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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: April 19, 2021
RESUBMITTED: May 17, 2021

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission
Subject: Shooting Preserve Regulations
Shooting Preserve Order Amendment No. 1 of 2021

Authority:

The Department may issue orders under Part 417 of the Natural Resources and Environmental Protection Act, Act 451 of 1994, governing the administration of game bird hunting preserves.

Discussion and Background

In 1989, the Legislature authorized the Natural Resources Commission (NRC) to issue shooting preserve orders under the Private Shooting Preserves Act, 1957 PA 134 rather than have it accomplished by the Department under the administrative rules process. Accordingly, the NRC issued the Shooting Preserve Commission Order that replaced the administrative rules in 1993, effective upon recession of the administrative rules. In 1995, the Private Shooting Preserves Act 1957 PA 134 was repealed and incorporated into the Natural Resources and Environmental Protection Act, 1994 PA 451, and the authority to issue orders was delegated to the Director. The administrative rules governing the shooting preserve regulations did not repeal until 2001, in which the Director reissued the former order issued by the Natural Resources Commission.

Since 2001, only one change has been made to the Shooting Preserve Order. In 2020, the Department extended the open season to August 14, 2020 due to COVID-19 to provide additional opportunity for preserve operators to commence normal business practices.

There are currently 229 shooting preserves in Michigan. The Department has conducted a review of the current shooting preserve regulations and recommends two changes.

Extend the Open Hunting Season to Year-round for Released Pheasants, Bobwhite Quail, and Hungarian Partridge

Most shooting preserves operate August 15 through April 30, which is the open hunting season for released pheasants, bobwhite quail, Hungarian partridge, and mallard ducks. In addition, there are shooting preserves that are open year-round, but are only allowed to offer shooting for exotic birds including chukar partridge, coturnix quail, Tennessee red quail, and fancy pheasants (Reeves, golden, etc.) during the May 1 through August 14 off season. To provide additional recreational opportunities, and provide recruitment and retention of hunters, the Department recommends opening the shooting preserve hunting season from August 15 through April 30 to year-round for released pheasants, bobwhite quail, and Hungarian partridge. The open hunting season for released mallard ducks will remain August 15 through April 30 due to the biological concerns associated with the intermingling with wild mallard ducks.

Issues Pros and Cons

Shooting preserves provide hunters and recreationalists an opportunity to practice game bird hunting before, during, and after the open game bird seasons. Shooting preserve users often include beginner hunters who want to learn how to hunt game birds, casual hunters who do not own a dog but want to enjoy the hunting experience, clients who take their customers for entertainment purposes, and dog owners or trainers. Extending the season to year-round for hunting released pheasants, bobwhite quail, and Hungarian partridge will provide an additional three and a half months of opportunities for those hunters or recreationalists who want to hunt, entertain, or dog train on released game birds.

The shooting preserve season has been in place for many years. Hunters or recreationalists who use shooting preserves during the off-season may find areas more crowded if the season is open year-round.

Other States

The Department researched other states open seasons for shooting preserves. The results are the following:

- Indiana: The open hunting season for released game birds including pheasants, quail, chukar partridges, and mallard ducks on shooting preserves is September 1 through April 30.
- Illinois: The open hunting season for released game birds on Class A Game Breeding and Hunting Preserve Areas is September 1 through April 15. The open hunting season for released game birds on Class B Game Breeding and Hunting Preserve Areas is year-round. Released game birds include pheasants, bobwhite quail, Hungarian partridges, chucker partridges, coturnix, wild turkeys, and mallard ducks.
- Ohio: The open hunting season for released pheasants, bobwhite quail, black ducks, mallard ducks, chukar partridges is year-round.
- Minnesota: The open hunting season for released game birds on private shooting preserves is September 15 until December 31. The open hunting season for released game birds on commercial shooting preserves is year-round. Unprotected birds, pheasant, and bobwhite quail may be released on private shooting preserves and pheasant, bobwhite quail, turkey, mallard duck, and black duck, may be released on commercial shooting preserves.
- Wisconsin: The open hunting season for released game birds on Class A bird hunting preserves is year-round. The open hunting season for released game birds on Class B bird hunting preserves is year-round, however pheasant restrictions apply. The hunting season for captive mallard ducks on a hunting preserve is the same as the waterfowl season.

