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GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

July 23, 2007

REVISED: August 9, 2007

Memorandum to the Director

Information: Natural Resources Commission

SUBJECT: Order to Regulate Use, South Higgins Lake State Park, Roscommon County; prohibit parking a vehicle in boat launch parking lot without a boat trailer attached, and prohibit mooring boats on shorelines or bottomlands in front of a state park unless registered as a camper; and snowmobiles at Fort Custer Recreation Area, Kalamazoo County – 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:

South Higgins Lake State Park

South Higgins Lake State Park, Roscommon County, provides 400 modern campsites, five miles of hiking trails, one-half mile of day use beach picnic area, and the largest boat launch on Higgins Lake. Signage already prohibits parking of vehicles without boat trailers in a boat launch parking lot, and park staff have been enforcing this rule for years. This request is for an amendment to the Land Use Order of the Director.

Recent court rulings regarding mooring vessels at public road ends has resulted in increased pressure for parking spots at state park boat launches. Enforcement of these regulations ensures use of parking spots by park boaters.

South Higgins Lake State Park has seen an increase in watercraft left overnight and for extended periods of time. The boat basin has signage against such use and citations have been issued for violations. Current Administrative Rule R 299.922(t) does not provide sufficient authority to enforce overnight mooring along state park shorelines.

During the summer season of 2006, park staff issued 14 citations for unregistered guests mooring vessels in the boat basin. This is an increase of 12 citations from 2005 and only accounts for those in the boat basin. We currently have no authority to regulate the mooring of boats along

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the park-owned shoreline.

Fort Custer Recreation Area

The Parks and Recreation Division, through the management planning process and by working with local stakeholder groups, have recognized that not all areas of the Fort Custer Recreation Area, Kalamazoo County, are conducive for snowmobile riding. Some areas of Fort Custer Recreation Area contain high value natural resources and certain patterns of use have reached a point where regulation is needed.

Unrestrained snowmobile use is negatively impacting natural resource stewardship efforts to reestablish 130 acres of native prairie and erosion control measures throughout the trail system. Additionally, park stakeholders have identified that multiple use of the trail system in the winter is counter-productive to both motorized and non-motorized recreational pursuits. This amendment would implement regulations that separate user activity.

Snowmobile usage shall be allowed only on the designated and posted route described as follows:

The designated snowmobile trail begins at northeast corner of the recreation area (T1S, R9W, SW ¼ of Section 26) where Old Harmonia Road enters from the east. The trail follows along Old Harmonia Road (just south of and parallel to Dickman Road) in a westerly direction to the park entrance road (Fort Custer Drive). The trail heads southwest along the Fort Custer Drive (FCD) right-of-way to the FCD gate located at the end of FCD (T2S, R9W, Section 9) and just south of Whitford Lake Shelter Unit.

The trail then follows the park westerly boundary south to the park southwest corner (T2S, R9W, NW ¼ of Section 16). The trail continues east along the south park boundary to a split in the trail (T2S, R9W, SE ¼ of Section 9) located directly south of Whitford Lake. The first split follows the Territorial Road northeast to Augusta-Climax Road, where it turns north to the main park road. The other split heads north along the Blue Loop Trail to the Whitford Lake Shelter Unit.

Operation of snowmobiles off the designated and posted route will be prohibited. Such areas include the modern campground, near the rustic cabins, Eagle Lake day use parking lots, non-designated snowmobile trails, and the southeast corner of the park (T2S, R9W, Section 11 and SW ¼ of Section 2).

Proposal:

The amendment would prohibit the parking of a vehicle without a boat trailer attached, or the parking of a vehicle that is not being used to transport a boat, or leaving a boat trailer unattached to a vehicle in the boat launch parking lot, and prohibit a person from leaving a vessel unattended and moored to certain areas of the South Higgins Lake State Park between the hours of

10:00 p.m. and 8:00 a.m. without prior written approval from an authorized representative of the department. This regulation would allow the Department and park staff to use best management practices for the use, protection, and enjoyment of the natural resources.

The amendment would also prohibit snowmobile use off the designated and posted route in the Fort Custer Recreation Area in order to protect sensitive ecosystems and stewardship initiatives identified in the park management plan.

Recommendation:

This order is being submitted for information and consideration at the August 16, 2007, Natural Resources Commission meeting, and will be resubmitted for action and approval on September 13, 2007.

Ronald A. Olson, Chief
Parks and Recreation

Alan Marble, Chief
Law Enforcement

Armindia S. Koch
Resource Management Deputy

Dennis Fedewa
Chief Deputy

LAND USE ORDERS OF THE DIRECTOR

Amendment No 15 of 2007

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 orders that the following order of the Land Use Orders of the Director shall read as follows:

5.12 Certain state parks and recreation areas, requirements for use, certain conduct prohibited.

Order 5.12. The following conduct shall apply to use of Michigan state parks and recreation areas:

Fayette state park, certain conduct prohibited.

