



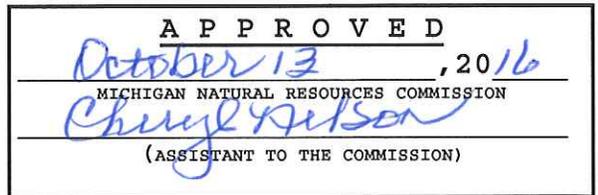
STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



RICK SNYDER
GOVERNOR

KEITH CREAGH
DIRECTOR

SUBMITTED: August 15, 2016
RESUBMITTED: September 12, 2016



MEMORANDUM TO THE NATURAL RESOURCES
COMMISSION

Subject: Fisheries Order 201.16
Special Fishing Regulations, Big Island Lake Complex, Schoolcraft County

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director and the Commission to issue orders to regulate the taking of fish in the waters of this state.

Discussion and Background:

This Order covers special fishing regulations governing the waters of Big Island Lake Wilderness in Schoolcraft County. The area consists of 5,295 acres containing 23 lakes, ranging in size from five to 149 acres and joined by short, marked portages forming an expansive waterway for kayakers and canoeists. This popular destination is a designated wilderness area within the Hiawatha National Forest located in the central Upper Peninsula. Use of motorized equipment and equipment used for mechanical transport (including carts and portage wheels) is generally prohibited on all lands designated as wilderness. Wilderness areas require special fishing regulations such as: gear restrictions, shortened possession seasons, increased size limits, and reduced possession limits to protect and conserve fish populations from over harvest within the area. These regulations have been effective and in place for many years. The Order has undergone staff review and is being submitted for renewal. Several lake names are proposed for addition to the Order to help clarify the coverage of these regulations. No changes are proposed to the current fishing regulations for Big Island Lake Wilderness.

Issue Pros and Cons

Maintaining the current regulatory structure will continue to protect the limited fishery resources within the wilderness area which anglers currently support. There are no cons to note.

Neighboring States

Placing special fishing regulations to protect and enhance fisheries is an accepted practice. Fishery managers utilize special regulations as a means to restrict or expand different angling opportunities. Anglers are generally supportive of added protection or liberalizing fishing regulations when the science is presented.

Biological

High use areas require special regulations to protect fish communities from overharvest for future visitors to enjoy. These regulations are biologically based and have been effective.

Social

Anglers who visit the wilderness area are supportive of these regulations which allow harvest of a limited number of fish for table fare. This allowance may benefit those who choose to pack less food into the area since they can keep some fish for a meal.

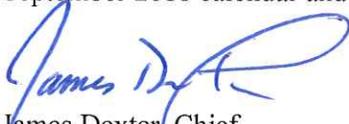
6

Economic

The Department does not expect the proposed changes to have any significant budgetary or personnel implications.

Recommendation:

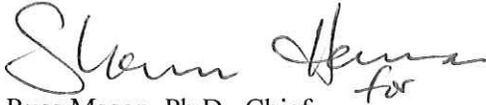
This Order was submitted for information and consideration. This item appears on the Department's September 2016 calendar and may be eligible for approval on October 13, 2016.



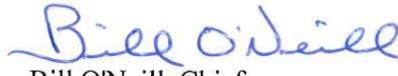
James Dexter, Chief
Fisheries Division



Gary Hagler, Chief
Law Enforcement Division



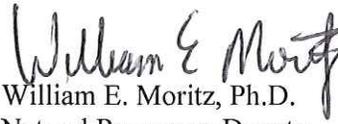
Russ Mason, Ph.D., Chief
Wildlife Division



Bill O'Neill, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



William E. Moritz, Ph.D.
Natural Resources Deputy

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



Keith Creagh, Director

10/13/16

Date

FISHERIES ORDER

Special Fishing Regulations, Big Island Lake Complex, Schoolcraft County Order 201.16

By authority conferred on the Natural Resources Commission and the Department of Natural Resources by Part 487 of 1994 PA 451, MCL 324.48701 to 324.48740, it is ordered on October 14, 2016, the following section(s) of the Fisheries Order shall read as follows:

The Big Island Lake Complex is described as all lands and waters bounded by County Road 445 on the west, County Road 437 on the south, U. S. Forest Service Haywire Grade Snowmobile Trail on the east and Townline Lake Road on the north. The area includes all connecting waterways with 19 major lakes plus several unnamed lakes: Cucumber, Big Island, Townline, Mid, Upper, Coattail, Onega, McInnes, Klondike, Center, Neds, Vance, Twilight, Farm (Blush), Byers, Nevilles, Bluegill, Pear, and Jarr Lakes, all in Schoolcraft County.

1. It shall be unlawful to fish by any means other than hook-and-line.
2. Artificial lures only, use of live bait is prohibited.
3. Minimum size limits, possession limits, and open seasons are as follows:

Species	Open Seasons	Min. Size Limit	Possession Limit
Muskellunge (including Tiger Muskellunge) (see Note 1)	May 15 – November 30	42 inches	1 fish per angling season
Northern Pike	May 15 – November 30	42 inches	1 fish per day
Bass	Sat. before Memorial Day – November 30	18 inches	1 fish per day
Yellow Perch, Bluegill & Pumpkinseed	Last Sat. in April - November 30	No size limit	5 fish per day in combination
Trout (Neds & Twilight only)	Last Sat. in April – Sept. 30	15 inches	1 fish per day

Note 1 - A nontransferable Muskellunge Harvest Tag must be obtained prior to harvesting any muskellunge. The tag is at no cost and available at all license vendors. A harvested muskellunge shall be immediately tagged with a validated Muskellunge Harvest Tag. Muskellunge harvest is limited to one (1) muskellunge per angler per year (April 1 – March 31).

4. It shall be unlawful to take or possess any other species of fish from these waters.

This Order shall be assigned number FO-201.16, and is entitled "Special Fishing Regulations, Big Island Lake Complex, Schoolcraft County."

This Order supersedes the Order entitled "Special Fishing Regulations, Big Island Lake Complex, Schoolcraft County," which became effective April 1, 2013, and is assigned number FO-201.13.

This Order shall take immediate effect on October 14, 2016 and shall remain in effect until amended/rescinded.

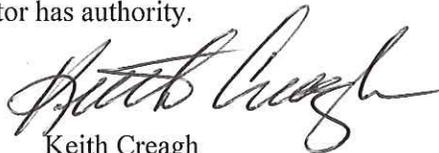
Issued on this 13th day of October, 2016.

Approved as to matters over which the Natural Resources Commission has authority.



John Matonich, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.



Keith Creagh
Director



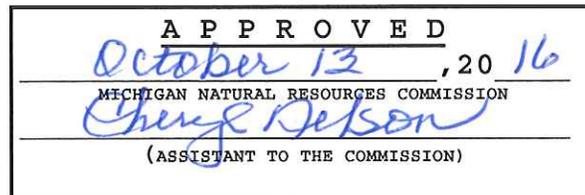
STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



RICK SNYDER
GOVERNOR

KEITH CREAGH
DIRECTOR

SUBMITTED: August 15, 2016
RESUBMITTED: September 12, 2016



MEMORANDUM TO THE NATURAL RESOURCES
COMMISSION

Subject: Fisheries Order 216.16
Minnow, Wiggler, and Crayfish Regulations for Commercial Purposes and
Waters that are Closed to the Personal Take of Minnows

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director and the Commission to issue orders to regulate the taking of fish in the waters of this state.

Discussion and Background:

The personal and commercial collection of minnows, wigglers, and crayfish are regulated by Fisheries Orders. Fisheries Order 216 governs Michigan's regulations covering the taking of minnows for commercial purposes. This Order is being recommended as the basis for consolidation with several other similar Orders into a single Order to simplify regulatory complexity. Therefore, the following Orders are recommended to be added to this Order and rescinded by this Order:

- FO-203 Waters Closed for the Taking of Minnows for Personal Use
- FO-227 Waters Open and Regulations Governing the Taking of Wigglers and Crayfish for Commercial Purposes
- FO-231 Catch Reporting Regulations for Commercial Minnow, Wigglers and Crayfish Catchers

Combining these Orders makes sense from both content and a functional stand point during license issuance. All four Orders are specific to some manner of bait harvest or reporting. Additionally, license control attaches a copy of each Order with each commercial minnow catchers license when they are issued. Combining these Orders into one Order will significantly decrease effort and the amount of material sent out annually by the Department's license control.

In addition to the proposed consolidation, Fisheries Division performed a complete review of the content of each Order. After review, most of the previous content was moved verbatim to the new Order, but some changes are proposed. Currently there are 19 lakes out of over 11,000 with commercial bait collection closures. Additionally, there are 5 river/stream locations out of tens of thousands of miles in the state that are also closed to commercial bait collection. The following changes are proposed to the current list of closures:

- 1) After 45 years of closure, the Southern Lake Michigan Unit staff could not find a defensible biological justification for Gun Lake in Allegan and Barry counties to remain closed to commercial bait collection. Therefore, the Gun Lake restriction is being recommended for removal from the combined Order.

The following special closures were recommended for continuance:

- 1) Silver Lake and its tributaries in Oceana County and Kent Lake and its tributaries in Oakland and Livingston counties are currently closed to the personal and commercial collection of minnows due to the verified presence of the Koi Virus that has caused large carp kills at both locations. This virus can be transported through baitfish and the Department recommends keeping these location closed to baitfish collection.
- 2) Birch Lake in Cass County was closed to commercial bait collection 28 years ago due to the social concerns raised by riparian owners and other community leaders. Additionally, state threatened ciscoes are present in the lake and require protection. Therefore it was recommended that Birch Lake remain closed to commercial minnow harvest.
- 3) All remaining closures to personal and commercial bait harvest were made a generation ago and are well accepted. The records are scarce regarding biological rationale. The individual management units will consider other designation changes when baitfish assessments have been completed.

Recent changes in the prohibited and restricted species lists under Part 413 of P.A. 451 of 1994 facilitated that the phrase “for commercial purposes” was added at several locations within the Order for clarification.

Issue Pros and Cons

Fisheries Division and anglers have benefitted from previous Order consolidations and this consolidation should result in less complexity for our anglers, commercial harvesters as well as staff and law enforcement personnel who support these changes. There are no cons to report.

Biological

Managers are trying to reduce the risk of disease spread by limiting the movement of baitfish on these waters into other waters. This makes sense from a biological stand point.

Social

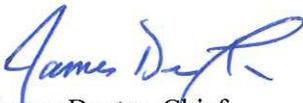
Anglers are generally supportive of more restrictive regulations in order to reduce the risks associated with fish disease and its spread. In contrast, some waters closed to minnow harvest may have been added primarily due to local social issues and perceived threats to minnow populations through commercial minnow harvest.

Economic

The Department does not expect the proposed changes to have any significant budgetary or personnel implications. There may be some Department savings due to less paper printed and attached to commercial bait harvest licenses.

Recommendation:

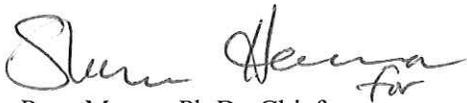
This Order was submitted for information and consideration. This item appeared on the Department's September 2016 calendar and may be eligible for approval on October 13, 2016.



James Dexter, Chief
Fisheries Division



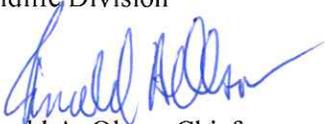
Gary Hagler, Chief
Law Enforcement Division



Russ Mason, Ph.D., Chief
Wildlife Division



Bill O'Neill, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



William E. Moritz, Ph.D.
Natural Resources Deputy

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



Keith Creagh, Director



Date

FISHERIES ORDER

Minnow, Wiggler, and Crayfish Regulations for Commercial Purposes and Waters that are Closed to the Personal Take of Minnows Order 216.16

By authority conferred on the Natural Resources Commission and the Department of Natural Resources by Part 487 of 1994 PA 451, MCL 324.48701 to 324.48740, it is ordered on October 14, 2016, the following section(s) of the Fisheries Order shall read as follows:

Waters closed to the taking of minnows for personal use

No person shall take or attempted to take minnows for personal use from the following waters:

- 1) Hatlem's Creek, a tributary to Glen Lake, Leelanau County.
- 2) Silver Lake, Oceana County, and all tributaries flowing into Silver Lake.
- 3) Kent Lake including the Huron River upstream to the Hubbell Millpond dam in Milford, Livingston and Oakland Counties.

