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GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: June 18, 2009
RESUBMITTED: July 13, 2009

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission
Subject: Closure of Certain Forest Roads, Marquette and Alger Counties
Land Use Order of the Director Amendment No. 9 of 2009

Authority:

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

Discussion and Background:

Gwinn Management Unit staff is recommending the closure of a forest road located in the SW1/4 of the NE1/4 and the NW1/4 of the SE1/4 of Section 3, T49N, R26W, Marquette Township, Marquette County. The road must be closed for the following reasons:

The road is utilized each year by several campers and vehicles, which are left on the road and in the vicinity for extended periods of time without permission. Due to the high visibility of the site, this illegal use has resulted in numerous complaints from the public. In addition, this use has contributed to illegal fishing, public nuisance, partying, and littering.

Daily monitoring, verbal warnings, and tickets issued by Law Enforcement Division in the past has not corrected the problem. In addition, this illegal use is contributing to damage of state land and erosion. Staff recommendations include closure of the road and blocking access to the road by utilizing an earth berm.

The Western Upper Peninsula (WUP) Ecoteam has been informed of the need for these road closures. The closure has been reviewed and is supported by the WUP Ecoteam.

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Recommendation:

This Order is being submitted for approval. This item appeared on the June 29, 2009 calendar, was presented as information only to the NRC on July 9, 2009, and is eligible for approval on August 13, 2009.

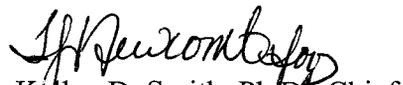

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LAND USE ORDERS OF THE DIRECTOR

Amendment No. 9 of 2009

By authority conferred on the Director of the Department of Natural Resources by section 504 of 1994 PA 451, MCL 324.504, and pursuant to R 299.671 and R 299.921 of the Michigan Administrative Code, it is ordered that the following order of the Land Use Orders of the Director shall read as follows:

4.30 Certain state-owned lands, Marquette and Alger counties, prohibited conduct.

Order 4.30 (1) A person shall not operate a motorized vehicle upon state-owned lands within the following portions of Marquette county:

(a) The SE1/4 of the NE1/4 and the NE1/4 of the SE1/4 of section 33, and the N1/2 of the SW1/4 and the E1/2 of the NW1/4 of section 34, T45N R28W.

(b) Those lands lying south of county road 480 and east of county road 553 in section 22, the W1/2 of section 23, the NW1/4 of section 26, and section 27, T47N, R25W and on the designated pathway known as thunder valley equestrian trail in the S1/2 of section 26, W1/2 of the SE1/4 of section 25, and section 36 of T47N, R25W. In addition, no overnight camping is allowed in the thunder valley equestrian trail parking lot.

(c) On the closed road in the SW1/4 of the NE1/4 and the NW1/4 of the SE1/4 of section 3, T49N, R26W.

(2) A person shall not camp within the east Anderson lake state forest campground area, being all or portions of section 12, T44N R26W; that part of the S1/2 of the SE1/4 of section 12, T44N R26W, lying southerly and easterly of Anderson lake; the NE1/4 of the NE1/4 of section 13, T44N R26W; and the NW1/4 of the NW1/4 of section 18, T44N R25W, Marquette county.

(3) A person shall not do any of the following on the blueberry ridge pathway located upon state-owned lands within sections 22, 23, 26, 27, T47N, R25W, Marquette county.

(a) Possess a dog from November 15 to April 15.

(b) Possess a horse or other riding or pack animal or bike.

(4) A person shall not do any of the following on the little Presque isle property in sections 17 to 20, and 29 to 32, T49N R25W, and sections 13, 24, 25 and 36, T49N R26W, Marquette county:

(a) Launch or attempt to launch a vessel equipped with an inboard or outboard motor, except an electric motor, onto the waters of Harlow lake.

(b) Target shoot with a firearm, crossbow, or bow and arrow.

(c) Operate a wheeled motorized vehicle or snowmobile except upon a forest road.

(d) Have an open fire, except fires in a self-contained cooking unit or in a fire ring or grill in a designated campsite or day use area west of county road 550.

(e) Possess a glass container except in a designated camping area.

(f) Possess or consume an alcoholic beverage east of county road 550.

