



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: October 18, 2021
RESUBMITTED: November 16, 2021



MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission
Subject: Order to Restrict Firearm Use on State Forest Lands in Benzie County
Land Use Order of the Director Amendment No. 7 of 2021

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, authorizes the Director to issue orders to implement land use rules.

Discussion and Background:

Over the last five years, informal target shooting within the Traverse City State Forest has become increasingly popular for recreational target shooters. Prior Land Use Orders of the Director (LUOD) restricted target shooting in parts of Grand Traverse County to improve safety and regulate target shooting activities following the opening of the Department of Natural Resources (DNR) Supply Road Shooting Range.

Expanded target shooting activities in Benzie County have created unsafe conditions for public land users and neighboring landowners in the NW ¼ of the SW ¼ of section 11, T26N, R14W, Benzie County, near the vicinity of North Pioneer Road. The DNR has received and investigated numerous complaints regarding unsafe conditions and projectiles leaving the informal target shooting area commonly known as the North Pioneer Road Shooting Area. Several occupied dwellings have been struck by bullets, and adjacent homeowners have complained of repeated near misses while occupying their yards and other property. These complaints have been verified through direct contact with DNR Law Enforcement Division (LED) officers, as well as via the Benzie County Sheriff's Department.

Following receipt of these complaints, DNR staff took action to drive responsible and safe target shooting at this location. Forest Resources Division staff posted signs at the site to encourage shooters to fire from the base of the hill, rather than from the elevated parking area. Shooting benches/tables were relocated to the base of the hill, and local LED staff made concerted efforts to contact target shooters and encourage responsible use of the area.

Despite these efforts, user conflict and safety issues have continued and additional complaints of projectiles leaving the target shooting area have been received. Given the increased and continuing safety concerns and conflicts, the North Pioneer Road DNR Shooting Area was closed by a 90-day Emergency Land Use Order of the Director on September 30, 2021, which will expire on December 29, 2021.

To protect the users of the state forest and the neighboring property owners from these safety issues, North Pioneer Road DNR Shooting Area should be permanently closed to target

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shooting until such time as the public safety concern can be eliminated at the site. The DNR will explore alternatives such as site improvements, building an alternate range, or facilitating improved shooting opportunities at privately run ranges. However, none of these options can feasibly be accomplished within the 90-day timeframe of the existing Emergency closure, and a permanent closure is necessary until such action can be taken.

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Recommendation:

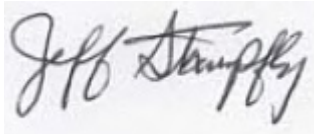
Relevant divisions have contributed to the preparation of this order. This order was submitted for information on November 10, 2021, at the Natural Resources Commission meeting. This item appeared on the Department's November calendar and is eligible for approval on December 9, 2021.



Jared Duquette, Chief
Wildlife Division



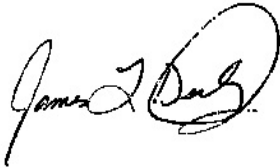
Gary Hagler, Chief
Law Enforcement Division



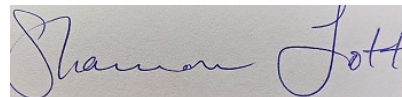
Jeff Stampfly, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division

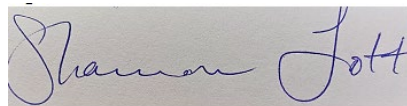


James Dexter, Chief
Fisheries Division



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.



