



STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



JENNIFER M. GRANHOLM
GOVERNOR

REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: April 10, 2008

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Order to Regulate the Use of Lands in the Atlanta Management Unit, Presque Isle and Cheboygan Counties
Land Use Order of the Director Amendment 6 of 2008
FOR INFORMATION ONLY

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:

This amendment to Land Use Order of the Director 4.13 (Cheboygan County), and 4.41 (Presque Isle County) is being requested to prohibit dispersed camping in the Black Mountain Forest Recreation Area (BMRA) from Memorial Day to Labor Day, and permanently prohibit camping in the following locations:

Parking Lots:

- 489 Snowmobile Parking Lot, the SE1/4 of the SE1/4, Section 21, T36N-R02E (Presque Isle County)
- 489 Pathway Parking Lot, the NE1/4 of the SE1/4, Section 21, T36N-R02E (Presque Isle County)
- Black Mountain Road Parking Lot, the NW1/4 of the NW1/4, Section 18, T36N-R02E (Presque Isle County)
- Scramble Area Parking Lot, the SW1/4 of the NE1/4, Section 12, T36N-R01E (Cheboygan County)
- Twin Lake Road/Chateau Parking Lot, the SW1/4 of the SE1/4, Section 2, T36N-R01E (Cheboygan County)
- Doriva Beach Road/Bluffs Parking Lot, the SW1/4 of the SW1/4, Section 13, T36N-R01E (Cheboygan County)

Shelters:

- Presque Isle Shelter, the SE1/4 of the SW1/4, Section 17, T36N-R02E (Presque Isle County)

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Cheboygan Shelter, the SW1/4 of the SW1/4, Section 13, T36N-R01E (Cheboygan County)

This prohibition is being requested because the Department of Natural Resources (DNR) staff is experiencing increasing difficulty in regulating and managing multiple-uses within the forest recreation area, particularly wheeled motorized-vehicles and horses. In the original management plan for the BMRA, it is implied that the parking lots were to be used by day-users to gain access to the large variety of trails. The DNR staff has observed that more campers with large equipment are taking up space in these parking lots for weeks on end. This has made it difficult for day-users to access these parking lots, shelters, and wildlife openings. There has also been damage created by dispersed campers in the BMRA, including development of illegal trails, increased erosion, soil compaction, and an increase in household and camping refuse being dumped on state land. Restricting dispersed camping in the BMRA from Memorial Day to Labor Day, and permanently prohibiting camping in the listed parking lots and shelter areas, will significantly protect the resources, as well as ensuring more efficient law enforcement, day-user access to these sites, and user safety. The Black Lake State Forest Campground, Twin Lakes State Forest Campground, and Twin Lakes Horse Camp are designated campgrounds that are available within a short distance of these parking lots, shelters and trails.

This request has been reviewed and recommended for approval by the DNR staff in all Divisions.

Recommendation:

This order is being submitted for information and consideration. This item will appear on the Department's March 31, 2008 calendar, and may be eligible for approval in June 2008.

Lynne M. Boyd, Chief
Forest, Mineral and Fire Management

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Arminda S. Koch
Resource Management Deputy

Dennis Fedewa
Chief Deputy

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 6 of 2008

By authority conferred on the Director of the Department of Natural Resources by Section 504 of Act No. 451 of the Public Acts of 1994, as amended, being section 324.504 of the Michigan Compiled Laws and in accordance with R 299.671 and R 299.922 of the Michigan Administrative Code, the Director of the Department of Natural Resources (department) orders that the following order of the Land Use Orders of the Director shall read as follows:

4.13 Certain state-owned lands, Cheboygan county, camping, wheeled motorized-vehicles, prohibited conduct.

Order 4.13 (1) A person shall not do any of the following on the described state-owned lands, Cheboygan county:

(a) Camp or use wheeled motorized-vehicles, except on the marked and designated Michigan cross country cycle trail, within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 15, and the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of section 16, T35N R02W.

(b) Operate a motorized-vehicle which is greater than 50 inches in width on the posted scramble area in sections 1 and 12, T36N R01E.