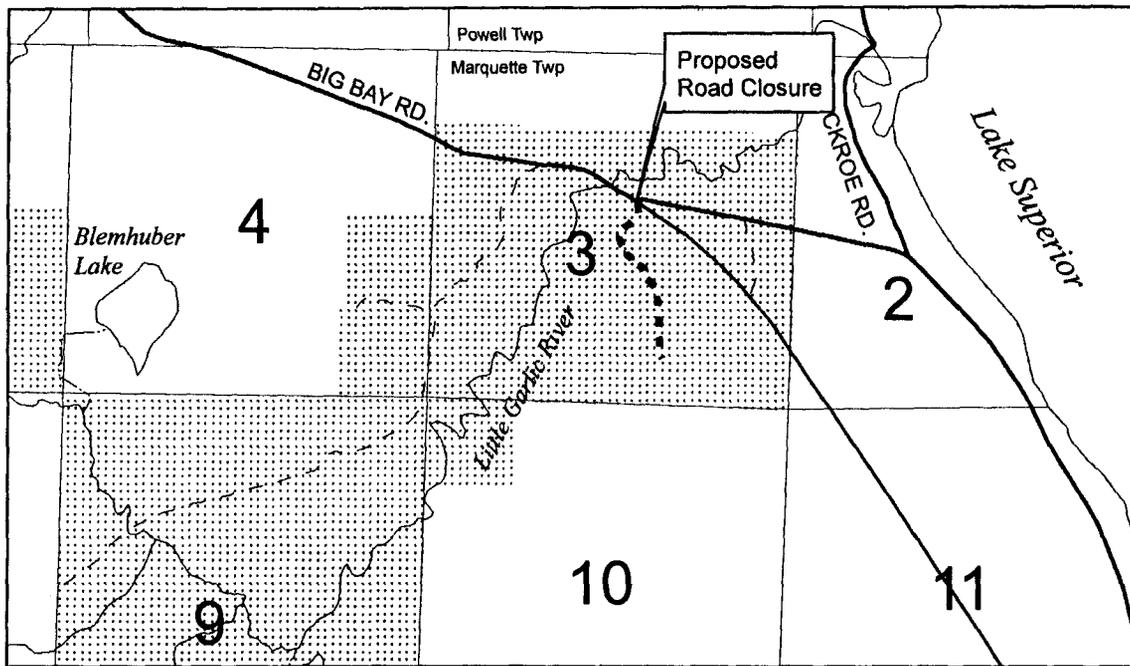
- (g) Allow a pet to be unleashed within a designated quiet or designated day use area.
 - (h) Camp within 1 mile of a campground, rustic cabin, day use area or boat launching site, or camp east of county road 550.
 - (i) Use a mountain bicycle, except on an abandoned railroad right-of-way, forest road or designated trail.
 - (j) Use or operate a loud speaker, public address system, or other sound amplifying equipment without written permission of the unit manager. Permission shall not be granted if such system is capable of interfering with the use and enjoyment of the quiet area by other persons.
 - (k) Operate a motor, motor vehicle, radio, television or any device in a manner that produces excessive noise.
- (5) A person shall not camp upon or within 100 feet of the little garlic parking lot in the SE1/4 of the NW1/4 of section 3, T49N R26W, Marquette county.
- (6) The Marquette to Munising junction trail means the former Wisconsin central limited railroad right-of-way beginning at Hampton street in the city of Marquette in the NW1/4 of the NE1/4 of section 26, T48N R25W, Marquette county and ending at Munising junction in the SW1/4 of the SE1/4 of section 17, T46N R19W, Alger county. A person shall not do any of the following upon the Marquette to Munising junction trail:
- (a) Operate a wheeled motorized vehicle between the intersections of the trail with Hampton street in the NW1/4 of the NE1/4 of section 26, T48N R25W, to the intersection of the trail with Casino road in the SE1/4 of the NE1/4 of section 12, T47N R24W, Marquette county.
 - (b) Operate a wheeled motorized vehicle which is greater than 50" in width between the intersection of the trail with Casino road in the SE1/4 of the NE1/4 of section 12, T47N R24W, Marquette county and the intersection of the trail with a north-south electric transmission line in the NE1/4 of the SW1/4 of section 17, T46N R19W, Alger county.
 - (c) Operate a snowmobile at a speed greater than 35 miles per hour as posted, commencing where the trail intersects the west line of the NW1/4 of NW1/4 of section 6, T47N, R24W, or starting from the westerly end point behind the Michigan department of transportation welcome center in Harvey to an easterly end point 0.4 miles east of Chocolay downs road.
 - (d) This order shall not apply to vehicles used by the state of Michigan, law enforcement agencies or utility companies when on official business, or other parties with written permission from the unit manager or for otherwise lawful operation of wheeled motorized vehicles when crossing the trail.

This amended order shall be posted on or after August 14, 2009.

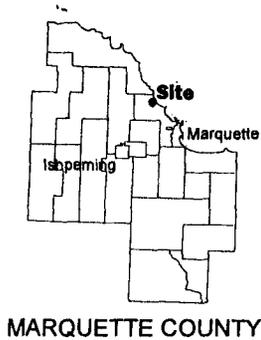
Issued on this 13th day of August, 2009.

Rebecca A. Humphries
Director

PROPOSED FOREST ROAD CLOSURE
 Land Use Order Of The Director Amendment No. 9 of 2009
 Gwinn Forest Management Unit - Marquette County
 Compartment 203, T49N, R26W, Section 3



- Proposed road to be closed
- County roads
- - - - Forest roads
- ▨ State land
- Private land



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