Biological

Studies show that there is an increased risk of genetic introgression, hybridization, and disease transmission when captive mallard ducks on shooting preserves are released in a free-flying condition and allowed to intermingle with wild ducks. The proposed recommendation of extending the hunting season year-round does not apply to captive mallard ducks because of the biological concerns. Currently, 13 of the 229 shooting preserves allow the release of captive mallard ducks.

The Department does not expect a biological impact to wild upland game birds because of the low survival rates due to predators and starvation.

Social

The Michigan Bird and Game Breeders Association supports this proposed recommendation.

Economic

Extending opportunities at shooting preserves may provide economic benefits by increasing recreation and hunting-related expenditures. It may also provide more business to the shooting preserves.

Remove the Acreage Limit Per County

Current shooting preserve regulations limit the total area of all licensed shooting preserves in a county to no more than one percent of the total land area of that county. To provide additional recreational opportunities, the Department recommends removing this regulation.

Issues Pros and Cons

This regulation has been in place since the 1950's, when shooting preserves were first regulated in the state of Michigan. There was a limited amount of shooting preserves in Michigan (35) because wild game birds were relatively abundant on both public and private lands. The shooting preserves offered an opportunity for those hunters who were willing to pay annual membership dues for a private hunting experience, and hunters who did not want to pay were able to enjoy game bird hunting around the state. Since then, there has been a decline of wild game bird numbers due to agriculture practices, land use, and regional climate. Areas such as the Southern Lower Peninsula (SLP) once contained some of the best upland game bird habitat in the state but has experienced extensive human development and loss of grasslands. Now, hunters (especially in the SLP) are challenged with finding good hunting areas that do not require traveling a far distance. Removing the one percent cap on the total area of shooting preserves in a county will allow the Department to approve additional requests for shooting preserves, providing more accessible recreational opportunities for hunters.

Current shooting preserves may feel additional pressure if more shooting preserves are licensed and exceed the one percent acreage limit per county.

Other States

The Department researched other states to see if there was an acreage limit per county. The results are the following:

- Illinois: There is no acreage limit per county.
- Ohio: There is no acreage limit per county.
- Indiana: There is no acreage limit per county.
- Minnesota: There is no acreage limit per county for private or commercial shooting preserves. However, private shooting preserves are only allowed in certain counties.
- Wisconsin: There is no acreage limit per county.

Biological

The Department does not expect a biological impact.

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Social

The Michigan Bird and Game Breeders Association supports this proposed recommendation.

Economic

Additional shooting preserves may provide economic benefits by increasing recreation and hunting-related expenditures. It may also provide more business to the shooting preserves.

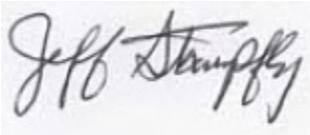
Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on May 13, 2021, at the Natural Resources Commission meeting. This item appeared on the Department's April calendar and may be eligible for approval on June 10, 2021.



Jared Duquette, Chief
Wildlife Division



Gary Hagler, Chief
Law Enforcement Division



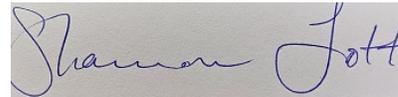
Jeff Stampfly, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
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Shannon Lott
Natural Resources Deputy

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

Daniel Eichinger, Director

Date

SHOOTING PRESERVE ORDER

Amendment No. 1 of 2021

By authority conferred on the Director of the Department of Natural Resources by section 41710 of the Natural Resources Environmental Protection Act, 1994 PA 451, MCL 324.41710, it is ordered that effective June 11, 2021, the following section(s) of the Shooting Preserve Order shall read as follows:

30.5 Repealed. Am. 1, 2021, Eff. May 14, 2021.

Publisher's Note: The repealed section pertained to acreage limit per county.

30.8 Open Seasons.

Sec. 30.8. The shooting season for the taking of pheasants (*Phasianus*), Hungarian partridges, bobwhite quail, and the nonnative birds specified in section 30.7 on licensed preserves is open year-round. The shooting season for the taking of mallard ducks on licensed preserves opens on August 15 and closes on April 30.

Issued on this 10th day of June, 2021.

Daniel Eichinger
Director