



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

SUBMITTED: August 17, 2009

MEMORANDUM TO THE DIRECTOR

INFORMATION: Natural Resources Commission

SUBJECT: Order to Regulate Off-Road Vehicle (ORV) Use at Muskallonge Lake State Park and Clear Lake State Park – Luce and Montmorency Counties
Land Use Order of the Director Amendment No. 16 of 2009
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 the Land Use Orders of the Director is to legalize the use of off-road vehicles (ORVs) in Muskallonge Lake State Park (Luce County) and Clear Lake State Park (Montmorency County), to their loading, unloading, and riding destination from a designated parking area or campsite by the most direct route to the public county highway. Both of these units are located near access points to designated ORV trails.

The goal with this amendment is to offer a new recreational experience to ORV users and to increase camping and lodging nights at these two state parks, as well as to increase overall attendance. If successful, Muskallonge Lake and Clear Lake State Parks have locations that could be developed as parking areas for day users to access the trails. The Department does not support nor desire ORV "riding" within these facilities, but wants to allow park visitors to access the nearby trail networks via the park's roads. Additionally, the requirement for a state park motor vehicle permit for these licensed ORVs should be waived, as authorized in statute.

This order has been reviewed and approved by the Recreation and Trails Section of the Forest, Mineral and Fire Management Division, and the ORV Advisory Board passed a resolution in support of this LUOD at their August 5, 2009, meeting.

NATURAL RESOURCES COMMISSION

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and Clear Lake State Park – Luce and Montmorency Counties

LUOD Amendment No. 16 of 2009

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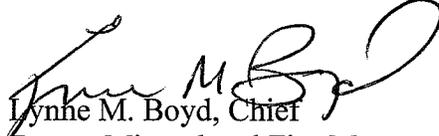
August 17, 2009

Recommendation:

This order is being submitted for information and consideration at the September 10, 2009, Natural Resources Commission meeting. This item appeared on the Department's August calendar and may be eligible for approval on October 8, 2009.


Ronald A. Olson, Chief
Parks and Recreation Division


Gary Hagler, Chief
Law Enforcement Division


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


Arminda S. Koch
Resource Management Deputy

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 16 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:

5.16 Entry, use and occupancy of certain state parks recreation areas and scenic sites, motor vehicle permit requirement.

Order 5.16 A person shall not do any of the following:

(1) Enter any of the following state-owned lands with a motor vehicle, unless a valid Michigan state park motor vehicle permit has been purchased and affixed to the vehicle windshield in accordance with the printed instructions on the permit:

- (a) Agate falls scenic site, Ontonagon county.
- (b) Algonac SP, St. Clair county.
- (c) Aloha SP, Cheboygan county.
- (d) Bald mountain RA, Oakland county.
- (e) Baraga SP, except off-road recreation vehicles regulated under part 811 of 1994 PA 451, Baraga county.
- (f) Bass river RA, recreation area lands located in sections 1 and 12, T7N, R15W, in Robinson township; and in sections 7 and 8, T7N, R14W in Allendale township north and west of bass river and SW of grand river in Ottawa county.
- (g) Bay city RA, Bay county.
- (h) Bewabic SP, Iron county.
- (i) Bond falls scenic site, Ontonagon county.
- (j) Brighton RA, Livingston county.
- (k) Brimley SP, Chippewa county.
- (l) Burt lake SP, Cheboygan county.
- (m) Cheboygan SP, Cheboygan county.
- (n) Clear lake SP, **EXCEPT OFF-ROAD RECREATION VEHICLES REGULATED UNDER PART 811 OF 1994 PA 451**, Montmorency county.
- (o) Craig lake SP, all state park designated lands located in sections 32, 33, 34, 35, 36, 28, 27, 26, 25, 21, 22, 23 and 24, T49N, R31W, Baraga county.
- (p) Dodge #4 SP, Oakland county.

