STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING

RICK SNYDER
GOVERNOR

DR. WILLIAM E. MORITZ
DIRECTOR

SUBMITTED: June 22, 2016
RESUBMITTED: July 25, 2016

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Order to Regulate Target Shooting on State Game and Wildlife Areas Land Use Orders of the Director Amendment No. 6 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:

The Department has recommended that the Director create a complete statewide list of designated State game areas and wildlife areas through a Land Use Order of the Director Amendment No. 5 of 2016. For purposes of this memorandum, the term State Game Areas and State Wildlife Areas means designated State Game Areas (SGAs), State Fish and Wildlife Areas (SFWAs), and State Wildlife Research Areas (SWRAs). The purpose of this Land Use Order of the Director is to take proactive steps to address recurrent problems associated with target shooting on designated State wildlife/game areas. The Department recommends that a person shall not do any of the following on state lands listed in order 3.1a of Land Use Orders of the Director Amendment No. 5 of 2016, subject to any additional provisions:

- Target shoot before 9:00 a.m. or after 7:00 p.m. or sunset, whichever is earliest, or as posted without the written permission of the Department.
- Target shoot at other than a paper, cardboard, or commercially-produced portable target designed and manufactured for the specific purpose of target shooting.
- Use or attempt to use incendiary or explosive targets, as well as incendiary, explosive, armor piercing or tracer ammunition.
- Possess or be under the influence of a controlled substance or alcohol or a combination of a controlled substance and alcohol while target shooting.
- Use a firearm, other than a pistol, revolver, shotgun, rifle, hand-held firearm, or a muzzle-loading firearm.
    - A muzzle-loading firearm shall not exceed .80 caliber.
- When skeet and trap shooting, use other than clay targets and shot size BBB or smaller, unless posted otherwise.

The Department also recommends repealing order 3.2 of the Land Use Orders of the Director. This order prohibits a person from using or possessing any fireworks in state game area campgrounds. This regulation is covered by R 299.922 of the Michigan Administrative Code.

The Department further recommends making administrative changes to the target shooting regulations at the Flat River SGA target shooting area in Montcalm County. This will eliminate redundancy between the target shooting regulations at this area and the proposed target shooting regulations.

Target shooting is one of the many activities that the Department may allow on wildlife/game areas as part of the Department's obligation to manage for wildlife and wildlife-based recreation. The Department recognizes that target shooting is a traditional, well-established, and legitimate use of these areas and integrates hunting heritage, shooting sports, and general recreational opportunities. The Department may allow target shooting, provided that it does not interfere with the primary use of these lands which are dedicated for wildlife restoration. With the increasing numbers of recreational shooters at many wildlife/game areas, the Department recommends basic target shooting regulations to facilitate responsible use across all designated wildlife/game areas.

Target shooting on some wildlife/game areas has resulted in user conflict and management issues due to the congestion of people, unsafe use of targets, late night shooting, and damage to wildlife habitat and restoration efforts. Trees are seriously damaged when used to support targets, and Department signs have been destroyed. Litter and residue from incendiary or explosive targets, as well as incendiary, explosive, armor piercing, or tracer ammunition results in public fire hazards and damage to wildlife habitat. The Department recommends prohibiting the use of incendiary and explosive targets, as well as incendiary, explosive, armor piercing and tracer ammunition. By prohibiting the use of these targets and ammunition, the Department is ensuring that the primary use of wildlife/game areas funded by USFWS Pittman-Robertson Wildlife Restoration Act and State Game and Fish funds remain consistent with the primary purpose for which they were established.

The Department also recommends that an individual shall not target shoot before 9:00 a.m. or after 7:00 p.m. or sunset, whichever is earliest, or as posted without the written permission of the Department. The Department further recommends that an individual shall not possess or be under the influence of a controlled substance or alcohol or a combination of a controlled substance and alcohol while target shooting. This recommendation will allow for consistency among all target shooting areas.

The Department further recommends that an individual shall not use a firearm, other than a pistol, revolver, shotgun, rifle, hand-held firearm, or a muzzle-loading firearm. A muzzle-loading firearm shall not exceed .80 caliber. When skeet and trap shooting, an individual shall only use clay targets and shot size BBB or smaller, unless posted otherwise. As well, the Department recommends that a person shall only use paper, cardboard, or commercially-produced portable targets designed and manufactured for the specific purpose of target shooting. This will provide basic regulations on target shooting among the wildlife/game areas.

These regulations do not apply to Designated Shooting Ranges. Designated Shooting Ranges are regulated by R 299.671 to R 299.678 of the Michigan Administrative Rules Code.