Waters open and regulations for the taking of minnows for commercial purposes; definitions

- 1) The following waters are open to the taking of minnows for commercial purposes:
 - a) Great Lakes and connecting waters (including Lakes Michigan, Huron, Erie, and St. Clair, and the St. Mary's, St. Clair, and Detroit Rivers) except, that portion of Tawas Bay of Lake Huron lying between the projections of Wadsworth and Church Streets of East Tawas for a distance of 900 feet out from the water's edge.
 - b) All non-trout streams, except that the following non-trout streams are closed to the taking of minnows for commercial purposes:
 - i) All non-trout streams within the boundaries of the Grayling Sports Park in Crawford County.
 - ii) All non-trout streams within the boundaries of the Palms Book State Park in Schoolcraft County.
 - c) All inland lakes, except the following inland lakes are closed to the taking of minnows for commercial purposes year-round:
 - i) Lake Leelanau in Leelanau County.
 - ii) Cedar Lake in Alcona and Iosco Counties.
 - iii) Lake Bellaire and Clam Lake in Antrim County.
 - iv) Torch Lake in Antrim and Kalkaska Counties.
 - v) All lakes within the boundaries of the Grayling Sports Park in Crawford County.
 - vi) All lakes within the boundaries of Palms Book State Park in Schoolcraft County.
 - vii) Birch Lake in Cass County.
 - viii) Black Lake and tributaries in Cheboygan and Presque Isle Counties.
 - ix) Big Glen Lake in Leelanau County.
 - x) Kent Lake including the Huron River upstream to the Hubbell Millpond Dam in Milford in Livingston and Oakland Counties.
 - xi) Silver Lake, Oceana County, and all tributaries that flow into Silver Lake.
 - d) All inland lakes, except the following inland lakes are closed to the taking of minnows for commercial purposes from May 15 through September 15, inclusive:
 - i) Higgins Lake in Roscommon County.
 - ii) Lake Margrethe and K.P. Lake in Crawford County.
 - iii) Tea Lake in Oscoda County.
 - iv) Sand Lake in Iosco County.
 - v) Long Lake in Alpena and Presque Isle Counties.
 - vi) Grand Lake in Presque Isle County.
 - e) All trout streams, except the following trout streams shall be closed to the taking of minnows for commercial purposes:

- i) Intermediate River below the dam at Lake Bellaire, Grass River, and Clam River in Antrim County.
 - ii) Torch River in Antrim and Kalkaska Counties.
 - iii) All trout streams within the boundaries of the Grayling Sports Park in Crawford County.
 - iv) All trout streams within the boundaries of Palms Book State Park in Schoolcraft County.
 - v) Hatlem's Creek, a tributary to Glen Lake, Leelanau County.
- 2) It shall be unlawful for any person to:
- a) Take or attempt to take minnows for commercial purposes from designated trout lakes with any device other than hook-and-line, or glass, transparent plastic or wire minnow traps.
 - b) Seine minnows for commercial purposes from a designated trout stream.
 - c) Take minnows for commercial purposes without submitting a monthly catch report as required in this order.
 - d) Use a minnow seine that contains a bag, trap or pot in its construction.
 - e) Use a minnow trap more than 24 inches in length and with funnel openings exceeding 1½ inches in diameter.
 - f) Use a minnow trap that does not bear the name and address of the user, in legible English.
 - g) Set a minnow trap with wings or leads.
- 3) Definitions: "Minnow Seine" or "Seine" means an elongated net, with sinkers or weights on one edge and floats on the opposite edge that hangs vertically in the water and is used to enclose fish when its ends are closed together or pulled to shore.

Waters open and regulations governing the taking of wigglers and crayfish for commercial purposes

- 1) The following waters are open to the taking of wigglers and crayfish for commercial purposes:
- a) The Great Lakes and their connecting waters (including Lakes Superior, Michigan, Huron, Erie, and St. Clair, and the St. Mary's, St. Clair, and Detroit Rivers) except that portion of Tawas Bay of Lake Huron lying between the projections of Wadsworth and Church Streets of East Tawas for a distance of 900 feet out from the water's edge.
 - b) All non-trout streams.
 - c) All inland lakes.
 - d) The following designated trout streams:
 - i) Benzie County: Betsie River from River Road (T26N, R15W, S30) downstream to M-22.
 - ii) Charlevoix County: Boyne River Pond (T32N, R5W, S5) and Boyne River (T33N, R6W, S35).
 - iii) Emmet County: Bear River (T34N, R5W, S21, 28 & 34).
 - iv) Grand Traverse County: Boardman River from Beitner Road down to Boardman Lake.
 - v) Kalkaska County: That part of the Rapid River west of Co. Road 597 (T28N, R8W, S5, 6 & 7) down to Torch River.
 - vi) Leelanau County: Solon Creek from the S. line of (T28N, R12W, S16) down to the entrance into Cedar Creek, (T28N, R12W, S9) Crystal River.
 - vii) Mackinac County: Millecoquin River from Millecoquin Lake to Lake Michigan.
 - viii) Manistee County: Big Bear Creek down from Potters Bridge (T22N, R14W, S18) down to Big Manistee River (T22N, R15W, S22).
 - ix) Mason County: Sable River from US-31 down to Hamlin Lake and Pere Marquette River down from Walhalla Bridge to Pere Marquette Lake.
 - x) Missaukee County: Clam River from M-66 to Falmouth Dam and West Branch of Muskegon River from Co. Road Bridge in the Center of (T23N, R6W, S25) down to the Muskegon River (T22N, R5W, S3).
 - xi) Muskegon County: White River and Bayous and Cedar Creek downstream from River Road.
 - xii) Oceana County: Pentwater River from US-31 down to Pentwater Lake and White River down from Taylor Bridge.
 - xiii) Wexford County: Big Manistee River from US-131 downstream.
- 2) It shall be unlawful for any reason to:
- a) Commercially harvest wigglers from any state waters from June 1 - September 1, inclusive.

- b) Seine wigglers and/or crayfish for commercial purposes from a designated trout stream.
- c) Use or make use of a water or sand-sucking pump or a mechanically powered device to take or attempt to take wigglers or crayfish.
- d) Take, possess or sell live rusty crayfish (*Orconectes rusticus*) for commercial purposes anywhere in the State of Michigan.
- e) Take wigglers or crayfish for commercial purposes without submitting a monthly catch report as required by this Order.

Catch reporting regulations for commercial minnow, wigglers, and crayfish catchers

- 1) Each licensed commercial minnow, wiggler, and crayfish catcher shall be required to submit monthly reports of their fishing activity as follows:
 - a) Every person licensed to take minnows, wigglers and crayfish for commercial purposes shall keep an accurate report of each day's catch on report forms, furnished by the Department, of the number of gallons of minnows and crayfish and the pints of wigglers taken, of the locality fished, and any other data as may be required by the Department in order to track harvest.
 - b) A complete, accurate and legible monthly report of minnows, wigglers or crayfish taken for commercial purposes shall be submitted to the DNR, Law Enforcement Division, PO Box 30031, Attention: Catch Reporting, Lansing, MI 48909-7531 or to DNR-Minnowcatcher@michigan.gov, by every person licensed to take minnows, wigglers and crayfish on or before the 10th day of the following month for each month during which the license is valid.
 - c) Reports are due each month whether or not any minnows, wigglers, or crayfish were taken during the last preceding month.
 - d) Any person whose report is not received by the Department in Lansing, Michigan, by the 10th day of the following month shall be in violation of this section, and subject to prosecution.
 - e) The license of any person who fails to submit a monthly report may be suspended and revoked by the director in accordance with the Administrative Procedures Act, 1969 PA 306, MCL 24.292.
 - f) Falsification of any report required by this section may also result in the suspension or revocation of that license.
 - g) The license of any person that has been revoked shall not be issued a commercial minnow, wiggler, and crayfish license within a period of 1 year from the date of revocation.

This Order shall be assigned number FO-216.16, and is entitled “Minnow, Wiggler, and Crayfish Regulations for Commercial Purposes and Waters that are Closed to the Personal Take of Minnows.”

This Order supersedes the Order entitled “Regulations for the Taking of Minnows for Commercial Purposes,” which became effective April 1, 2012, and is assigned number FO-216.12.

This Order supersedes the Order entitled “Waters Closed for the Taking of Minnows for Personal Use,” which became effective April 1, 2012, and is assigned number FO-203.12.

This Order supersedes the Order entitled “Waters Open and Regulations Governing the Taking of Wiggles and Crayfish for Commercial Purposes,” which became effective April 1, 2012, and is assigned number FO-227.12.

This Order supersedes the Order entitled “Catch Reporting Regulations for Commercial Minnow, Wiggles and Crayfish Catchers,” which became effective April 1, 2012, and is assigned number FO-231.12.

This Order shall take immediate effect on October 14, 2016 and shall remain in effect until amended/rescinded.

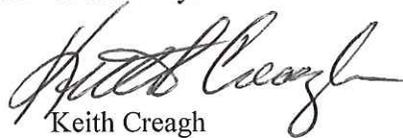
Issued on this 13th day of October, 2016.

Approved as to matters over which the Natural Resources Commission has authority.

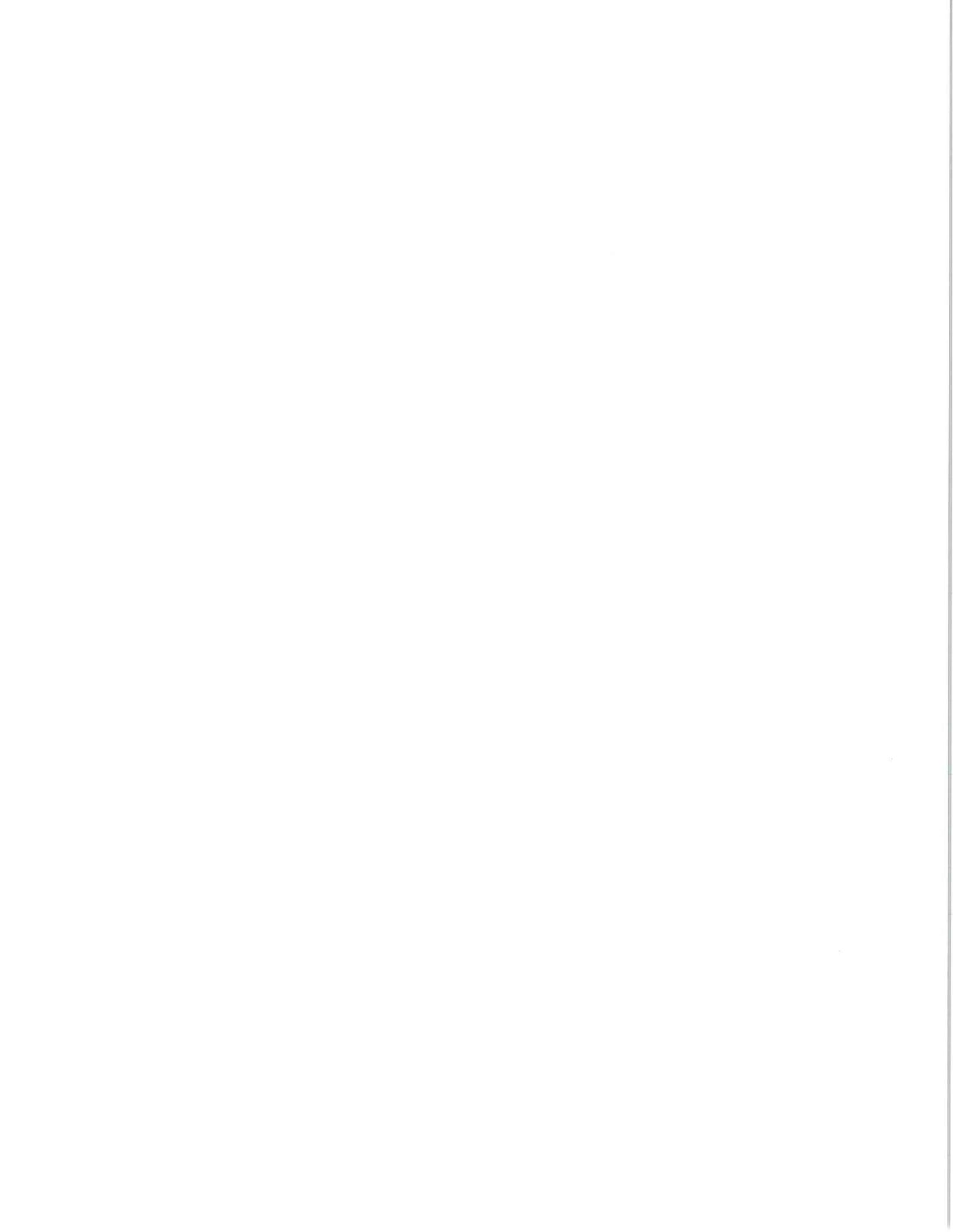


John Matonich, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.



