



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: April 8, 2021

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Order to Regulate Target Shooting at the Muskegon State Game Area
and the Rogue River State Game Area
Land Use Order of the Director Amendment No. 4 of 2021
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:

Over the last 15 years, the Department enacted several Land Use Orders of the Director (LUOD) intended to improve safety and regulate target shooting activities at the Muskegon and Rogue River State Game Areas. LUOD Amendment No. 10 of 2001 (LUOD 3.28) prohibited target shooting activities in the vicinity of Lanes Trail at the Muskegon State Game Area, and LUOD Amendment No. 3 of 2011 (LUOD 3.30) prohibited target shooting activities on the Rogue River State Game Area Annex. In addition, LUOD Amendment No. 6 of 2016 (LUOD 3.2a) provided basic target shooting regulations to facilitate responsible use across all designated game and wildlife areas.

While these LUODs helped limit safety, user, and resource conflicts in the past, target shooting within both the Rogue River State Game Area (RRSGA) and the Muskegon State Game Area (MSGA) has increased substantially over the last two years. DNR staff have received increasing numbers of complaints from neighboring landowners with safety concerns related to individuals target shooting after hours, without proper backstops, parking on county roads and disrupting traffic flow, and shooting beyond existing berms into adjacent game area property.

In 2017, DNR staff were contacted by North Country Trail (NCT) coordinators who had received numerous complaints from trail users regarding individuals target shooting within the Rogue River State Game Area near the NCT. These users affirmed that target shooters were shooting into the forest, not utilizing proper backstops and shotfall was outside of the target shooting area and falling within adjacent wetlands and potentially along the NCT route. Staff created new signage and posted the site and increased enforcement, but the use continues to increase.

With the closure of designated Department ranges this spring, use at RRSGA and MSGA increased and has created safety concerns, user conflicts and resource damage. Local residents, NCT users, township supervisors and area users have reached out to numerous Department staff to relay safety concerns and user conflict experiences. These State Game Areas (SGAs) are very popular for target shooters venturing out from metropolitan areas like Grand Rapids seeking locales that they feel can be used freely. Unfortunately, the target shooting locales within the RRSGA and MSGA are not well suited to high volume use and,

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consequently, individuals have begun shooting in other, less desirable, portions of the SGAs resulting in a variety of safety, nuisance, user conflict, and habitat destruction issues. Given the increased safety concerns and conflicts, the Department recommends that the RRSGA, in its entirety, be closed to recreational target shooting. The Department further recommends that the west unit of the MSGA be closed to target shooting. This proposed order does not prohibit archery activities, or organized target shooting events authorized by the Department.

Department staff engaged in numerous conversations with neighboring landowners, township supervisors, target shooters, and trail users over the years in hopes of ensuring compliance and allowing recreational target shooting to continue. Law Enforcement Division and Wildlife Division staff spent countless hours in contact with target shooters, cleaning the varied target shooting sites and attempting to direct and control target shooting activities while maintaining safe hunting and recreation activities at the SGAs. Despite these efforts, the number and type of target shooters within these SGAs has increased to such a degree that not only are the "formal" target shooting areas being over-used and damaged, target shooting has expanded into unsafe locations without proper backstops creating safety concerns and causing damage to forested wetlands. The increased use has created unsafe conditions at the target shooting locale and in adjacent areas of the SGAs. The unsafe practices, parking along the county roads, trash, and after-hours shooting have created conflict with neighboring landowners and businesses, users of the North Country Trail and other individuals using the SGAs.

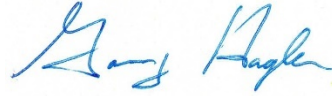
At this time, the level and type of use has exceeded the capacity of these SGAs. There are over 20 partner ranges within 30 miles of each of these SGAs that afford suitable options for the target shooting community.

This order will protect the RRSGA and the MSGA from safety issues, expanded trash, noise complaints, conflicts with trail users and hunters, and ensure continued protection of the RRSGA and the MSGA.

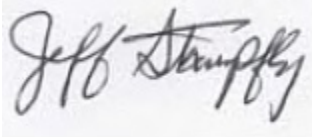
Relevant Divisions have contributed to the preparation of this order. This order is being submitted for information and consideration. This item appeared on the Department's April calendar and may be eligible for approval on May 13, 2021.



Jared Duquette, Chief
Wildlife Division



Gary Hagler, Chief
Law Enforcement Division



Jeff Stampfly, Chief
Forest Resources Division



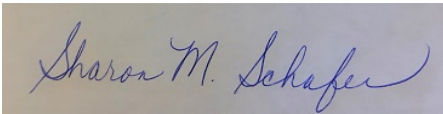
Ronald A. Olson, Chief
Parks and Recreation Division



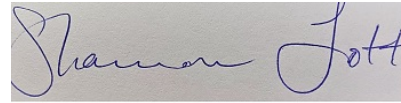
James Dexter, Chief
Fisheries Division



Kristin Phillips, Chief
Marketing and Outreach Division



Sharon Schafer, Chief
Finance and Operations Division



Shannon Lott
Natural Resources Deputy



Mark Hoffman
Chief Administrative Officer

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 4 of 2021

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:

3.28 Vicinity of Lanes trail, Muskegon state game area, Muskegon county, prohibited conduct.

Order 3.28 (1) **Except as otherwise provided in this section,** A a person shall not do any of the following on or within 450 feet of the access road, commonly referred to as Lanes trail, upon state-owned lands in the **west unit of the** Muskegon state game area, Muskegon county: ~~being all or portions of section 3, T10N R15W, and section 34, T11N R15W:~~

- (1) (a) Target, trap, or skeet shoot **with a firearm.**
- (2) (b) Discharge a firearm in a designated parking area.
- (c) **A person may request approval to hold an organized shooting event from the department.**

3.30 Rogue river state game area and Rogue River state game area extension, Kent county, prohibited conduct.

Order 3.30 (1) **Except as otherwise provided in this section,** A a person shall not do any of the following on the Rogue river SGA **or the Rogue river SGA** extension, T9N R11W, Kent County:

- (1) (a) Target, trap, or skeet shoot **with a firearm.**
- (b) **A person may request approval to hold an organized shooting event from the department.**

This amended order shall be posted on or after the 14th day of May 2021.

Issued on this 14th day of May 2021.

Daniel Eichinger
Director