



JENNIFER M. GRANHOLM
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, Midland County
Land Use Order of the Director Amendment No. 10 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:

Gladwin Management Unit staff is recommending the closure of all forest roads located in Sections 7 and 18, T13N, R01W, Porter Township, and Sections 1, 12, and 13, T13N, R02W, Jasper Township, Midland County. These closures are recommended on all roads within this area, with the exception of the first 1/8 mile from the perimeter of state land which will allow access for parking and camping. The roads must be closed for the following reasons:

Chevron Environmental Management Company has volunteered, at their own expense, to remediate the oil well sites in this area, which includes up to 70 sites, known as the Porter Oil Field. The remediation may take as many as four or five years to complete. The closure of the roads in this area will help to ensure a safer work environment for the remediation, as well as providing for public safety. In addition, this area contains extensive wetlands and a majority of the existing roads are very wet. This has contributed to extensive illegal ORV use, which has resulted in substantial damage to state land. There have also been additional issues of trash dumping in the area. Some of the roads that are recommended for closure are utilized by adjacent landowners to access their property. In preparation for this closure, Forest, Mineral and Fire Management staff has worked extensively with these landowners to determine other means of access. To date, these efforts have been fairly successful. In order to maintain access to the area for hunters, the recommendation is for these closures to be in effect year around, with the exception of November 7 through December 31 each year. The opening of the roads during this time period will allow for access during the fall hunting season. Staff recommendations include closure of the roads and blocking access with gates, posts, or natural material.

NATURAL RESOURCES COMMISSION
Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • John Madigan • Timothy L. Nichols • J. R. Richardson • Frank Wheatlake

STEVENS T. MASON BUILDING • P.O. BOX 30028 • LANSING, MICHIGAN 48909-7528
www.michigan.gov/dnr • (517) 373-2329

Great Lakes, Great Times, Great Outdoors!

The Northern Lower Peninsula (NLP) Ecoteam has been informed of the need for these road closures. The closures have been reviewed and are supported by the NLP Ecoteam.

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.


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


Ronald A. Olson, Chief
Parks and Recreation Division


Russ Mason, Ph.D., Chief
Wildlife Division


Kelley D. Smith, Ph.D., Chief
Fisheries Division


Gary Hagler, Chief
Law Enforcement Division


David Freed, Chief
Office of Land and Facilities


Arminda S. Koch
Resource Management Deputy

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 10 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:

4.32 Midland county, motorized vehicles upon certain state-owned lands, prohibited conduct; Midland ORV trail and certain ORV routes in Midland county, temporary closure to vehicles; Kawkawlin creek flooding, prohibited conduct.

Order 4.32 (1) A person shall not operate a motorized vehicle upon state-owned lands lying south of highway US-10 in sections 9 and 10; lying north of the salt river in section 15; and lying north of Saginaw road in section 16, T15N R1W, Midland county.

(2) A person shall not operate any motorized vehicle upon the state designated Midland ORV trail and other designated ORV routes within T15N R1W, T16N R1W, T16N R1E, and T16N R2E, Midland county.

(3) The following regulations shall apply to the Kawkawlin creek flooding located in sections 17 and 18, T16N R2E, Midland county:

(a) A person shall not enter into or upon the dam control structure of the east dike in section 17.

(b) A person shall not park or camp upon either the south or east dikes.

(c) A person shall not camp in a designated parking area within the Kawkawlin creek flooding.

(d) A person shall not use or operate a motorized vehicle on the south and east dikes, except that the road on the east dike will be open to such vehicles from August 15 through February 1 unless temporarily closed by the department during erosive, wet weather conditions.

(4) A person shall not operate a wheeled motorized vehicle on state-owned land located in section 11, T15N R1W, commonly known as the turtle pond area, except for the black creek campground located north of black creek and the turtle pond access road and parking area.