for

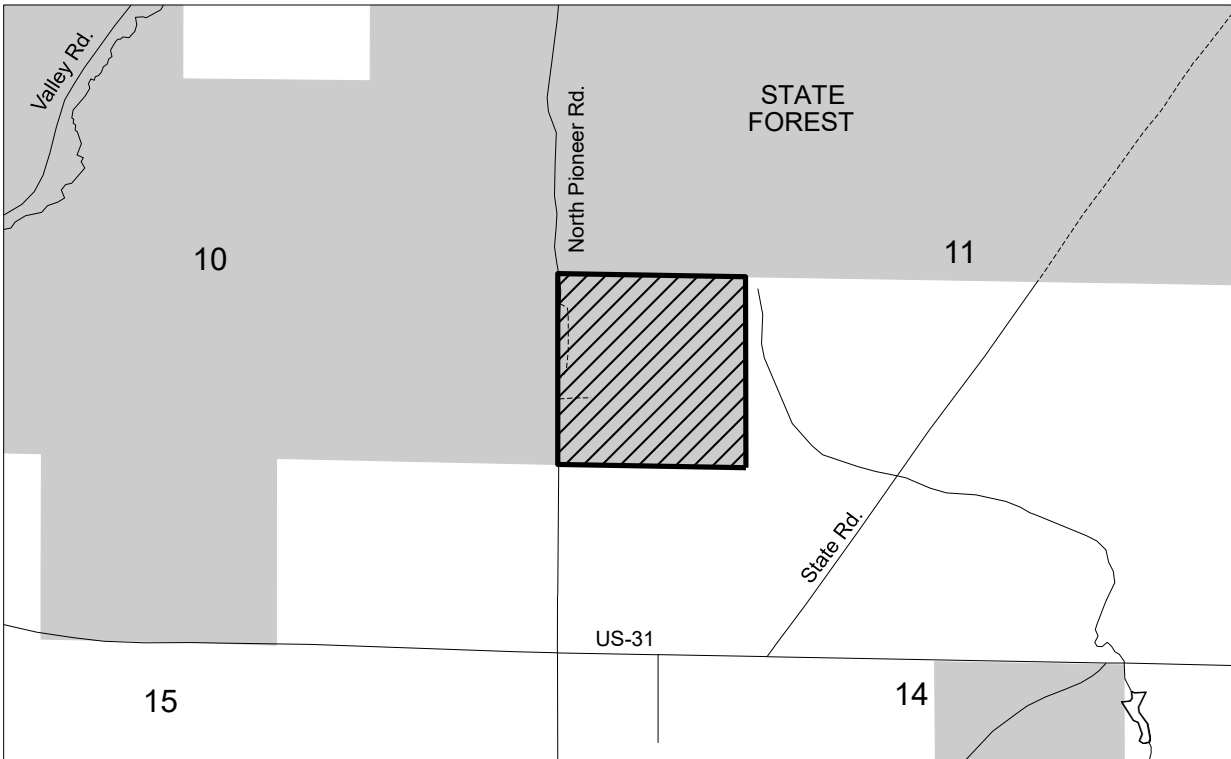
December 9, 2021

Daniel Eichinger, Director



Date

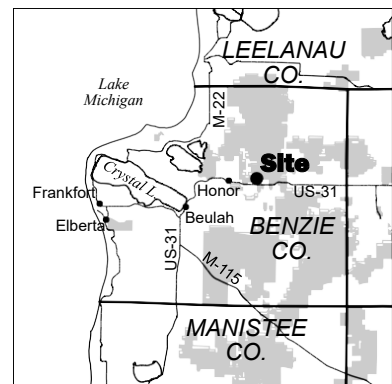
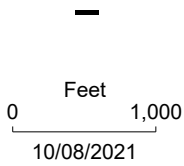
NORTH PIONEER ROAD SHOOTING AREA

Land Use Order of the Director, Amendment No. 7 of 2021
Traverse City Forest Management Unit - Benzie County



Section 11, T26N, R14W, Homestead Township

-  Target shooting area to be closed on state land
-  State land



Benzie County

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 7 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, MCL 324.504(11), and in accordance with R 299.921 to R 299.933, the Director of the Department of Natural Resources orders the following:

4.10 Certain State-owned lands, Benzie County, use or occupancy prohibited at certain times, prohibited conduct.

Order 4.10 (1) A person shall not use or occupy for any purpose the following described state-owned lands in Benzie County between the hours of 1 a.m. and 4 a.m.:

(a) Homestead dam boating access site located within section 2, T25N R15W.

(b) US-31 boating access site located within section 2, T25N R15W.

(c) Grace road boating access site located within section 34, T26N R15W.

(2) A person shall not do any of the following on state-owned lands within section 2, T25N R15W:

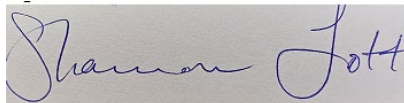
(a) Camp.

(b) Establish or tend a fire for any purpose.

(3) On state-owned land commonly known as the North Pioneer Road DNR Shooting Area in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section 11, T26N, R14W, Benzie County, a person shall not target, trap, or skeet shoot.

This amended order shall be posted on or after the 10th day of December 2021.

Issued on this 9th day of December 2021.



for

Daniel Eichinger
Director