Keith Creagh
Director





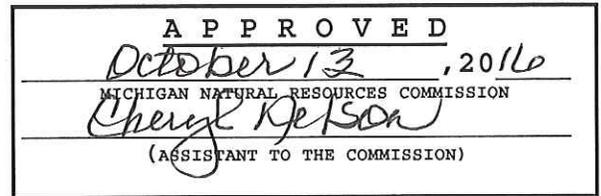
STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



RICK SNYDER
GOVERNOR

KEITH CREAGH
DIRECTOR

SUBMITTED: August 15, 2016
RESUBMITTED: September 12, 2016



MEMORANDUM TO THE NATURAL RESOURCES
COMMISSION

Subject: Fisheries Order 219.16
Bow, Spear, and Crossbow Fishing Regulations

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director and the Commission to issue orders to regulate the taking of fish in the waters of this state.

Discussion and Background:

This Order covers fishing regulations for anglers using bow, spear, or crossbow to fish in Michigan. Three changes are being proposed for this Order. First, Big Bear Lake (Otsego County) and Caribou Lake (Chippewa County) are being proposed for removal from the list of waters closed to northern pike and muskellunge spearing. Second, Tower Dam Pond (Cheboygan County) is recommended for removal from the Order. Lastly, the title of the Order is recommended for a change to better clarify the regulations housed in this Order.

Big Bear Lake was closed to spearing for northern pike and muskellunge several years ago when it was designated as a Great Lake strain muskellunge broodstock water. Unfortunately, after several consecutive years of stocking Great Lake strain muskellunge into the lake, surveys have failed to capture any muskellunge. Therefore, managers believe that the muskellunge fall fingerling stocking survival was very low. As a result, muskellunge management is no longer being prescribed for Big Bear Lake and the spearing ban placed on muskellunge and northern pike is no longer warranted. Muskellunge fall fingerlings are a limited resource and it is preferred to utilize these important resources in the best locations possible for management success.

Caribou Lake was closed to northern pike and muskellunge spearing in the late 1980s when tiger muskellunge were stocked there. The tiger muskellunge program was ended in 1992 and while reviewing this Order the local staff reviewed the history of this regulation. There isn't a biological reason to maintain this closure so staff discussed the spearing ban on Caribou Lake with local anglers and during a public meeting in Sault Ste. Marie and there is support to remove the spearing ban. Therefore, the Department proposes that this spearing ban be lifted providing anglers with a new angling opportunity.

In 2014, Tower Dam Pond (Cheboygan County) was reclassified from the Type 1 designated trout stream classification to Type E lake regulations since it is an impoundment and not a stream. All Type E waters are open to spearing. The reclassification of Tower Dam Pond from a designated trout stream results in the opportunity to remove the Designated Trout Streams Open to Northern Pike Spearing category from this Order. Tower Dam Pond was the only water listed in this special category. No changes have been made to the spearing opportunities in Tower Dam Pond as spearing regulations remained constant throughout the reclassification process and this is the final step to clarify the regulations for this water.

Another change recommended for this Order involves changing the title from “Spearing Regulations – Statewide,” to “Bow, Spear, and Crossbow Fishing Regulations,” which better describes the regulations covered in this Order. Language has also been added to the Order in reference to which waters are classified as Designated Trout Lakes and Designated Trout Streams to help inform anglers. Designated Trout Waters are not open to spearing unless there is a listed exception allowing spearing.

Issue Pros and Cons

Muskellunge will no longer be stocked in Big Bear Lake; therefore, there is no reason to continue the ban on northern pike and muskellunge spearing to protect potential broodstock fish which have not been detected. Caribou Lake is no longer being stocked with tiger muskellunge and the spearing closure is no longer warranted. Removal of unnecessary fishing regulations is beneficial for the department as well as for anglers. However, some angling groups feel that the Big Bear Lake stocking program needs to be evaluated for a few more years before making this decision.

Biological

There is no biological reason to maintain Big Bear Lake as a muskellunge broodstock waterbody and no reason to maintain the spearing ban on muskellunge and northern pike. There is no evidence of natural reproduction of muskellunge on this waterbody or survival of the stocked fish.

Social

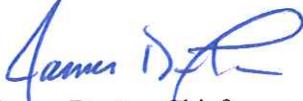
Anglers who spear will be supportive of lifting the spearing bans resulting in additional opportunities. Anglers who fish for muskellunge may not agree with the change to forgo muskellunge management in Big Bear Lake and may also disapprove of lifting the spearing ban.

Economic

The Department does not expect the proposed changes to have any significant budgetary or personnel implications.

Recommendation:

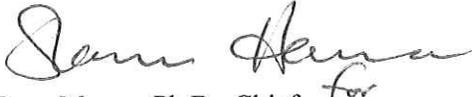
This Order was submitted for information and consideration. This item appeared on the Department's September 2016 calendar and may be eligible for approval on October 13, 2016.



James Dexter, Chief
Fisheries Division



Gary Hagler, Chief
Law Enforcement Division



Russ Mason, Ph.D., Chief
Wildlife Division



Bill O'Neill, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



William E. Moritz, Ph.D.
Natural Resources Deputy

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



Keith Creagh, Director

10/13/16

Date

FISHERIES ORDER

Bow, Spear, and Crossbow Fishing Regulations Order 219.16

By authority conferred on the Natural Resources Commission and the Department of Natural Resources by Part 487 of 1994 PA 451, MCL 324.48701 to 324.48740, it is ordered on October 14, 2016, the following section(s) of the Fisheries Order shall read as follows:

The seasons, gear, waters, and species where a spear, bow and arrow, or crossbow may be used are as specified in the table below and lists which follow (except as otherwise prohibited). Spearing gear shall be limited to: hand-propelled spear, rubber-propelled spear, spring-propelled spear, bow and arrow, and crossbow. Artificial lights may be used. It shall be unlawful to use a rubber-propelled spear or a spring-propelled spear without being submerged and have the spear under control by means of an attached line not exceeding twenty feet in length. It is unlawful to spear any fish in a waterbody closed to fishing, except as noted in the spearing exceptions list.

SEASON	GEAR	WATERS (see Note 1)	SPECIES
open all year	spear, bow and arrow, or crossbow	ALL WATERS <i>except</i> : Designated Trout Lakes and Designated Trout Streams	bowfin, bullheads, burbot, carp, catfish, drum, gizzard shad, goldfish, grass carp, cisco (lake herring), longnose gar, smelt, suckers (see Note 2), whitefish
December 1 through March 15 (through the ice)	hand-propelled spear	ALL WATERS <i>except</i> : Designated Trout Lakes and Designated Trout Streams	northern pike and muskellunge

Note 1 - Check the spearing exceptions lists (below) for regulations that differ from those listed in the table above. Designated Trout Lakes are those lakes classified under Type A and Type D trout regulations (see FO-200). Designated Trout Streams are those listed in the following classifications: Type 1, 2, Gear Restricted Streams, Research Areas, and Brook Trout Research Areas. Most of the Type 3 and Type 4 streams are Designated Trout Streams (see FO-200 and FO-210).

Note 2 - For the purpose of this Order the term suckers refers to: suckers (longnose, white, northern hog, spotted), redbreast (silver, golden, black, greater, shorthead), buffalo (bigmouth, black), lake chubsucker, and quillback carpsucker.

SPEARING EXCEPTIONS

LIST A – INLAND WATERS

WATERS CLOSED TO NORTHERN PIKE AND MUSKELLUNGE SPEARING

It shall be unlawful to fish by any means other than hook-and-line for northern pike or muskellunge in the following waters:

Alger County	Kingston Lake
Alpena and Montmorency Counties	Fletcher Floodwaters
Barry County	Thornapple Lake (from McKeown Rd T3N, R8W, S27 to Barger Rd T3N, R7W, S20)
Clare County	Budd Lake
Clinton County	Lake Ovid
Delta County	Dana Lake
Dickinson County	East Lake, Island Lake, South Lake, and West Lake (all within Groveland Mines)
Iron County	Brule Lake, Chicagon Lake, Lake Emily, Paint Lake, Paint Pond (Brule Isle Imp.), Stanley Lake, and Swan Lake
Kent County	Campau Lake and Murray Lake
Keweenaw County	Lake Gratiot
Lenawee County	Lake Hudson
Luce County	Round Lake (North Manistique Lake)
Schoolcraft County	Grassy Lake and McKeever Lake
St. Joseph County	Long Lake (T6S, R12W, S7)
Van Buren County	Bankson Lake and Round Lake (T4S, R16W, S31)

WATERS WITH SPEARING AND GAFF HOOK RESTRICTIONS

Cheboygan County

April 1 through June 15, inclusive, it shall be unlawful to take or attempt to take any species of fish with spearing gear or gaff hook from the following waters:

Black River

Cheboygan River

Indian River

DESIGNATED TROUT STREAMS OPEN TO SPRING SPEARING

The following designated trout streams are open to the use of spearing gear from April 1 through May 31, inclusive, for taking bowfin, bullheads, burbot, carp, catfish, drum, longnose gar, gizzard shad, goldfish, grass carp, cisco (lake herring), smelt, suckers (as listed above), and whitefish:

Alcona County

Bryant Creek from Vaughn Lake downstream to Little Lake

Buff Creek

Sucker Creek from confluence of Vincent Creek (T27N, R8E, S9) downstream to Hubbard Lake (T28N, R8E, S36)

Calhoun County

Nottawa Creek: from Calhoun County line (T4S, R8W, S31) upstream to T3S, R5W, S35

Rice Creek: South Branch Rice Creek from confluence of Rice Creek and Kalamazoo River (T2S, R6W, S25) upstream to Concord Road (Jackson County)

Chippewa County

Trout Creek downstream of Big Trout Lake (T42N, R3E, S31)

Prentiss Creek (T42N, R2E,)

Delta County

Squaw Creek downstream of County Road 513

Mackinac County

Doe Creek (T43N, R10W)

Foley Creek downstream of I-75

Hoban Creek downstream of US-2

Hudson Creek (T41N, R11W, S8)

Martineau Creek downstream of I-75

McClouds Creek

Milakokia River, from Milakokia Lake downstream to Heinz Lake

Norton Creek from M-135 downstream to South Manistique Lake

Nunn's Creek downstream of Highway M -134

Pearson's Creek, T42N, R1W and R1E

Rabbits Back Creek downstream of Mackinac Trail

Scrams Creek (T42N, R11W, S11)

Taylor Creek (T43N, R12W, S2, 11, 12 and 13)

Mason County

Sable River from Freesoil Road downstream to Custer Road (T20N, R16W, S22)

Van Buren County

Dowagiac River and tributaries upstream of 50th Street (T45N, R15W, S35)

Lake of the Wood Outlet to confluence with Dowagiac River (T45N, R15W, S34)

LIST B – GREAT LAKES AND CONNECTING WATERS**WATERS CLOSED TO MUSKELLUNGE SPEARING**

It shall be unlawful to fish by any other means other than hook-and-line for muskellunge in the following waters:

Lake Erie

Lake St. Clair

Detroit River

St. Clair River

WATERS OPEN TO YELLOW PERCH SPEARING

January 1 through end of February, inclusive.

Lake St. Clair: a hand-propelled spear, bow and arrow, or crossbow may be used to harvest yellow perch.

This Order shall be assigned number FO-219.16, and is entitled "Bow, Spear, and Crossbow Fishing Regulations."

This Order supersedes the Order entitled "Spearing Regulations - Statewide," which became effective October 11, 2012, and is assigned number FO-219.12A.

This Order shall take immediate effect on October 14, 2016 and shall remain in effect until amended/rescinded.

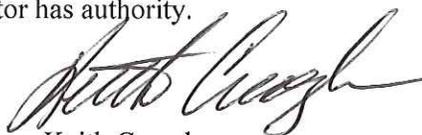
Issued on this 13th day of October, 2016.

Approved as to matters over which the Natural Resources Commission has authority.