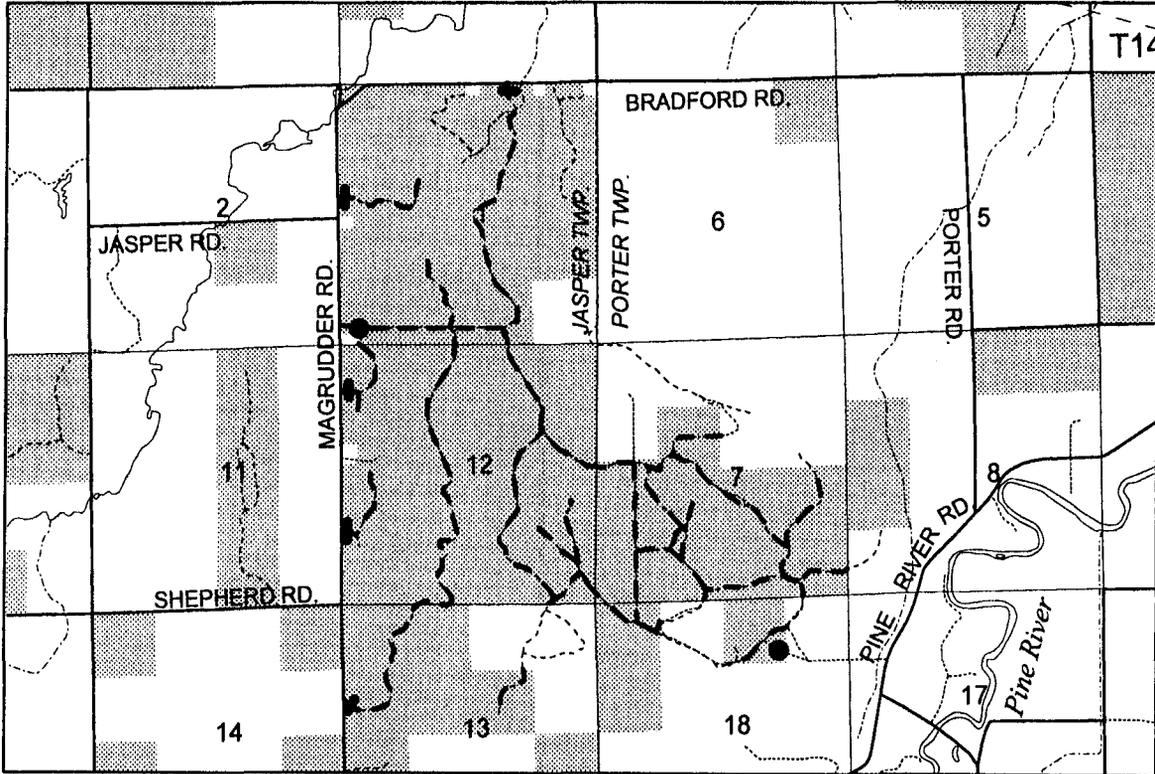
(5) A person shall not operate a wheeled motorized vehicle between the dates of January 1 and November 6 on state-owned land located in sections 7 and 18, T13N R01W and sections 1, 12 and 13, T13N R02W, Midland county, except on the road segments open for use within 1/8 mile of the perimeter of state land.

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

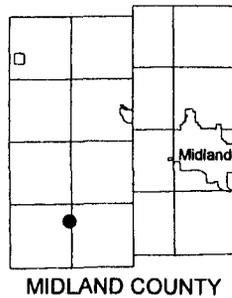
Issued on this 13th day of August, 2009

Rebecca A. Humphries
Director

PROPOSED FOREST ROAD CLOSURES
 Land Use of the Director, Amendment No. 10 of 2009
 Gladwin Forest Management Unit - Midland County
 Compartment 116, T13N, R01W, Sections 7 and 18
 Compartment 116, T13N, R02W, Sections 1, 12 and 13



- Berm
- Gate
- Proposed roads to be closed
- Forest road
- County road
- State Land
- Private land





 DNR-FMFM
 Dnrfile2\RAU_Projects\
 Commission_Memos\
 closed roads\73gladwin\
 73_24june09_comp116.apr
 06-26-09, 4:00 pm