpose of luring, attracting, enticing, or feeding any of the birds permitted to be taken under their shooting preserve license, except for the purpose of feeding on such areas and during such periods as may be authorized in writing by the director of natural resources. This rule does not include properly shocked grain, standing crops, or grains found scattered solely as a result of normal agricultural planting or harvesting, nor does it include the feeding of birds retained in captivity.

30.14 Sources of birds to be released.

Sec. 30.14. Legally protected species of birds to be released on a licensed shooting preserve or sold to nonhunters, restaurants, hotels, or clubs may be propagated and reared by a licensee as authorized by section 3 of Act No. 134 of the Public Acts of 1957, as amended, being §317.303 of the Michigan Compiled Laws, or may be lawfully procured from other sources. If the director of natural resources finds that any birds are diseased or otherwise unfit for release and notifies the operator of such findings, the operator shall not release or permit or allow the release of any such birds.

30.15 Marking and banding of birds.

Sec. 30.15. The director of natural resources may require that, before any birds are released, each of them shall be marked or have leg bands attached in a manner specified, and the operator shall maintain and

furnish to the director such records and information pertaining thereto as may be required. All required bands or other marking devices shall be furnished by the director.

30.16 Reports of released birds; tags on birds shot.

Sec. 30.16. Before any birds are taken under authority of a shooting preserve license, the operator shall certify to the director of natural resources the number of each species of birds to be, or which have been, released and the date of release, and shall procure from the director the allowable number of identification tags required by law to be affixed to all birds shot on such preserve. The identification tags shall be affixed in a permanent manner to the leg of the bird or the wrapper or package containing the carcass and shall remain thereon until the bird is prepared for consumption. Field or market dressed carcasses, parts thereof, eggs, and crated specimens removed from licensed shooting preserves by nonhunters shall be identified with shipping tags or identification tags as provided in department rules governing game breeders.

30.17 Disposition of boundary signs, shipping tags, and identification tags.

Sec. 30.17. When a license expires or is revoked or denied, the former licensee shall return surplus identification tags and shipping tags to the department of natural resources and remove all shooting preserve signs from the formerly licensed area within 15 days after termination of the license. The department shall refund a sum equal to the value of tags. If a former licensee does not remove the boundary signs and cannot be located, the landowner shall remove the signs within 30 days after termination of the shooting preserve license.

30.18 Inspection of premises, operations, and records.

Sec. 30.18. All premises and operations, including the books and records pertaining thereto and also including a count of birds certified for release, shall be subject to inspection at any reasonable time by the director of natural resources or his authorized representatives.

30.19 Copies of records for director of natural resources.

Sec. 30.19. The director of natural resources may require that monthly reports and an annual report and a notarized copy of all records required by section 8 of Act No. 134 of the Public Acts of 1957, as amended, being §317.308 of the Michigan Compiled Laws, be submitted to him by each licensee on or before July 15 in each year.

30.20 Rescission.

Sec. 30.20. Sections 30.2 to 30.19 of this order shall take effect when R 299.641 to R 299.659 of the Michigan Administrative Code, appearing on pages 44 to 46 of Volume 3 of the Michigan Administrative Code complete through January 1, 1999, are rescinded Editor's Note: R 299.641 to R 299.659 were rescinded by Act 23 PA 2001, effective June 18, 2001.

QUESTIONS

Questions regarding application/license procedures, rules and regulations, or general administration of Game Bird Hunting Preserve Licenses, should be directed to: Permit Specialist, Michigan DNR, Wildlife Division, Box 30444, Lansing, MI 48909-7944, 517-284-6210.

Questions regarding game bird husbandry or the game bird hunting preserve industry in general, should be directed to: Michigan Association of Game Bird Breeders and Hunting Preserves, <http://www.michiganhuntingpreserves.com/> or 989-654-2656.

DNR DISTRICT LAW ENFORCEMENT OFFICES

Applicants may contact a Michigan DNR District Law Enforcement Office at one of the locations listed below:

DNR District 1 Law Enforcement Office, 1990 US-41 S, Marquette, MI 49855, 906-228-6561.

Counties: Baraga, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Marquette, Menominee, Ontonagon.

DNR District 2 Law Enforcement Office, RR4, PO Box 796, 5100 State HWY M-123, Newberry, MI 49868, 906-293-5131. **Counties:** Alger, Chippewa, Delta, Luce, Mackinaw, Schoolcraft.

DNR District 3 Law Enforcement Office, PO BOX 667 1732 W M-32, Gaylord, MI 49735, 989-732-3541.

Counties: Alpena, Antrim, Charlevoix, Cheboygan, Emmet, Montmorency, Otsego, Presque Isle.

DNR District 4 Law Enforcement Office, 8015 Mackinaw Trl., Cadillac, MI 49601, 231-775-9727.
Counties: Benzie, Grand Traverse, Lake Osceola, Leelanau, Manistee, Mason, Mecosta, Newago, Oceana, Wexford.

DNR District 5 Law Enforcement Office, PO Box 128, 8717 N Roscommon Rd., Roscommon, MI 48653, 989-275-5151. **Counties:** Alcona, Arenac, Clare, Crawford, Gladwin, Iosco, Kalkaska, Missaukee, Ogemaw, Oscoda, Roscommon.

DNR District 6 Law Enforcement Office, 503 N Euclid Ave, Suite 1, Bay City, MI 48706, 989-684-9141.
Counties: Bay, Gratiot, Huron, Isabella, Midland, Montcalm, Saginaw, Sanilac, Tuscola.

DNR District 7 Law Enforcement Office, 621 N 10th St. Plainwell, MI 49080, 269-685-6851. **Counties:** Allegan, Barry, Berrien, Cass, Ionia, Kalamazoo, Kent, Muskegon, Ottawa, St. Joseph, Van Buren.

DNR District 8 Law Enforcement Office, 8562 E Stoll Rd, E Lansing, MI 48823, 517-641-4903. **Counties:** Branch, Calhoun, Clinton, Eaton, Hillsdale, Ingham, Jackson, Lenawee, Livingston, Shiawassee, Washtenaw.

DNR District 9 Law Enforcement Office, 1801 Atwater St. Detroit, MI 48207, 313-396-6890. **Counties:** Genesee, Lapeer, Macomb, Monroe, Oakland, St. Clair, Wayne.

DNR WILDLIFE OPERATION SERVICE CENTERS

Applicants may contact a Michigan DNR Operation Service Center below:

Upper Peninsula

Baraga Operation Service Center, 427 US-41 N, Baraga, MI 49908, 906-353-6651.

Marquette Operation Service Center, 1990 US-41 S, Marquette, MI 49855, 906-228-6561.

Newberry Operation Service Center, 5100 M-123, Newberry, MI 49868, 906-293-5131.

Northern Lower Peninsula

Gaylord Operation Service Center, 1732 W. M-32, Gaylord, MI 49735, 989-732-3541.

Cadillac Operation Service Center, 8015 Mackinaw Trl., Gaylord, MI 49601, 231-775-9727.

Roscommon Operation Service Center, I-75 & M-8 S, 8717 N Roscommon Rd., Roscommon, MI 48653.

Southern Lower Peninsula

Bay City Operation Service Center, 3580 State Park Dr. Bay City, MI 48706, 989-684-9141.

Plainwell Operation Service Center, 621 N 10th St., Plainwell, MI 49080, 269-685-6851.

Detroit Metro Operation Service Center, 1801 Atwater St. Detroit, MI 48201, 313-396-6890.

Rose Lake Field Office, 8562 E Stoll Rd., E Lansing, MI 48823, 517-641-4903.