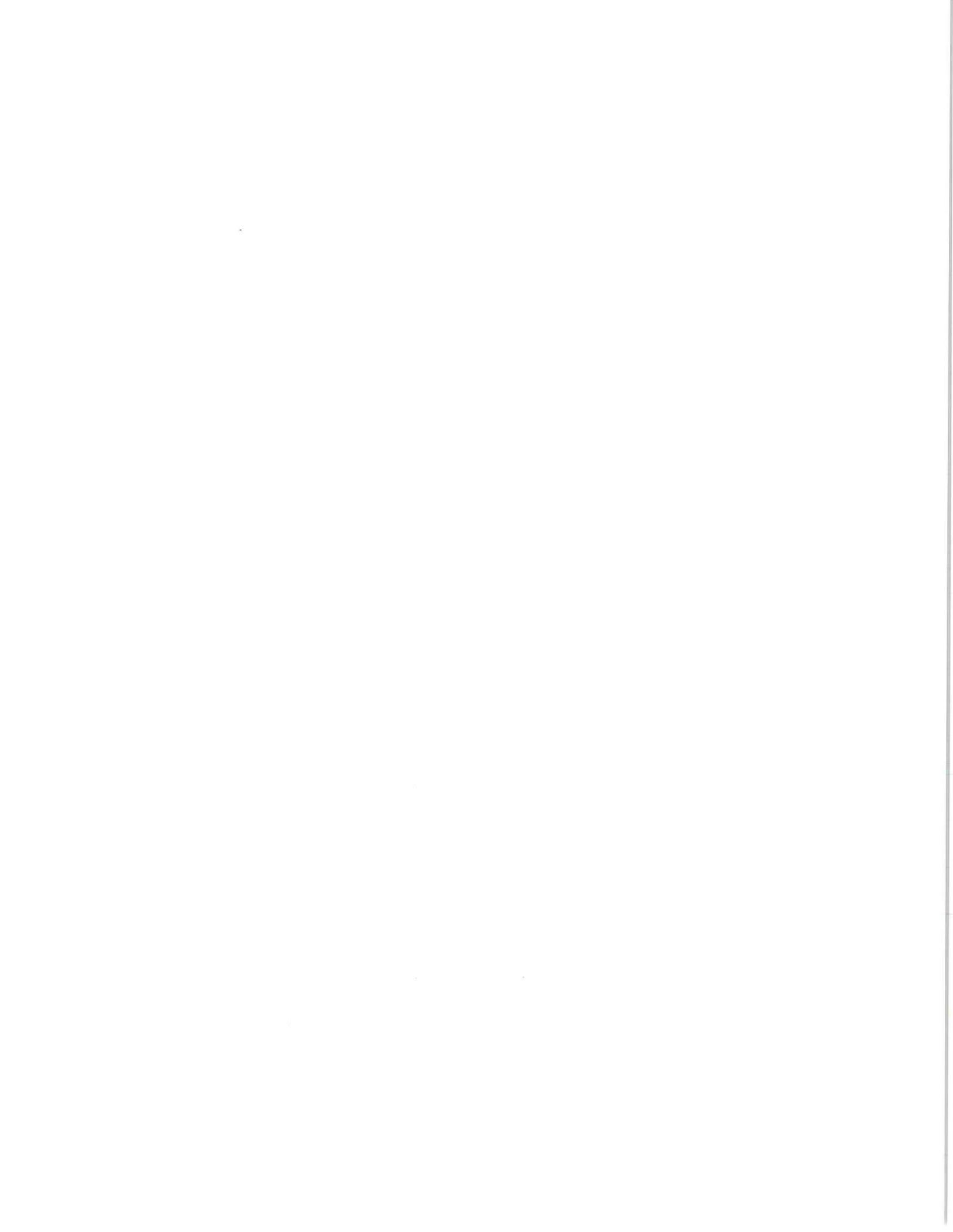


John Matonich, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.



Keith Creagh
Director





STATE OF MICHIGAN
 DEPARTMENT OF NATURAL RESOURCES
 LANSING



RICK SNYDER
 GOVERNOR

KEITH CREAGH
 DIRECTOR

SUBMITTED: August 15, 2016
 RESUBMITTED: September 12, 2016

A P P R O V E D
October 13, 2016
 MICHIGAN NATURAL RESOURCES COMMISSION
Cheryl Nelson
 (ASSISTANT TO THE COMMISSION)

MEMORANDUM TO THE NATURAL RESOURCES
 COMMISSION

Subject: Fisheries Order 224.16
 Regulations on the Take of Reptiles and Amphibians

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director and the Commission to issue orders to regulate the taking of fish in the waters of this state.

Discussion and Background:

This Order governs regulations for Michigan’s reptiles and amphibians. These regulations have recently been evaluated by staff, and after consultation with other biologists and university researchers, there is growing concern for several native species. The continued decline in reptile and amphibian populations has led the department to believe that it is imperative that harvest regulations be adjusted to provide an adequate level of protection for some species.

The following changes are proposed:

Five species are proposed for addition to the list of animals afforded protection from recreational take and possession. In 2014, the Michigan Amphibian and Reptile Technical Advisory Committee (ARTAC) made up of 12 experts in Michigan’s reptile and amphibians research community recommended that the mudpuppy, fowler’s toad, pickerel frog, butlers garter snake, and the smooth green snake be added to Michigan Natural Features Inventory’s (MNFI) List of “Species of Special Concern” due to observational declines, lack of species specific range information, and persecution concerns. ARTAC applied an International Union for the Conservation of Nature (IUCN) standard review to all Michigan reptiles and amphibians to finalize their recommendations.

The “Species of Special Concern” designation by MNFI is the basis for Director’s protection of all species listed in section 1 of this order. Based on the ARTAC recommendations in 2014, MNFI, added the mudpuppy, fowler’s toad, pickerel frog, butlers garter snake, and the smooth green snake to the SC list in 2016. Accordingly, these species should now be added to section 1 of this Order and afforded protection from recreational take and possession.

Issue Pros and Cons

Species which are in the state of decline are in need of added protection. Restricting harvest for these important and limited resources will benefit them by allowing their populations to grow. There are no cons associated with these changes because these species are not currently harvested in Michigan.

Neighboring States

Reptile and amphibian populations are in declines throughout our nation due to many factors. States often work together to share information and regulatory strategies.

Biological

The regulation changes are being proposed for biological reasons as recent information indicates that several species are in need of greater protection due to declining numbers.

Social

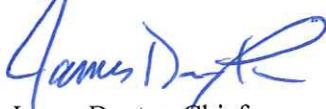
The public is generally very supportive of these measures to help conserve and protect species in decline. These species are not known to be commonly collected as pets or for consumption.

Economic

The Department does not expect the proposed changes to have any significant budgetary or personnel implications.

Recommendation:

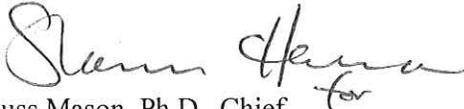
This Order was submitted for information and consideration. This item appeared on the Department's September 2016 calendar and may be eligible for approval on October 13, 2016.



James Dexter, Chief
Fisheries Division



Gary Hagler, Chief
Law Enforcement Division



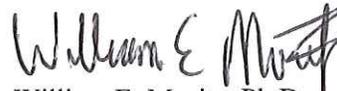
Russ Mason, Ph.D., Chief
Wildlife Division



Bill O'Neill, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



William E. Moritz, Ph.D.
Natural Resources Deputy

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



Keith Creagh, Director

10/13/16
Date

FISHERIES ORDER

Regulations on the Take of Reptiles and Amphibians Order 224.16

By authority conferred on the Natural Resources Commission and the Department of Natural Resources by Part 487 of 1994 PA 451, MCL 324.48701 to 324.48740, it is ordered on October 14, 2016, the following section(s) of the Fisheries Order shall read as follows:

It shall be unlawful to kill, take, trap, possess, buy, sell, offer to buy or sell, barter, or attempt to take, trap, possess or barter any reptile or amphibian from the wild, or the eggs of any reptile or amphibian from the wild, except as provided within this Order.

GENERAL

1. The following species of reptiles and amphibians shall not be taken from the wild and possessed except as authorized under a permit for scientific research, conservation, or educational purposes from the director:

Eastern Massasauga Rattlesnake (*Sistrurus catenatus catenatus*)
 Queen Snake (*Regina septemvittata*)
 Blanding's Turtle (*Emydoidea blandingii*)
 Wood Turtle (*Glyptemys insculpta*)
 Eastern Box Turtle (*Terrapene carolina carolina*)
 Black Rat Snake (*Elaphe obsoleta obsoleta*) – Exception: albino color variations of this species commonly bred in the pet trade may be possessed without permit
 Boreal Chorus Frog (*Pseudacris triseriata maculata*)
 Western Lesser Siren (*Siren intermedia nettingi*)
 Mudpuppy (*Necturus maculosus*)
 Fowler' toad (*Bufo woodhousii fowleri*)
 Pickerel frog (*Rana palustris* or *Lithobates palustris*)
 Butler's Garter Snake (*Sirtalis butleri*)
 Smooth Green Snake (*Liochlorophis vernalis*)

2. Reptiles and amphibians designated as endangered or threatened by the Department in R. 299.1024 and R 299.1025 under authority conferred on the Department by the Michigan Endangered Species Act, Part 365 of 1994 PA 451, shall not be taken from the wild and possessed except as authorized under a permit for scientific research, conservation, or educational purposes from the director. These include:

Kirtland's Snake (*Clonophis kirtlandii*)
 Copper-bellied Water Snake (*Nerodia erythrogaster neglecta*)
 Eastern Fox Snake (*Elaphe gloydi*)
 Six-lined racerunner (*Cnemidophorus sexlineatus*)
 Spotted Turtle (*Clemmys guttata*)
 Marbled Salamander (*Ambystoma opacum*)
 Small-mouthed Salamander (*Ambystoma texanum*)
 Blanchard's Cricket Frog (*Acris crepitans blanchardi*)

3. A person may collect reptiles and amphibians or their eggs for research studies or other special use under a permit issued by the director's designated fisheries representative. The permit shall be valid only for the species, number, manner and time specified on the permit.
4. A person may take certain species of reptiles and amphibians for personal use. See PERSONAL USE.
5. The taking of reptiles and amphibians for commercial purposes is prohibited.
6. Reptiles may be taken only by hand, trap, seines up to 12 x 4 feet overall dimension, hand net, or hook-and-line as defined in section 48703 of 1994 PA 451, MCL 324.48703.
7. Amphibians may be taken by hand, hook-and-line, hand net or trap where not otherwise prohibited by law. In addition, frogs may be speared. As provided by section 45501 of 1994 PA 451, MCL 324.45501, frogs shall not be speared with the aid of an artificial light.
8. Traps used or possessed in areas frequented by reptiles must have a plate or tag attached bearing the name and address of the user in legible English.
9. It is illegal to possess or transport in the field, dressed or processed reptiles or amphibians that cannot be measured or identified.
10. A person shall immediately release to the wild any reptile or amphibian that is taken during a closed season, is under the legal size, or is otherwise protected.
11. Reptile eggs may not be disturbed or removed from the wild except as authorized under a permit for scientific research, conservation, or educational purposes by the director.
12. Reptiles and amphibians shall not be taken with a firearm (including spring, air, or gas), bow and arrow, or crossbow.

PERSONAL USE

1. A fishing license is required to take reptiles and amphibians for personal use.
2. Traps used for the taking of turtles shall be limited to no more than 3 traps, shall be constructed and set in a manner to allow turtles to surface and breathe, and shall be constructed of mesh at least 1 inch wide at the narrowest measurement.
3. All reptiles and amphibians taken for personal use shall not be bought, sold or offered for sale.
4. Snapping turtle carapace length: to obtain the carapace (top of shell) length, use a flexible tape to measure from the nuchal scute (the scute directly behind the turtle's head) to the base of the notch where the two most posterior scutes meet.
5. The following table lists the regulations that apply to the taking of reptiles and amphibians for personal use:

Species	Season	Minimum Size (inches)	Daily Possession Limit	Possession Limit
Frogs, toads, salamanders, mudpuppies	Last Sat. in May - Nov. 15	None	10 in any combination	10 in any combination
Snapping turtles	July 15-Sept. 15	13 inch minimum carapace length	2 in combination (no more than 1 of either species)	4 total in combination (no more than 2 of either species)
Softshell turtles		None		
All other turtles (painted, musk, map, red-eared slider); snakes and lizards	Open all year	None	3 in combination (However, no more than 2 turtles and no more than 1 of any one turtle species)	6 total in combination (However, no more than 4 turtles and no more than 2 of any one turtle species)

This Order shall be assigned number FO-224.16, and is entitled "Regulations on the Take of Reptiles and Amphibians."

This Order supersedes the Order entitled "Regulations on the Take of Reptiles and Amphibians," which became effective April 1, 2013, and is assigned number FO-224.13.

This Order shall take immediate effect on October 14, 2016 and shall remain in effect until amended/rescinded.

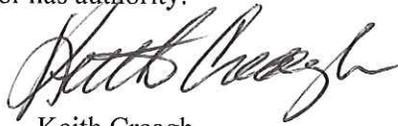
Issued on this 13th day of October, 2016.

Approved as to matters over which the Natural Resources Commission has authority.



John Matonich, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.



Keith Creagh
Director



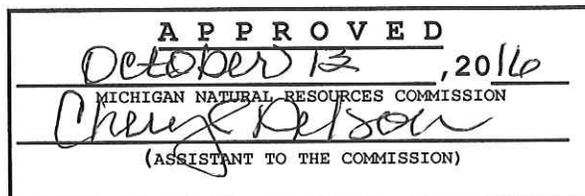
RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

SUBMITTED: August 15, 2016
RESUBMITTED: September 12, 2016



MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Technical Amendment-Use of Suppressors in the Taking of Game
Wildlife Conservation Order Amendment No. 9 of 2016

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director and the Commission to issue orders to manage wild animals in this state.