- (q) Duck lake SP, Muskegon county.
- (r) Fayette SP, Delta county.
- (s) Fort Custer RA, Kalamazoo county.
- (t) Fort Wilkins SP, Keweenaw county.
- (u) Fisherman's island SP, Charlevoix county.
- (v) Grand haven SP, Ottawa county.
- (w) Grand Mere SP, Berrien county.
- (x) Harrisville SP, Alcona county.
- (y) Hartwick pines SP, Crawford county.
- (z) Hayes SP, Jackson, Lenawee, and Washtenaw counties.
- (aa) Highland RA, Oakland county.
- (bb) Hoeft SP, Presque isle county
- (cc) Hoffmaster SP, Ottawa and Muskegon counties.
- (dd) Holland SP, Ottawa county.
- (ee) Holly RA, Oakland county, all recreation area land in sections 20, 21, 27, 28, 29, 32, and 33 T5N, R8E north and east of highway M-54 (Dixie highway), west of Wildwood road and south of grange hall road. Recreation area land in sections 13, 14, 23, 24, 25 (remote control aircraft flying field only) and 26 (north of grange hall road only), T5N, R7E west of I-75.
- (ff) Indian lake SP, Schoolcraft county.
- (gg) Interlochen SP, Grand Traverse county.
- (hh) Ionia RA, Ionia county.
- (ii) Island lake RA, Oakland and Livingston counties.
- (jj) Lake Gogebic SP, Gogebic county.
- (kk) Lake Hudson RA, Lenawee county.
- (ll) Lakeport SP, St. Clair county.
- (mm) Laughing whitefish falls scenic site, Alger county.
- (nn) Leelanau SP, Leelanau county.
- (oo) Ludington SP, Mason county.
- (pp) Maybury SP, Wayne county.

(qq) McLain SP, Houghton county.

(rr) Mears SP, Oceana county.

(ss) Metamora-Hadley RA, Lapeer county.

(tt) Mitchell SP, Wexford county.

(uu) Muskallonge lake SP, **EXCEPT OFF-ROAD RECREATION VEHICLES REGULATED UNDER PART 811 OF 1994 PA 451**, Luce county.

(vv) Muskegon SP, Muskegon county.

(ww) Newaygo SP, Newaygo county.

(xx) Negwegon SP, Alcona and Alpena counties.

(yy) North Higgins lake SP, Crawford county.

(zz) Onaway SP, Presque isle county.

(aaa) Orchard beach SP, Manistee county.

(bbb) Ortonville RA, Oakland and Lapeer counties.

(ccc) Otsego lake SP, Otsego county.

(ddd) Palms book SP, Schoolcraft county.

(eee) Petoskey SP, Emmet county.

(fff) Pinckney RA, Washtenaw and Livingston counties.

(ggg) Pontiac lake RA, Oakland county.

(hhh) Porcupine mountains wilderness SP, Ontonagon and Gogebic counties.

(iii) Port crescent SP, Huron county.

(jjj) Proud lake RA, Oakland county.

(kkk) Rifle river RA, Ogemaw county.

(lll) Saugatuck SP, Allegan county.

(mmm) Seven lakes SP, Oakland county.

(nnn) Silver lake SP, Oceana county.

(ooo) Sleeper SP, Huron county.

(ppp) Sleepy Hollow SP, Clinton county.

(qqq) South Higgins lake SP, Roscommon county.

- (rrr) Sterling SP, Monroe county.
- (sss) Straits SP, Mackinac county.
- (ttt) Tahquamenon falls SP, Luce and Chippewa counties.
- (uuu) Tawas point SP, Iosco county.
- (vvv) Thompson's harbor SP, Presque isle county.
- (www) Tippy dam RA, Manistee county.
- (xxx) Traverse city SP, Grand Traverse county.
- (yyy) Twin lakes SP, except vehicles regulated under Part 811 of 1994 PA 451, Houghton county.
- (zzz) Van Buren SP, Van Buren county.
- (aaaa) Van riper SP, Marquette county.
- (bbbb) Wagner falls scenic site, Alger county.
- (cccc) Warren dunes SP, Berrien county.
- (dddd) Warren woods SP, Berrien county.
- (eeee) Waterloo RA, lands in Jackson and Washtenaw counties, with the exception of section 2, 3, 11, 12, 13, 14, 15, 21, 22, 23, 24, 27, 28, 29, T1S, R2E, Jackson county.
- (ffff) Wells SP, Menominee county.
- (gggg) Wetzal RA, Macomb county .
- (hhhh) Wilderness SP, Emmet county.
- (iiii) Wilson SP, Clare county.
- (jjjj) Yankee springs RA, Barry county.
- (kkkk) Young SP, Charlevoix county.

5.17 Off-road vehicles in ~~Twin lakes SP, Houghton county, and Baraga SP, Baraga county~~ STATE PARKS; ~~conditions for use, permit, prohibited conduct.~~

Order 5.17 A person shall not operate an off-road vehicle in ~~Twin Lakes and Baraga SP~~, **IN THE FOLLOWING STATE PARKS** except for:

- (1) Entrance to and departure from a designated area **IN:**
 - (A) BARAGA SP, BARAGA COUNTY.**
 - (B) CLEAR LAKE SP, MONTMORENCY COUNTY.**
 - (C) MUSKALLONGE LAKE SP, LUCE COUNTY.**

(D) TWIN LAKES SP, HOUGHTON COUNTY.

This amended order shall be posted on or after October 9, 2009.

Issued on this 8th day of October, 2009.

Rebecca A. Humphries
Director