(c) Enter, use, or occupy, including operate a wheeled, motorized-vehicle on the closed forest road located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of section 11, T36N R01E.

(2) A person shall not camp upon state owned lands in sections 1, 2, 3, 10, 11, 12, 13, 14, and 24 of T36N R01E known as the black mountain forest recreation area, from memorial day to labor day except in a designated campground. In addition, camping is permanently prohibited in the following described areas:

(a) Scramble area parking lot located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, section 12, T36N R01E.

(b) Twin lake road/chateau parking lot located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, section 2, T36N R1E.

(c) Doriva beach road/bluffs parking lot located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, section 13, T36N R01E.

(d) Cheboygan shelter located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, section 13, T36N R01E.

4.41 Certain state-owned lands, Presque Isle county, camping, vehicle use, prohibited conduct.

Order 4.41 (1) A person shall not camp upon state-owned lands in the following described areas, Presque isle county, except in a designated campground:

(a) Section 27, T33N R02E.

(b) The SE $\frac{1}{4}$, and the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of section 28, T33N R02E.

(c) The E $\frac{1}{2}$ of section 33, T33N R02E.

(d) Section 34, T33N R02E.

(2) A person shall not operate a motorized-vehicle upon state-owned lands within the following described boundary of sections 13, 14, 15, 22, 23, and 24, T33N R2E, Presque isle county:

(a) Beginning at the northwest corner of section 14, then easterly on the north line of sections 13 and 14 for a distance of $1\frac{3}{4}$ miles to a road running in a southerly direction, southerly on the road through the eastern portion of sections 13 and 24 for $1\frac{3}{4}$ miles, westerly on the road through the southern portion of sections 24 and 23 for $1\frac{3}{4}$ miles, northerly on Shoepac lake road through the eastern portion of section 22 to the south line of section 15, westerly to Shoepac lake, westerly on the north shore of Shoepac lake to the western boundary of state-owned lands

within the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section 15, northerly to the county road 624, northeasterly to Shoepac lake road, northerly to the point of beginning, excluding Shoepac lake road itself.

(3) A person shall not camp in the Besser natural area within section 24, T33N R08E, Presque isle county.

(4) A person shall not operate a motorized-vehicle upon that portion of Perch lake road lying in section 22 of Allis township beginning at Shoepac lake road and proceeding in a northwesterly direction for .2 of a mile, and the portion of Shoepac lake road in section 15 of Allis township beginning at the junction of county road 634 and proceeding in a southwesterly direction for .75 miles, more or less, to its intersection with the department parking area for the sink holes pathway, T33N R02E, Presque isle county.

(5) A person shall not enter upon or camp upon state owned lands within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 15, T33N R04E, Presque isle county, between the hours of 11 p.m. and 4 a.m., as posted.

(6) A person shall not operate a wheeled motorized-vehicle on state-owned lands within the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of section 11, T34N R03E, without the written permission of the department.

(7) A person shall not operate a wheeled motorized-vehicle upon state-owned lands in the Canada creek area located west of highway M-33 in section 20, T33N R2E, as posted by the department.

(8) A person shall not enter, use or occupy the railroad grade beginning at the south line of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, section 5, T34N R06E, and ending at the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, section 23, T35N R05E, being station 633+60, mile post 12, Presque isle county, without the written permission of the department.

(9) A person shall not enter, use or occupy, including operate a wheeled motorized-vehicle, on the closed forest road located in the SW $\frac{1}{4}$ of section 16, T36N R02E.

(10) A person shall not camp upon state-owned lands in sections 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, and 30 of T36N R02E known as the black mountain forest recreation area, from memorial day to labor day, except in a designated campground. In addition, camping is permanently prohibited in the following described areas:

(a) Presque Isle shelter located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, section 17, T36N R02E.

(b) 489 snowmobile parking lot located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, section 21, T36N R02E.

(c) The 489 pathway parking lot located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of section 21, T36N R02E.

(d) The Black mountain road parking lot located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, of section 18, T36N R02E.

This order may be posted on or after June 6, 2008.

Issued on this 5th day of June, 2008.

Rebecca A. Humphries
Director