Discussion and Background:

Currently, the Wildlife Conservation Order, Section 3.100, states that an individual shall not possess or use an apparatus known as a silencer on a gun while hunting deer. However, the passage of Wildlife Conservation Order Amendment No. 1, Use of Suppressors in the Taking of Game, in February, 2016, authorized the use of suppressors, also referred to as a silencer, for hunting. Therefore, a technical change to remove the silencer prohibition in Section 3.100 is necessary for consistency.

Recommendation:

This order was submitted for information on September 8, 2016, at the Natural Resources Commission Meeting. This item appeared on the Department's August 2016 calendar and may be eligible for approval on October 13, 2016.

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

Gary Hagler
Gary Hagler, Chief
Law Enforcement Division

Bill O'Neill
Bill O'Neill, Chief
Forest Resources Division

Ronald A. Olson
Ronald A. Olson, Chief
Parks and Recreation Division

James Dexter
James Dexter, Chief
Fisheries Division

William E. Moritz
William E. Moritz, Ph.D.
Natural Resources Deputy

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



Keith Creagh, Director

10/13/16

Date

WILDLIFE CONSERVATION ORDER

Amendment No. 9 of 2016

By authority conferred on the Natural Resources Commission and the Director of the Department of Natural Resources by sections 40107 and 40113a of 1994 PA 451, MCL 324.40107 and 324.40113a, it is ordered that effective October 14, 2016, the following section(s) of the Wildlife Conservation Order shall read as follows:

3.100 Take of deer; prohibited firearms, legal weapons, "bait" and "baiting" defined, conditions for baiting established in certain area(s); unlawful acts.

Sec. 3.100 (1) "Take" means the same as defined in section 40104, 1994 PA 451, MCL 324.40104.

(2) An individual must possess while hunting deer the unused kill tag issued with the deer license, pursuant to section 3.103, and provide it to a conservation officer upon request.

(3) Unless otherwise specified in this order, an individual shall not do any of the following:

(a) Take a deer without possessing a valid license with kill tag.

(b) Take a deer other than during the open seasons established in this order.

(c) Take a deer outside of lawful hunting hours.

(d) Take a deer by any method other than by firearm, bow and arrow, or crossbow.

(e) Take a deer with a rimfire firearm .22 caliber or smaller.

(f) Take a deer during any firearm deer season in the "limited firearms deer zone," with a firearm other than a shotgun with a smooth or rifled barrel, a .35 caliber or larger pistol capable of holding no more than nine shells at one time in the barrel and magazine combined and loaded with straight-walled cartridges, a .35 caliber or larger rifle loaded with straight-walled cartridges with a minimum case length of 1.16 inches and a maximum case length of 1.80 inches, a .35 caliber or larger air rifle or pistol charged only from an external high-compression power source, or a muzzleloading rifle or black-powder pistol loaded with black-powder or a commercially manufactured black-powder substitute.

(g) Take a deer, or have in possession while hunting deer, a semiautomatic shotgun or rifle, capable of holding more than six shells in the magazine and barrel combined, or use a cartridge containing a tracer or explosive bullet, or a firearm capable of firing more than one shot with a single pull or activation of the trigger.

(h) Take a deer using an arrow, bolt, or quarrel with a broadhead hunting type of point less than 7/8 of an inch wide and/or a length less than 14 inches.

(i) Take a deer with a crossbow or a modified bow in zone 1 from December 1 to March 31 unless issued a disability crossbow permit by the department.

(j) Take a deer while the deer is swimming in a pond, lake, stream, or other body of water.

(k) Make use of a dog in hunting a deer, except as noted in section 2.1a of this order.

(l) Use aircraft to aid in the taking of a deer.

(m) Set afire or assist in setting afire any land for the purpose of driving out a deer, or take or attempt to take a deer so driven out of any land.

(n) Purchase a deer license unless the individual holds a current base license.

(o) Subsection (f) shall be rescinded on May 12, 2017. 26

(4) For the purposes of this section and sections 3.100a, and 3.205, "bait" means a substance composed of grains, minerals, salt, fruits, vegetables, hay, or any other food materials, whether natural or manufactured, which may lure, entice or attract deer. "Bait" does not include the establishment and maintenance of plantings for wildlife, foods found scattered solely as the result of normal agricultural planting or harvesting practices, foods available to deer through normal agricultural practices of livestock feeding if the area is occupied by livestock actively consuming the feed on a daily basis, or standing farm crops under normal agricultural practices. For the purposes of this section, "baiting" means to place, deposit, tend, distribute, or scatter bait to aid in the taking of a deer.

(5) It shall be unlawful for a person to make use of bait to aid in the taking of a deer within the core CWD area and CWD management zone as defined in chapter XII of this order, and within Alcona, Alpena, Montmorency, and Oscoda counties.

(6) In remaining portions of Michigan not described in subsection (5), a person may engage in baiting only if all of the following conditions apply:

(a) The baiting occurs only from September 15 to January 1.

(b) The bait material may be of any food type.

(c) The bait is scattered directly on the ground by any means, including mechanical spin-cast feeders, provided that the spin-cast feeder does not distribute on the ground more than the maximum volume allowed as described in subdivision (d) of this subsection. "Scattered" means that the bait is dispersed or thrown over a minimum of a 10-foot by 10-foot or equivalent area so that individual pieces of bait are separated and not placed in piles. The purpose of scattering is to mimic natural feeding conditions.

(d) The volume of bait used at any 1 point in time shall not exceed 2 gallons at any 1 hunting site.

(e) Subsection (6) is subject to Section 3.100a (2) of this order.

(7) It shall be unlawful for a person to make use of bait to aid in the taking of a deer if the bait and baiting does not meet all of the conditions specified in subsection (6) unless specifically authorized.

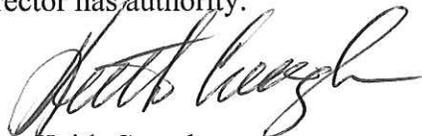
Issued on this 13th day of October, 2016.

Approved as to matters over which the Natural Resources Commission has authority.



John Matonich, Chairman
Natural Resources Commission

Approved as to matters over which the Director has authority.



Keith Creagh
Director



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAUGH
DIRECTOR

SUBMITTED: August 15, 2016
RESUBMITTED: September 12, 2016

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Order to Regulate Target Shooting at the Lapeer Pit Shooting Area at the Lapeer State Game Area, Lapeer County
Land Use Orders of the Director Amendment No. 10 of 2016

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 541, authorizes the Director to issue orders to implement land use rules.

Discussion and Background:

Land Use Order of the Director (LUOD) Amendment No. 6 of 2016, Order to Regulate Target Shooting on State Game and Wildlife Areas, was submitted for information and consideration at the July 14, 2016, Natural Resources Commission Meeting and was signed by the Director August 11, 2016. The purpose of the order was to provide basic target shooting regulations to facilitate responsible use across all designated game and wildlife areas. Unfortunately, the extensive use and target shooting at the Lapeer State Game Area (SGA), specifically the Lapeer Pit shooting area, has led to recurrent problems that regulations in LUOD Amendment No. 6 of 2016 do not address. Accordingly, the Department recommends more restrictive use and target shooting regulations at the Lapeer Pit shooting area.

The Lapeer Pit shooting area, located in T08N, R10E, Section 10, Mayfield Township, Lapeer County, is a popular destination for target shooters. Target shooting at the Lapeer Pit has resulted in a variety of safety, nuisance, user conflict, and habitat destruction issues.

Between 1998 and 2009, the Department sought to resolve these complaints through a variety of actions. The Department coordinated with prison crews to clean up trash that was left behind by target shooters. Additionally, several on-site changes were made to increase public safety, including a berm to provide a backstop and concrete barricades to reduce noise and increase public safety.

Despite the Department's efforts, further complaints were received in 2011 and the Director implemented a Land Use Order of the Director regulating the discharge of firearms from sunrise to sunset, except for lawful hunting purposes and when using only paper, cardboard or clay targets. In addition, the Department cooperated with the Michigan Gun Owners Association,

28

Order to Regulate Target Shooting at the Lapeer Pit Shooting Area at the Lapeer State Game Area, Lapeer County
Land Use Orders of the Director Amendment No. 10 of 2016
Page 2
September 12, 2016

whose members continue to volunteer approximately 20 hours per week to help clean up the residue left at the shooting areas. These efforts have not sufficiently reduced the concerns with target shooting, as evidenced by continued complaints from local residents, Michigan State Police, and legislators. The Department has placed a gate at the entrance to the Lapeer Pit shooting area and will add additional signs at the shooting sites. The Department will also modify the shooting area to improve sound abatement and to further ensure resident, visitor, and user safety.

With the increasing use and overflow of target shooting and unsafe shooting practices, the Department recommends prohibiting the following at the Lapeer Pit shooting area, subject to any additional provisions provided in the Land Use Orders of the Director:

- Using aerial targets for target shooting.
- Using clay targets unless the targets are on the ground at the base of a berm.
- Target shooting in front of concrete barriers between the barriers and the earthen backstop.
- Entering, using, or occupying the area when gates are closed except for Department employees, their designees, or fire, emergency, or law enforcement personnel performing official duties.

This order will continue to allow target shooting at the Lapeer Pit shooting area. It will, however, stipulate regulations to address nuisance, safety, and user conflict concerns. These provisions will allow the Department to properly manage use of the Lapeer Pit shooting area.

Order to Regulate Target Shooting at the Lapeer Pit Shooting Area at the Lapeer State Game Area, Lapeer County
Land Use Orders of the Director Amendment No. 10 of 2016
Page 3
September 12, 2016

Recommendation:

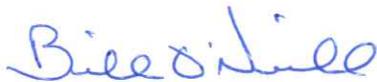
This order was submitted for information on September 8, 2016, at the Natural Resources Commission Meeting. This item appeared on the Departments August 2016 calendar and may be eligible for approval on October 13, 2016.



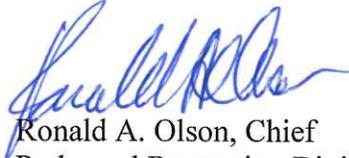
Russ Mason, Ph.D., Chief
Wildlife Division



Gary Hagler, Chief
Law Enforcement Division



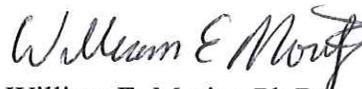
Bill O'Neill, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
Fisheries Division



William E. Moritz, Ph.D.
Natural Resources Deputy

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 10 of 2016

By authority conferred on the Director of the Department of Natural Resources by Section 504 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.504, and in accordance with R299.921 to R299.933, the Director of the Department of Natural Resources orders the following:

3.31 Lapeer state game area, Lapeer county, prohibited conduct.

Order 3.31 A person shall not do any of the following within the Lapeer SGA, Lapeer county, subject to additional provisions as may be provided in these orders:

(1) Except from July 1 to August 31 and from December 15 to March 1 for the purpose of fishing or with written permission from the department, enter upon the following lands:

- (a) Section 13, T08N, R10E lying south of Vernor road and east of Five lakes road.
- (b) Section 24, T08N, R10E, lying east of Five lakes road.
- (c) Section 18, T08N, R11E lying south of Vernor road, except the E½ of the SE¼ of the section.
- (d) Section 19, T08N, R11E, except the NE¼ of the NE¼ of the section.

3.31a Lapeer pit shooting area, Lapeer county, prohibited conduct.

Order 3.31a For the purposes of this order, the Lapeer pit shooting area shall mean the shooting area upon state-owned lands in the north half of the southwest quarter of the southeast quarter of section 10, and the south half of the northwest quarter of the southeast quarter of section 10, T08N, R10E, Lapeer county.

