



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

SUBMITTED: September 17, 2012

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Order to Regulate the Use of Lands in the Cadillac and Roscommon Management Units, Dead Stream Swamp, Missaukee and Roscommon Counties
Land Use Order of the Director No. 12 of 2012
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:

The Dead Stream Swamp closure has been protected by administrative rules under authority of 1965 PA 380, now repealed. Including the Dead Stream Swamp Order within the Land Use Order of the Director is consistent with Department authority and practice by placing this type of closure with other similar land use prohibitions and closures and coincides with the State's initiative to eliminate unnecessary rules.

This Land Use Order of the Director provides natural resource protection to the Dead Stream Swamp area from the use of motor-driven boats and motorized vehicles, including snowmobiles, and includes a provision to allow vehicular access by department employees and their designees, and emergency personnel to perform official duties.

The Dead Stream Swamp was designated by the National Park Service in 1976 as a National Natural Landmark, and is an exceptionally large example (one of the largest in the United States) of a northern white cedar swamp considered to be the climax in bog forest development. Besides swamp forest, this Landmark contains approximately 800 acres of deciduous upland forest; shrubs and sedges bordering the lower reaches of Dead Stream; and the 60-acre Bear Lake, a bog pond bordered by an expansive sphagnum-heath mat.

Recommendation:

This order is being submitted for information and consideration. This item appeared on the Department's October 2012 calendar and may be eligible for approval on November 8, 2012.


William O'Neill, Chief
Forest Resources Division


Gary Hagler, Chief
Law Enforcement Division


Ronald A. Olson, Chief
Parks and Recreation Division


Russ Mason, Ph.D., Chief
Wildlife Division


James Dexter, Chief
Fisheries Division


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

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 12 of 2012

By authority conferred on the Director of the Department of Natural Resources by Section 504 of the Natural Resources Environmental Protection Act, 1994 PA 451, as amended, MCL 324.504, and in accordance with R 299.921 to R 299.933, the Director of the Department of Natural Resources orders the following:

4.33a Dead stream swamp, Au Sable state forest, Missaukee and Roscommon counties, motorized vehicles, boat launch, prohibited conduct.

Order 4.33a (1) The Dead stream swamp area in the Au Sable state forest is described as follows:

(a) Section 4 west of Mead road, sections 5-8, the NW1/4 of the NW1/4 and the S1/2 of NW1/4 and the SW1/4 of section 9; sections 17-19, the N1/2 of section 20, and the NW1/4 of section 30 west of north Muskegon road, T23N R04W.

(b) Sections 1 and 2, the N3/4 of section 3 north of the county road; the NE1/4 of section 11, N1/2 of section 12, the E1/2 of the S3/4 of section 24, and the N3/4 of the E1/2 of section 25, T23N R05W.

(c) Sections 19, 20, 28-32, and section 33 west of Mead road, T24N R04W.

(d) Sections 22-27, that part east of pipeline crossing in the E1/2 of section 33 in a northeast-southwest direction, that part east of pipeline in section 34, and sections 35 and 36, T24N R05W.

(2) A person shall not do any of the following in the Dead stream swamp area:

(a) Operate a motorized vehicle, except for otherwise lawful operation upon a designated trail, designated route or designated area.

(b) Launch boat with a motor over 7 1/2 horsepower.

(3) This order shall not apply to department employees and their designees using a motorized vehicle or a motorized vessel to perform official duties, or to fire, emergency or law enforcement personnel to perform official duties.

This amended order shall be posted on or after the 9th day of November, 2012.

Issued on this 8th day of November, 2012.

Keith Creagh
Director