These provisions will allow the Department to manage use of wildlife/game areas and will aid in law enforcement efforts and communication with the public regarding target shooting.

Recommendation:

The Department recommends that a person shall not do any of the following on state lands listed in order 3.1a of Land Use Orders of the Director Amendment No. 5 of 2016, subject to any additional provisions:

- Target shoot before 9:00 a.m. or after 7:00 p.m. or sunset, whichever is earliest, or as posted without the written permission of the Department.
- Target shoot at other than a paper, cardboard, or commercially-produced portable target designed and manufactured for the specific purpose of target shooting.
- Use or attempt to use incendiary and explosive targets, as well as incendiary, explosive, armor piercing and tracer ammunition.
- Possess or be under the influence of a controlled substance or alcohol or a combination of a controlled substance and alcohol while target shooting.
- Use a firearm, other than a pistol, revolver, shotgun, rifle, hand-held firearm, or a muzzle-loading firearm.
    - A muzzle-loading firearm shall not exceed .80 caliber.
- When skeet and trap shooting, use other than clay targets and shot size BBB or smaller, unless posted otherwise.

This order was submitted for information on July 14, 2016, at the Natural Resources Commission Meeting. This item appeared on the Department's June 2016 calendar and may be eligible for approval on August 11, 2016.

for
Russ Mason, Ph.D., Chief
Wildlife Division

Gary Hagler, Chief
Law Enforcement Division

Deb Begalle, Acting Chief
Forest Resources Division

Ronald A. Olson, Chief
Parks and Recreation Division

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LAND USE ORDERS OF THE DIRECTOR

Amendment No. 6 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, as amended, MCL 324.504, and in accordance with R 299.921 to R 299.933, the Director of the Department of the Natural Resources orders the following:

3.2 Repealed. Am. 6, 2016. Eff. August 12, 2016.
Publishers note: The repealed section pertained to Fireworks in state game area campgrounds, prohibited.

3.2a State game areas and wildlife areas, target shooting, prohibited conduct.
Order 3.2a A person shall not do any of the following on those state lands named in the list in order 3.1a, subject to additional provisions as may be provided in these orders:

(1) Target shoot at other than a paper, cardboard, or commercially-produced portable target designed and manufactured for the specific purpose of target shooting.

(2) Use or attempt to use:

(a) Incendiary or explosive targets.

(b) Incendiary or explosive ammunition.

(c) Armor piercing ammunition, as defined by section 224c of 1931 PA 328, MCL 750.224c.

(d) Tracer ammunition.

(e) A firearm, other than a pistol, revolver, shotgun, rifle, hand-held firearm or a muzzle-loading firearm.

(i) A muzzle-loading firearm shall not exceed .80 caliber.

(3) When skeet and trap shooting, use other than clay targets and shot size BBB or smaller, unless posted otherwise.

(4) Target shoot before 9:00 a.m. or after 7:00 p.m. or sunset, whichever is earliest, or as posted without the written permission of the department.

(5) Possess or be under the influence of a controlled substance or alcohol or a combination of a controlled substance and alcohol while target shooting.

(6) This section does not apply to designated shooting ranges, as defined in order 3.19.

3.14a Flat river state game target shooting area, Montcalm county, prohibited conduct.
Order 3.14a 1) For the purposes of this order, the flat river state game target shooting area shall mean the range established upon state-owned lands in the SE¼ of Section 29, T9N R8W, Montcalm county.

(2) A person shall not do any of the following at the flat river state game target shooting area:

(a) Use or discharge a firearm containing more than 1 round without the written permission of the department.

(b) Use any device for target practice other than:

(i) A hand-held rifle.

(ii) A muzzle-loading rifle not exceeding .70 caliber.

(iii) A shotgun with slug load or buckshot.

(iv) A pistol or revolver.

(c) Possess a loaded firearm, subject to section 504, subsection (3), of Part 5, as amended, Natural Resources and Environmental Protection Act, MCL 324.504, except at an established shooting station on the firing line.

(d) Discharge a firearm, except down range from an established shooting station and at a paper target.

(3) Possess or be under the influence of a controlled substance or alcohol or a combination of a controlled substance and alcohol.

(4) The district wildlife biologist may appoint a range officer. If appointed, the range officer shall have the authority to close the area when, in the range officer's opinion, the safety of persons or property is endangered.

This amended order shall be posted on or after the 12th day of August, 2016.

Issued on this 11th day of August, 2016.

Keith Creagh
Director