(1) Subject to additional provisions provided in this order, a person shall not do any of the following at the Lapeer pit shooting area:

- (a) Use aerial targets for target shooting.
- (b) Use clay targets for target shooting unless the targets are on the ground at the base of a berm.
- (c) Target shoot in front of concrete barriers between the barriers and the earthen backstop.
- (d) Enter, use, or occupy the area when gates are closed

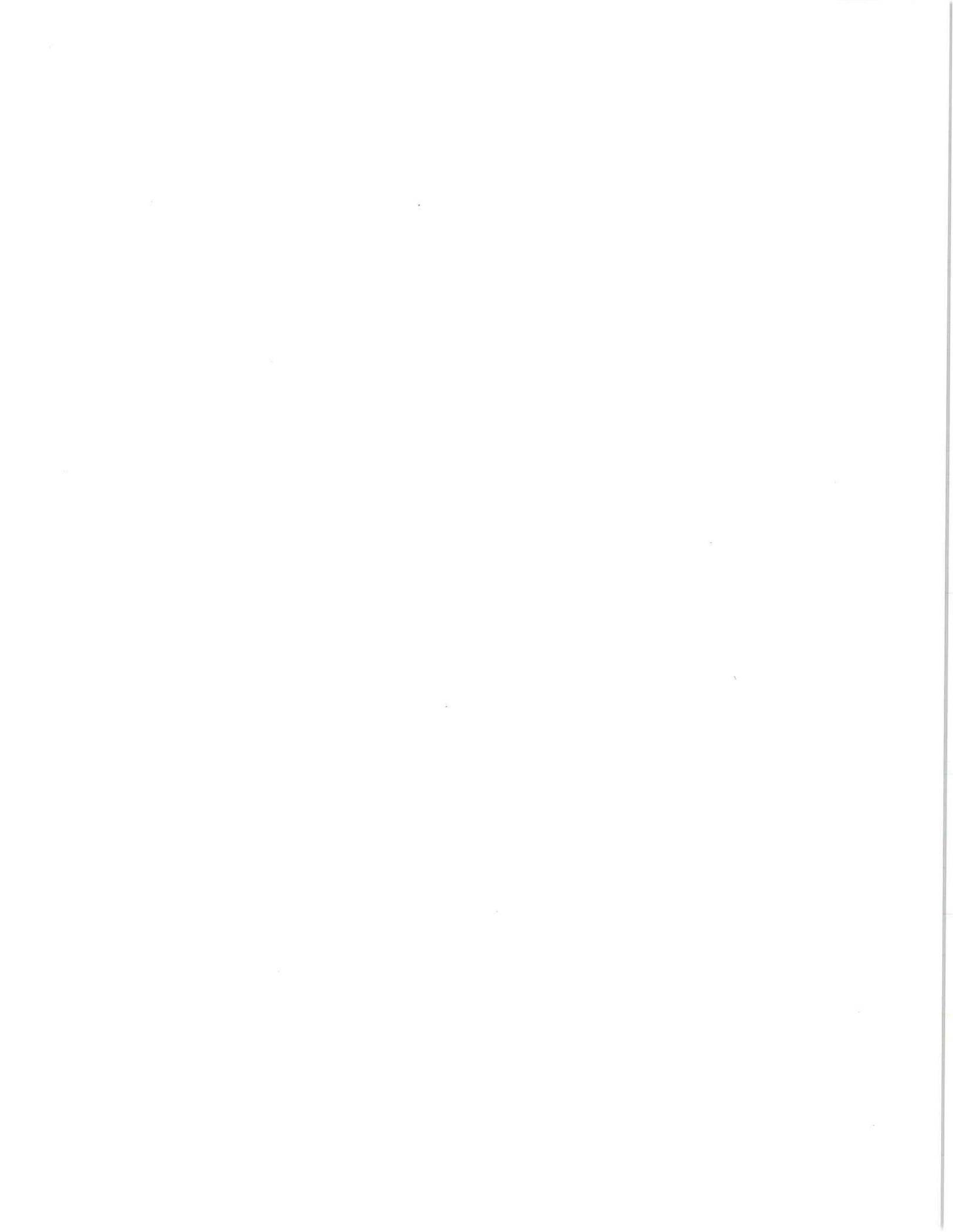
(2) This section shall not apply to department employees, designees of department employees, or fire, emergency, or law enforcement personnel performing official duties.

This amended order shall be posted on or after the 14th day of October, 2016.

Issued on this 13th day of October, 2016

A handwritten signature in black ink, appearing to read "Keith Creagh". The signature is fluid and cursive, with the first name "Keith" being more prominent than the last name "Creagh".

Keith Creagh
Director





RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

September 12, 2016

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transactions: Sale of Surplus DNR-Managed Land
Houghton Lake Wildlife Research Area – Missaukee County
Land Transaction Cases #20020149, 20020170, 20160141, 20160142

Sales: 20020149 - 0.49 acre for \$1,050.00
20020170 - 0.21 acre for \$ 450.00
20160141 - 0.35 acre for \$ 570.00
20160142 - 0.76 acre for \$1,500.00

Descriptions: Missaukee County, Butterfield Township, T22N, R05W, Section 23:
As more completely described on the signed Land Transaction Agreements.

Applicant(s): 20020149 – George and Kathleen Larkins, Royal Oak, Michigan
20020170 – David Taylor, Merritt, Michigan
20160141 – Richard Austin and Kathleen Blair, Merritt, Michigan
20160142 – Gregory Schwartz, Merritt, Michigan

Authority: Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Notice: This item will appear on the Department of Natural Resources (Department) October 4, 2016, calendar, and is eligible for approval on October 11, 2016. The transaction is also posted in a local newspaper as required by statute.

Acquired: With Pittman Robertson Funds in 1959.

Minerals: The state does not own mineral rights.

Comments: The desired parcels are narrow strips of land located between the applicants' properties and Jeffs Road. The applicants and their predecessors have constructed and maintained driveways across these lands, which are used to access their properties and homes. The sale of these lands will provide permanent legal access to their properties and clear up the encroachments, which were identified as a part of the 2010 Office of Inspector General Audit and are subject to a Corrective Action Plan with the United States Fish and Wildlife Service (USFWS). The sales have been reviewed and approved by the USFWS, which is required due to the use of federal Pittman Robertson funds as a part of the state's acquisition of the lands in 1959.

33

The Land Exchange Review Committee approved the disposal of these parcels on April 29, 2003. The sale of these parcels will resolve the long-standing trespass issues.

Proceeds will be deposited into the Land Exchange Facilitation Fund (LEFF) Pittman-Robertson Subfund. The LEFF allows the Department to sell rights in land and deposit the proceeds in a fund which can then be used to acquire replacement property.

Engagement: Public input was not sought for these small encroachment resolutions.

Recommendation: (1) That the lands be sold to the applicants for:
20020149 - \$1,050.00
20020170 - \$ 450.00
20160141 - \$ 570.00
20160142 - \$1,500.00

(2) That the proceeds of the sale be deposited in the LEFF Pittman-Robertson Subfund.

(3) That the state retain aboriginal antiquities.



Russ Mason, Ph.D., Chief
Wildlife Division



William O'Neill, Chief
Forest Resources Division



James L. Dexter, Chief
Fisheries Division



Ronald A. Olson, Chief
Parks and Recreation Division

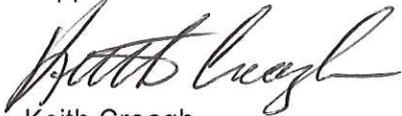


William E. Moritz, Ph.D.
Natural Resources Deputy



Mark H. Hoffman
Chief Administrative Officer

I approve the staff recommendations.



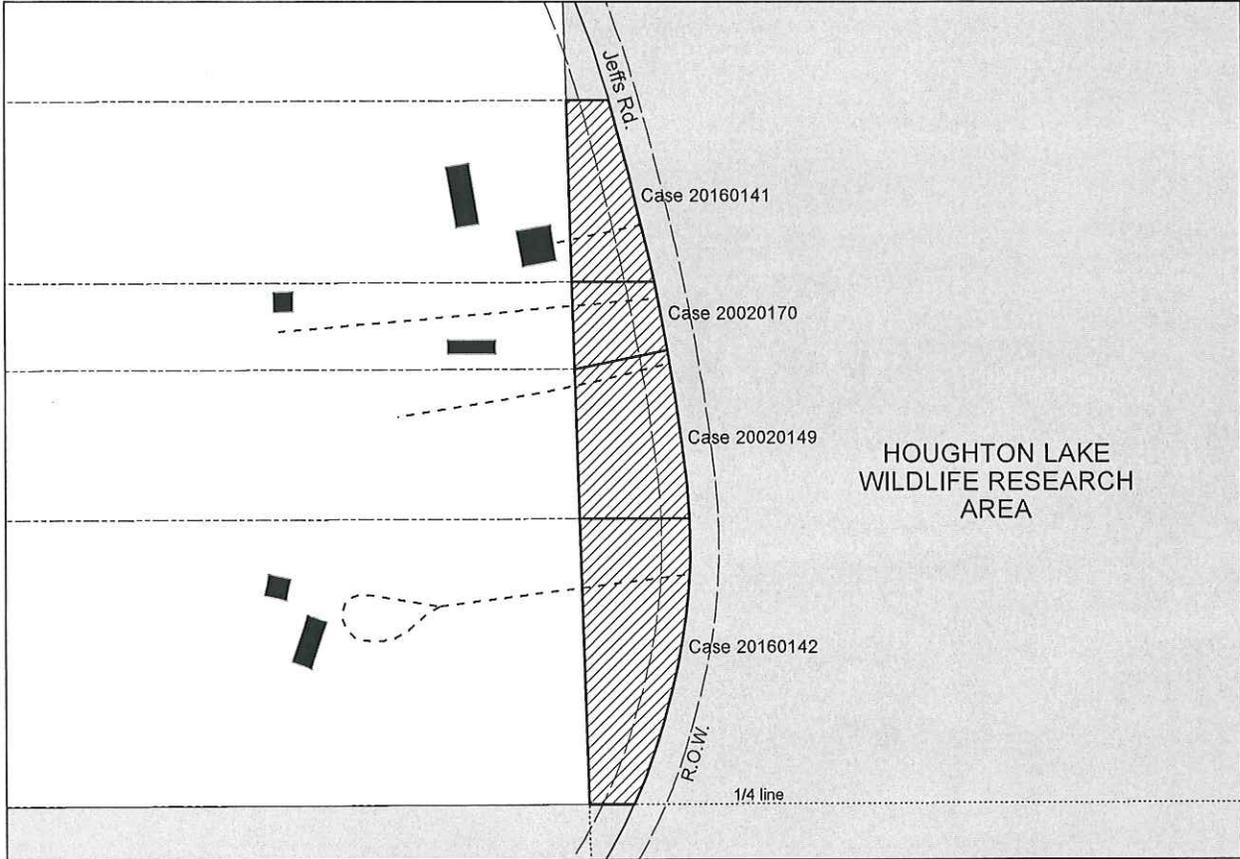
Keith Creagh
Director

10/13/16

Date Approved

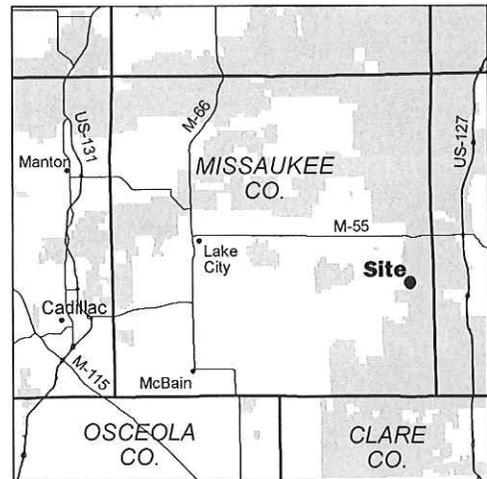
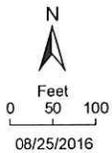
SALE OF SURPLUS DNR-MANAGED LAND

Houghton Lake Wildlife Research Area – Missaukee County
Land Transaction Cases #20020149, 20020170, 20160141, 20160142



Section 23, T22N, R05W, Butterfield Township

- Surplus DNR land to be sold (4 parcels, 1.81 acres total)
- State Land
- Private land
- Applicants' buildings
- Applicants' driveways



DNR Project Boundaries



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

September 12, 2016

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Sale of Surplus DNR-Managed Land
Cadillac Management Unit – Lake County
Land Transaction Case #20050445

Sale: 2 platted lots in Unora Park Subdivision – 0.13 acre
3 platted lots in Idlewild Terrace Subdivision – 0.24 acre

Sale Price: Minimum price to be determined by the Department. Sale price to be determined at auction.

Description: Lake County, Webber Township, T18N, R13W Section 28:
Block 40, Lots 65 & 66, of Unora Park Subdivision.
Lake County, Pleasant Plains Township, T17N, R13W, Section 13:
Block 16, Lots 31 & 32, and Block 20, Lot 14, Idlewild Terrace Subdivision.

PA 240 of 2012: This parcel is north of the Mason-Arenac County line and will result in a decrease of 0.37 acre to the total of DNR-Managed lands.

Authority: Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Notice: This item will appear on the Department of Natural Resources (Department) October 4, 2016, calendar, and is eligible for approval on October 11, 2016. The transaction is also posted in a local newspaper as required by statute.

Acquired: By tax reversion in 1939, 1969 and 1970.

Minerals: To be completed as part of the auction process.

Comments: These small lots are within two subdivisions in Lake County that had previously been reviewed in Phase II of the Land Consolidation Strategy. Surrounding lots had been identified as Class 3, Dispose parcels.

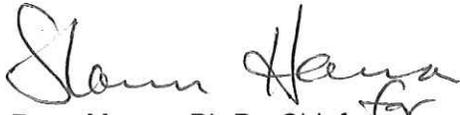
The proposed land disposal was reviewed and recommended for approval by the Land Exchange Review Committee on August 18, 2016.

Proceeds will be deposited into the Land Exchange Facilitation Fund (LEFF). The LEFF allows the Department to sell rights in land and deposit the proceeds in a fund which can then be used to acquire replacement property.

September 12, 2016

Engagement: Local engagement will be completed as part of the auction process.

