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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



SHANNON LOTT
ACTING DIRECTOR

SUBMITTED: May 15, 2023

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Order to Regulate Target Shooting at the Cornish State Game Area, Dr. Gordon Guyer Augusta Creek State Wildlife Area, and Three Rivers State Game Area
Land Use Order of the Director Amendment No. 2 of 2023
FOR INFORMATION ONLY

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:

In 2016, the Department applied consistent land use rules across all designated state game areas (SGAs) and state wildlife areas (SWAs), excluding defined shooting ranges. These included prohibitions on:

- Target shooting at other than a paper, cardboard, or commercially produced portable target designed and manufactured for the specific purpose of target shooting.
- Using or attempting to use:
 - Incendiary or explosive targets.
 - Incendiary or explosive ammunition.
 - Armor piercing ammunition, as defined by section 224c of 1931 PA 328, MCL 750.224c.
 - Tracer ammunition.
 - A firearm, other than a pistol, revolver, shotgun, rifle, hand-held firearm or a muzzle-loading firearm
 - A muzzle-loading firearm exceeding .80 caliber.
- When skeet and trap shooting, using other than clay targets and shot size BBB or smaller, unless posted otherwise.
- Target shooting 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.
- Possessing or being under the influence of a controlled substance or alcohol or a combination of a controlled substance and alcohol while target shooting.

These broadly applied land use rules have in many cases allowed for safe and fair use of wildlife-managed lands and consistent enforcement across SGAs and SWAs. Unfortunately, at some SGAs and SWAs target shooting activity has resulted in a variety of safety, nuisance, user conflict, and habitat destruction issues. The Department proposes prohibiting target shooting with a firearm at Three Rivers SGA, Cornish SGA, and the Dr. Gordon Guyer Augusta Creek SWA. The recommendation to prohibit target shooting at these three areas is supported by staff in Law Enforcement Division, Wildlife Division, and Marketing and Outreach Division. This closure will minimize impacts of lead on nesting waterfowl and grassland birds, align habitat management goals at each location, resolve issues with private landowners, and ensure other

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wildlife-focused recreation activities can occur without conflict. In addition, the Department's construction of a new shooting range at the Barry SGA is nearing completion. The Barry SGA Range and the Department's Echo Point Shooting Range within the Allegan SGA are less than an hour's drive from each of the areas recommended for closure. In addition, private and/or partner shooting ranges exist within 15 minutes of each of the areas to provide alternate target shooting opportunities.

At Three Rivers SGA, the Department has received complaints from residents within nearby neighborhoods, including the following:

- Trees on private property have been hit by bullets
- A barn roof on private property has been hit by bullets
- Litter accumulates on public land and travels over to private property
- The land is flat which can allow bullets to travel further than the shooter may expect

To address some of these concerns, Department staff have previously posted signs in areas near neighborhoods that say, "No Target Shooting." However, law enforcement personnel cannot enforce this posting without this proposed order being in place. Because there are multiple locations within this SGA where target shooting activities have been taking place, the Department recommends closing the entire SGA to the activity to eliminate these public safety and property damage concerns. There is a privately owned tactical range near the Three Rivers SGA.

In addition, the Department recommends prohibiting target shooting at the Dr. Gordon Guyer Augusta Creek SWA – a small wildlife area encompassing 386 acres near Richland in Kalamazoo County. A public shooting range is being constructed at the Barry SGA which is only about a 10-minute drive from the Augusta Creek State Wildlife Area. The shooting range is expected to be open this summer.

The following are examples of public safety, property damage, and habitat destruction issues that have been taking place:

- At another parking lot Department staff have placed stumps as barricades and posted no target shooting signs to curtail public safety issues due to the proximity of neighboring houses.
- In one location, shooters are utilizing a county road right-of-way as a shooting lane.
- Multiple target shooting locations have wetlands and a designated trout stream (Augusta Creek) downrange, resulting in lead shot and projectiles being deposited in these sensitive habitats.
- There is also an excessive amount of litter left behind in places where target shooting activities occur.

The Department recommends prohibiting target shooting at the Cornish SGA as well. The Department has identified the following safety and habitat issues:

- There are homes along Cedar Lake on the southside of the SGA where an increase in target shooting activity has been taking place since the purchase of the SGA in 2015.
- The federally-owned Kinney Waterfowl Production Area is adjacent to the SGA. Accordingly, there are already federal rules in that area that prohibit target shooting. This order would ensure that rules on the federal and State property are in alignment.
- There are extensive wetland habitats dedicated toward waterfowl management that are downrange from some of the frequent target shooting locations. Despite a non-toxic shot only restriction, lead shot continues to be used by target shooters and is being

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deposited in the wetland where waterfowl feed, potentially exposing them to lead poisoning.

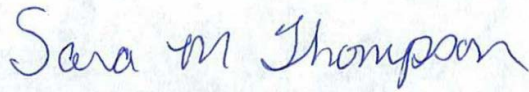
- Cornish SGA is a pheasant release area for the Michigan Pheasant Hunting Restoration Initiative. The resulting increased hunting pressure during pheasant season makes it unsafe for target shooting. Target shooting also has the potential to negatively affect the hunting of pheasants by hazing them off the public lands where they are released.
- There is an excessive amount of litter left behind in places where target shooting activities occur.

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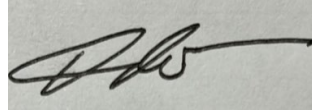
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Relevant Divisions have contributed to the preparation of this order. This order is being submitted for information and consideration. This item appeared on the Department's May 30, 2023 calendar and may be eligible for approval on July 13, 2023.



Sara Thompson, Acting Chief
Wildlife Division



David Shaw, Chief
Law Enforcement Division



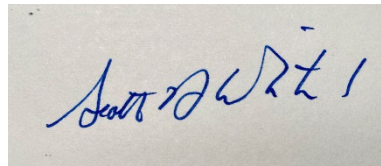
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LAND USE ORDERS OF THE DIRECTOR

Amendment No. 2 of 2023

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:

3.35 Cornish state game area, Van Buren county, prohibited conduct.

Order 3.35 An individual shall not do any of the following on the lands and public waters of the Cornish state game area, Van Buren county:

- (1) Launch a watercraft with a motor on grass lake, except those using electric motors.
- (2) Park at any location other than a designated parking lot.
- (3) Target, skeet, or trap shoot with a firearm.

3.40 Dr. Gordon Guyer Augusta Creek state wildlife area, Kalamazoo county, prohibited conduct.

Order 3.40 An individual shall not do any of the following on the lands and public waters of the Dr. Gordon Guyer Augusta Creek state wildlife area, Kalamazoo county:

- (1) Target, skeet, or trap shoot with a firearm.

3.41 Three rivers state game area, Cass and St. Joseph counties, prohibited conduct.

Order 3.41 An individual shall not do any of the following on the lands and public waters of the Three rivers state game area, Cass and St. Joseph counties:

- (1) Target, skeet, or trap shoot with a firearm.

Issued on this 13th day of July, 2023.

Approved as to matters over which the Director has authority.

Shannon Lott
Acting Director