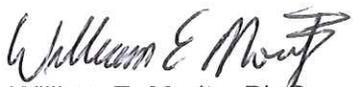
Recommendation: (1) That the land be offered via auction to the highest bidder.
(2) That the proceeds of the sale be deposited in the Land Exchange Facilitation Fund.


Russ Mason, Ph.D., Chief
Wildlife Division


William O'Neill, Chief
Forest Resources Division


James L. Dexter, Chief
Fisheries Division


Ronald A. Olson, Chief
Parks and Recreation Division


William E. Moritz, Ph.D.
Natural Resources Deputy


Mark H. Hoffman
Chief Administrative Officer

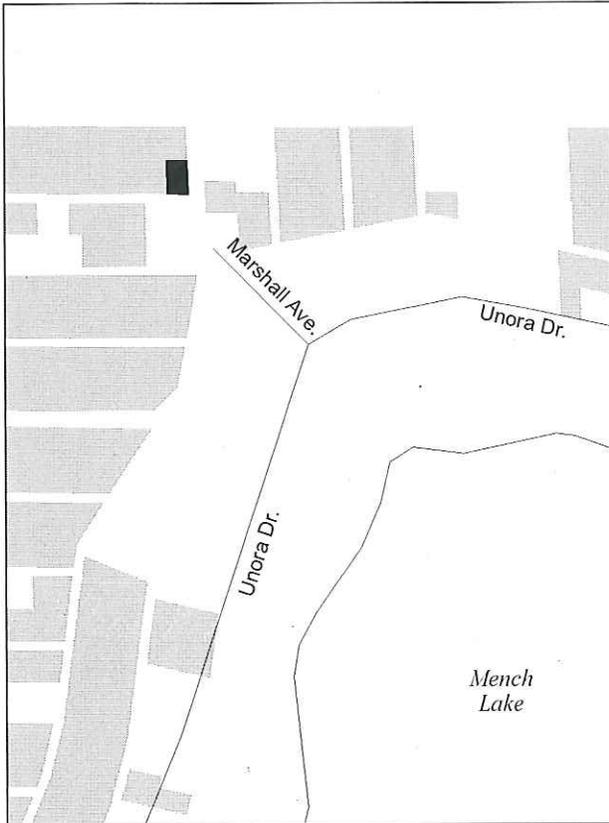
I approve the staff recommendations


Keith Creagh
Director

10/13/16
Date Approved

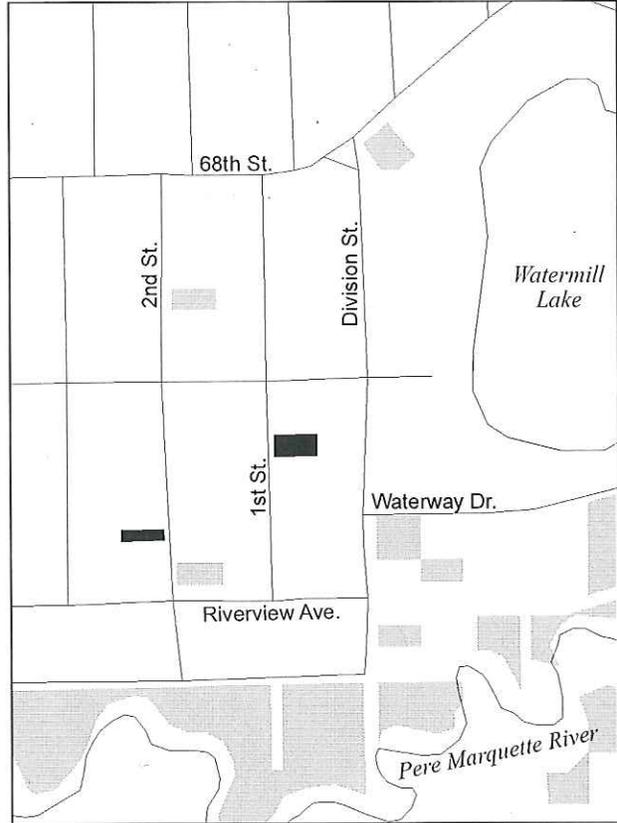
SALE OF SURPLUS DNR -MANAGED LAND

Cadillac Management Unit – Lake County
Land Transaction Case #20050445



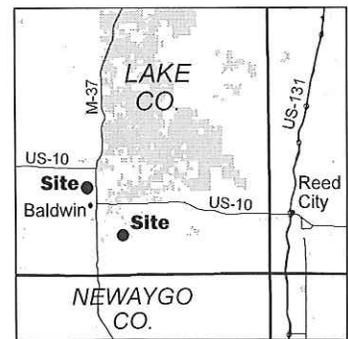
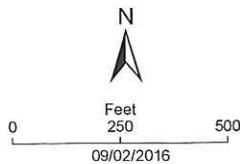
Section 28, T18N, R13W, Webber Township
Unora Park Subdivision
Block 40, Lots 65 and 66

- Surplus DNR land to be sold (2 lots)
- State land
- Private land



Section 13, T17N, R13W, Pleasant Plains Township
Idlewild Terrace Subdivision
Block 16, Lots 31 and 32
Block 20, Lot 14

- Surplus DNR land to be sold (3 lots)
- State land
- Private land



DNR Project Boundary Areas



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

September 12, 2016

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Wildlife Land Exchange
Muskegon State Game Area – Muskegon County
Scott Exchange
Land Transaction Case #20150131

Applicant: Craig and Carrie Scott, Twin Lake, Michigan.

PA 240 of 2012: PILT Estimate: \$102.00. The parcels involved in the exchange are south of the Mason-Arenac County line.

Private Land Offered in Exchange: 2.0 acres
Location: Muskegon County, Cedar Creek Township, T11N, R15W, Section 34:
As more particularly described on the signed Land Transaction Agreement.

Exchange Value: The offered 2-acre parcel is of greater size to the desired state-owned land. The parcels have comparable characteristics.

State Land Desired in Exchange: 0.94 acre
Location: Muskegon County, Cedar Creek Township, T11N, R15W, Section 34:
As more particularly described on the signed Land Transaction Agreement.

Exchange Value: The desired 0.94-acre parcel is less than the size of the offered state-owned land. The parcels have comparable characteristics.

Authority: Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Notice: This item will appear on the Department of Natural Resources (Department) October 4, 2016, calendar, and is eligible for approval on October 11, 2016.

Comments: The primary purpose of this exchange is to resolve a long standing building and driveway trespass on land that the Department acquired with federal Pittman-Robertson funds in 1963. Since discovering the encroachment, the applicant and the Department have worked cooperatively to find a solution that would benefit both parties. As a result of this exchange, the applicant will own the land under the eastern

portion of their house and the Department will acquire 2 acres of land that are outside of the hunting safety zone. The United States Fish and Wildlife Service has reviewed and approved of this transaction.

The state and the applicant will convey their respective mineral rights.

The proposed land exchange was reviewed and recommended for approval by the Land Exchange Review Committee (LERC) on December 17, 2015.

Engagement: Due to the inconsequential nature of this transaction, the local units of government were not consulted.

- Recommendation(s):
1. That the exchange be approved with the state conveying mineral rights unless the offered land is being conveyed without mineral rights.
 2. That the state reserve aboriginal antiquities.
 3. That the offered property be dedicated as part of the Muskegon State Game Area.



William O'Neill, Chief
Forest Resources Division

Russ Mason, Ph.D., Chief
Wildlife Division



James L. Dexter, Chief
Fisheries Division



Ronald A. Olson, Chief
Parks and Recreation Division



William E. Moritz, Ph.D.
Natural Resources Deputy



Mark H. Hoffman
Chief Administrative Officer

I approve the staff recommendations.



Keith Creagh
Director

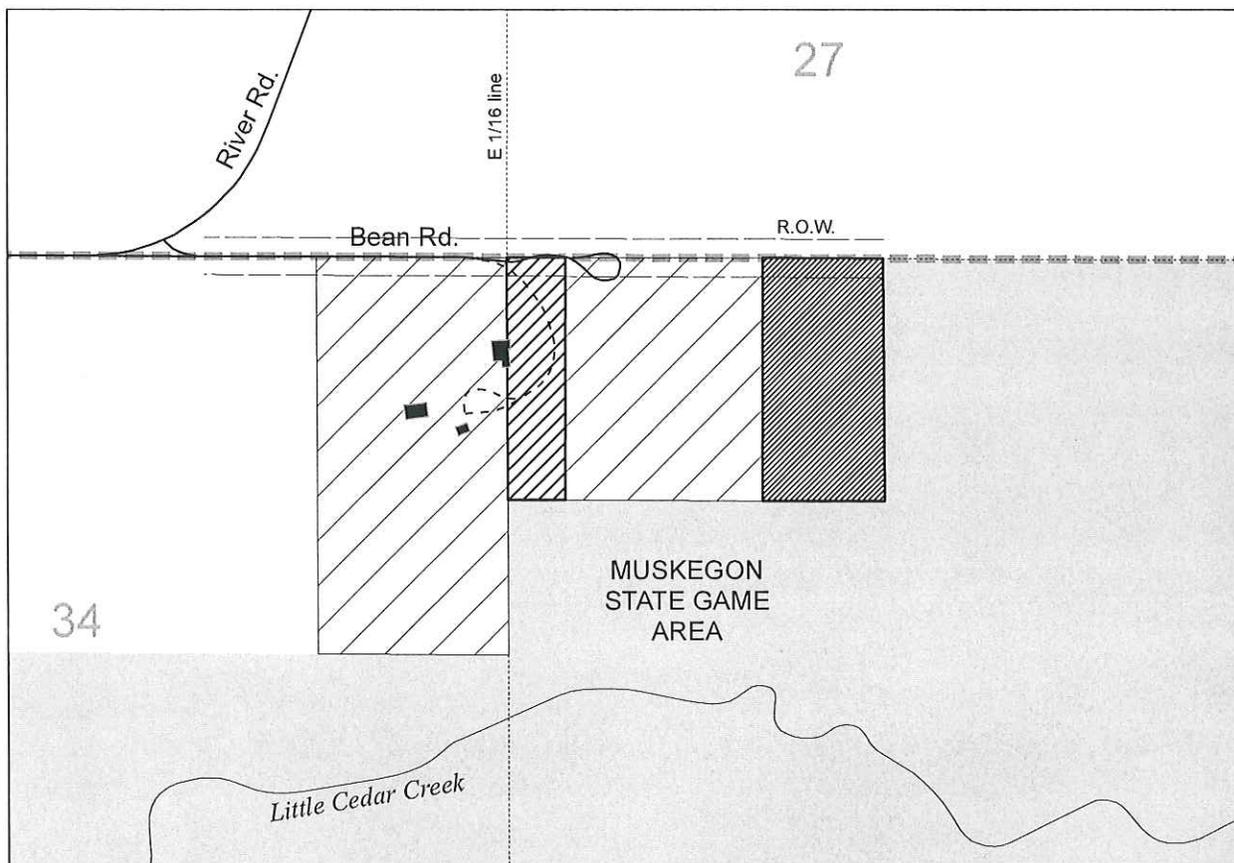
10/13/16

Date Approved

WILDLIFE LAND EXCHANGE

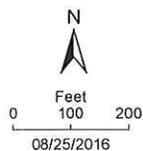
Muskegon State Game Area – Muskegon County

Land Transaction Case # 20150131



Section 34, T11N, R15W, Cedar Creek Township

- State land desired from DNR (0.94 acre)
- Land offered to DNR in exchange (2 acres)
- Applicant's other land
- State land
- Private land
- DNR Project Boundary



DNR Project Boundaries



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

September 12, 2016

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Conveyance of DNR-Managed Land for Public Use
Sault Ste. Marie Management Unit – Mackinac County
Land Transaction Case #20150206

Sale: 54± acres

Sale Price: Land to be conveyed without monetary compensation. It is to be used solely for park purposes and will revert to the state if used for any other purpose.

Description: Mackinac County, Hudson Township, T43N, R08W, Section 3:
The fractional NW1/4 of the NW1/4; and the SW1/4 of the NW1/4; and the SE1/4 of the NW1/4. As more particularly described in the case file.

PA 240 of 2012: These parcels are north of the Mason-Arenac County line and will result in a decrease of 54 acres in counted DNR-Managed lands.

Applicant: Hudson Township, Naubinway, Michigan

Authority: Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Notice: This item will appear on the Department of Natural Resources (Department) October 4, 2016, calendar, and is eligible for approval on October 11, 2016.

Acquired: By tax reversion in 1928.

Minerals: To be retained.

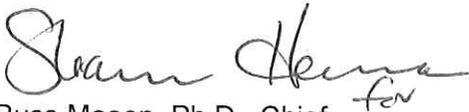
Comments: The desired property will be used for park purposes. Hudson Township currently leases a portion of this property from the Department and manages it as the Garnet Lake Campground. By transferring ownership to the township, they will be in a better position to secure grant funds, which could aid in the development of the campground.

The proposed land disposal was reviewed and recommended for approval by the Land Exchange Review Committee on June 16, 2016.

Engagement: Hudson Township is the applicant and supports this transaction.

45

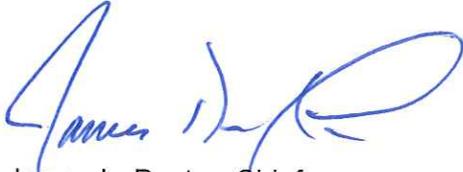
- Recommendation:
- (1) That the land be conveyed to the applicant for public purposes without monetary compensation, but with the condition that if the lands are used for non-park purposes, they will revert back to the state.
 - (2) That the state retain mineral rights and aboriginal antiquities.



Russ Mason, Ph.D., Chief
Wildlife Division



William O'Neill, Chief
Forest Resources Division



James L. Dexter, Chief
Fisheries Division



Ronald A. Olson, Chief
Parks and Recreation Division



William E. Moritz, Ph.D.
Natural Resources Deputy



Mark H. Hoffman
Chief Administrative Officer

I approve the staff recommendations.



Keith Creagh
Director

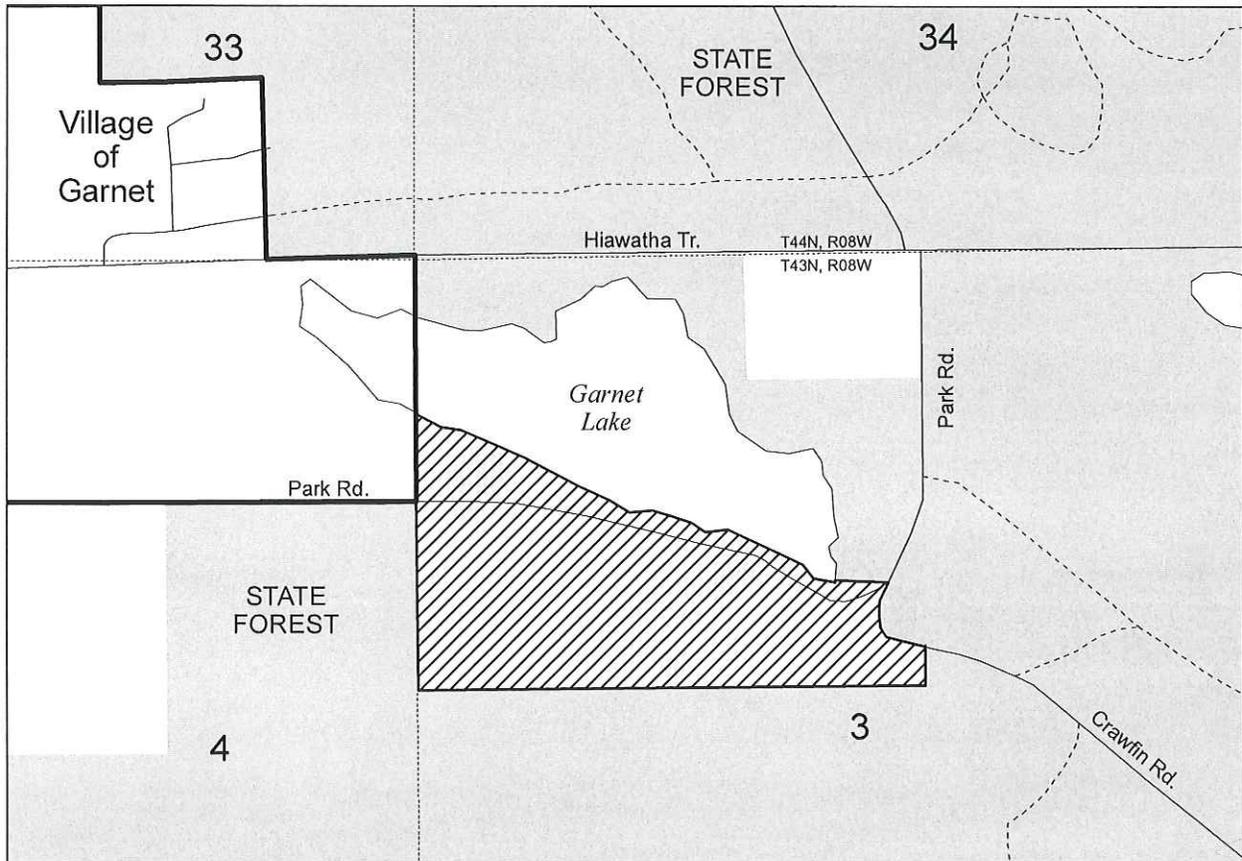
10/13/16

Date Approved

CONVEYANCE OF DNR-MANAGED LAND FOR PUBLIC USE

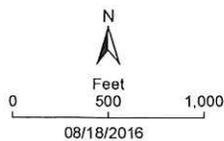
Sault Ste. Marie Management Unit – Mackinac County

Land Transaction Case #20150206



Section 3, T43N, R08W, Hudson Township

-  DNR land to be conveyed (54 acres)
-  State land
-  Private land
-  DNR Project Boundary



 DNR Project Boundaries



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAUGH
DIRECTOR

September 12, 2016

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Wildlife Land Acquisition
Maple River State Game Area – Gratiot County
The Bellingar Tract
Land Transaction Case #20160027

Purchase: 29.84 acres - \$56,696.00

Funding Source: Waterfowl Capital Outlay funds

PA 240 of 2012: PILT Estimate: \$865.00
This parcel is located south of the Mason-Arenac County line.

Description: Gratiot County, Washington Township, T09N, R02W, Section 29:
As more particularly described in the purchase option.

Seller(s): Bryan and Tami Bellingar, Ashley, Michigan

Authority: Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Notice: This item will appear on the Department of Natural Resources (Department) October 4, 2016, calendar, and is eligible for approval on October 11, 2016.

Management Purpose: This property will be managed as a part of the Maple River State Game Area for wildlife habitat and will provide additional hunting opportunities near a large population center.

Comments: The acquisition of this 29.84-acre parcel is a targeted, strategic investment that strongly supports the Department's mission of enhancing, restoring, and conserving the state's wildlife resources, natural communities, and ecosystems for the benefit to Michigan's citizens, visitors and future generations. This property contains the following characteristics:

- Adjacent to publicly-owned land – the north and west sides of the property are bordered by existing Maple River State Game Area property.
- Proximity to population centers – this acquisition is nine miles north of St. Johns and 25 miles north of Lansing.
- Access – the parcel does not have frontage on a public road. Access will be by the adjacent public land and by boat.
- Waterfrontage – the parcel has one-half mile of frontage on the north

September 12, 2016

side of the Maple River.

- Topography and cover – the parcel lies within the Maple River floodplain, is entirely wooded and is seasonally flooded.
- Wildlife – this parcel supports mallard, wood duck, white-tailed deer, and cottontail rabbit.
- Improvements – none.

As a result, this property will provide quality opportunities for dispersed public recreation in southern Michigan and will support Michigan's \$1.3 billion hunting industry by increasing the amount of public hunting land.

The seller will convey mineral rights relative to this tract, if owned.

Acquisition of this parcel will contribute to the Department's goals of securing wildlife habitat and increasing public recreation opportunities.

Engagement: Washington Township is supportive of the purchase while Gratiot County is neutral.

Recommendation: 1. That the acquisition be approved, with payment to be made from Waterfowl Capital Outlay funds.

2. This land is to be dedicated as part of the Maple River State Game Area.



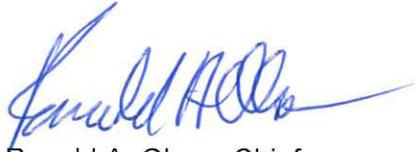
Russ Mason, Ph.D., Chief *for*
Wildlife Division



William O'Neill, Chief
Forest Resources Division



James L. Dexter, Chief
Fisheries Division



Ronald A. Olson, Chief
Parks and Recreation Division



William E. Moritz, Ph.D.
Natural Resources Deputy



Mark H. Hoffman
Chief Administrative Officer

I approve the staff recommendations.

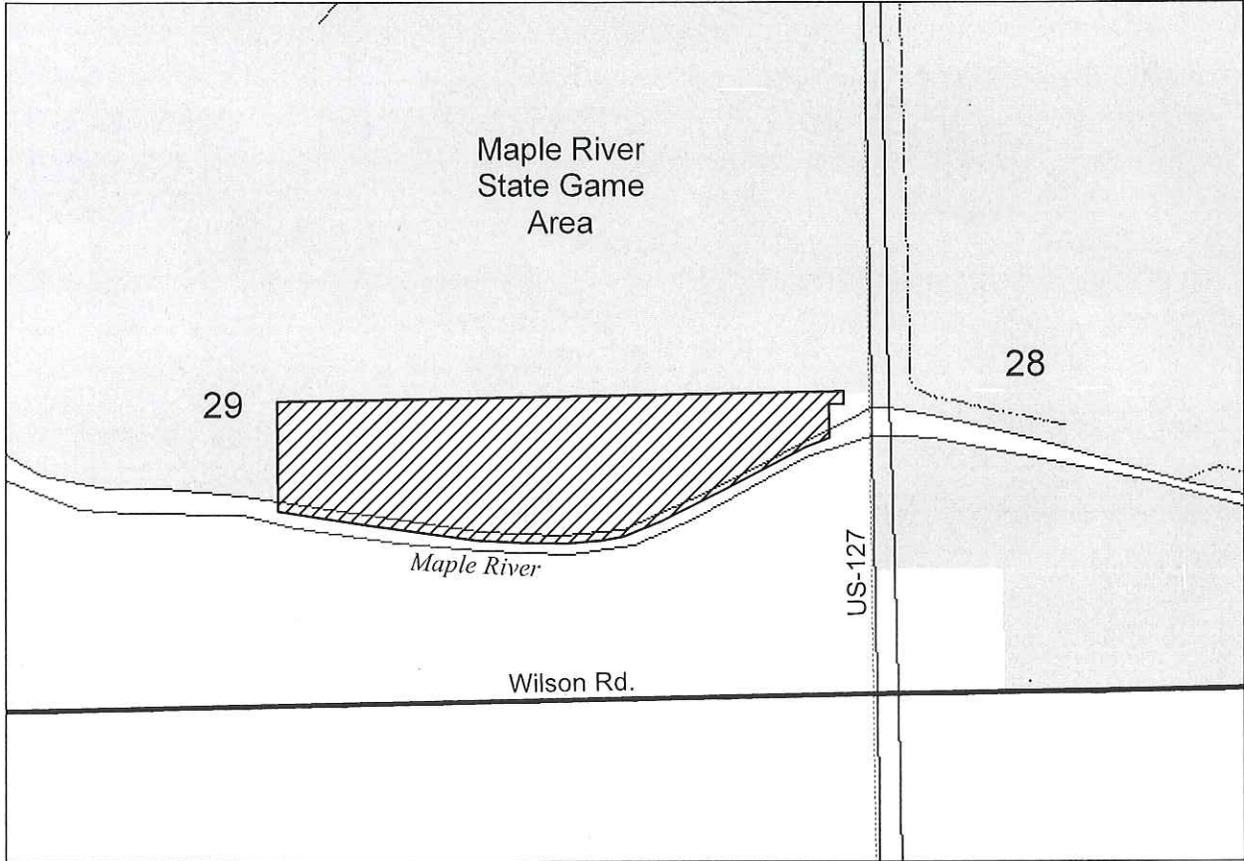


Keith Creagh
Director

10/13/16

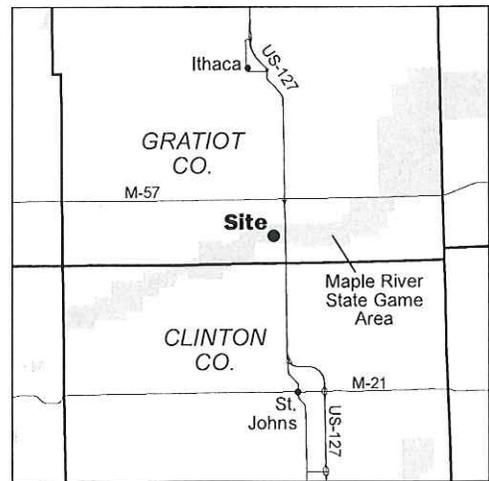
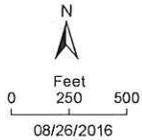
Date Approved

WILDLIFE LAND ACQUISITION
 Maple River State Game Area – Gratiot County
 The Bellingar Tract
 Land Transaction Case #20160027



Section 29, T09N, R02W, Washington Township

- Land to be acquired by DNR (29.84 acres)
- State land
- Private land
- DNR Project Boundary



DNR Project Boundaries