(1) A person shall not do the following at Fayette SP located in Delta county:

(a) Dive, swim, water ski, skin or scuba dive, or attempt to dive, swim, water ski, skin or scuba dive from any vessel operating within or moored to the docks or piling or anchored to the bottomlands of snail shell harbor, Fayette SP, Delta county, without written permission of an authorized representative of the department.

Palms book state park, prohibited conduct.

(2) A person shall not do any of the following at palms book SP:

(a) Swim, bathe, skin or scuba dive, fish, or boat in the big spring, Kitchitikiipi, palms book SP.

(b) Use the department owned raft on the big spring for anything other than viewing.

Island lake recreation area, conduct prohibited.

(3) A person shall not do the following at the island lake RA:

(a) Operate a vessel powered by a motor on the waters of spring mill pond.

Sterling state park, conduct prohibited.

(4) A person shall not do the following at Sterling SP:

(a) Launch or attempt to launch a vessel equipped with an inboard or outboard motor, except an electric motor, into the waters of the south lagoon from any state-owned lands lying south of the centerline of the park entrance road.

Pontiac lake recreation area, prohibited conduct.

(5) A person shall not do any of the following at the Pontiac lake RA:

(a) Possess or fly a hang glider on any state-owned lands within the Pontiac lake RA.

(b) Enter into a pen area or buffer zone around a pen area established by the department from June 10 to July 15 for the temporary holding of geese. This prohibition shall not apply to a person issued a written permit by the district wildlife supervisor allowing entry into the area.

Ludington state park, prohibited conduct.

(6) A person shall not do the following at Ludington SP:

(a) Park a vehicle of any type between the hours of 12:00 midnight and 6:00 a.m. in the parking areas adjacent to highway M-116 from the south limit of the park to the bridge over big Sable river.

South Higgins lake state park, prohibited conduct.

(7) A person shall not do the following at south Higgins lake SP:

(a) Park or leave a motor vehicle in the day use area of south Higgins lake SP between the hours of 10:00 p.m. and 8:00 a.m. without written permission from a representative of the department.

(b) Leave a trailer unattached to a vehicle in the boat launch parking lot.

(c) Park a vehicle without boat trailer attached, or a vehicle not being used to transport a boat, in the boat launch parking lot.

(d) A person shall not leave a vessel unattended, moored to access piers, in boat basin, beached along shoreline, or anchored to riparian bottomlands between the hours of 10:00 p.m. and 8:00 a.m., without prior written approval from an authorized representative of the department.

Pinckney recreation area, prohibited conduct.

(8) A person shall not do the following at the Pinckney RA:

(a) Use any state-owned lands in the S ½ of the S ½ of section 23, T1S R3E, for the purpose of launching or attempting to launch onto the waters of Island lake, any watercraft equipped with an inboard or outboard motor.

(b) Consume or possess any alcoholic beverage within ¼ mile surrounding and including the parking lot at Pickerel lake, section 8, T1S R4E, as posted.

(c) Launch or attempt to launch a vessel equipped with an inboard or outboard motor, except an electric motor, onto the waters of Pickerel lake, section 8, T1S R4E.

Silver lake state park, prohibited conduct.

(9) A person shall not do any of the following within Silver lake SP without first obtaining proper written permission from the department:

(a) Store, leave, park or otherwise place any boat, fish shanty, vehicle, bicycle, equipment, tool, device or other property which is at any time during its presence in the park made available for rent, lease, or sale.

(b) Use or occupy any land or water within the park to solicit, conduct, operate, engage in, or maintain a business of any nature or use such areas as a base of commercial operations. For purposes of this order, "base of operations" means a use of lands or waters which is a principal or significant aspect of any commercial activity.

Porcupine mountains wilderness state park, prohibited conduct.

(10) A person shall not do any of the following in the Porcupine mountains wilderness SP without first obtaining proper written permission from the department:

(a) Feed a bear or lure any bear with food. This provision does not apply to the lawful baiting of bear as described in orders issued pursuant to part 401, wildlife conservation, of Act 451 of 1994.

Waterloo recreation area, prohibited conduct.

(11) A person shall not do the following at the Waterloo RA:

(a) Enter into a pen area or buffer zone around a pen area established by the department from June 10 to July 15 for the temporary holding of geese. This prohibition shall not apply to a person issued a written permit by the district wildlife supervisor allowing entry into the area.

Fort Custer recreation area, prohibited conduct.

(12) A person shall not do the following at the fort Custer RA:

(a) Excavate, dig or probe the grounds, or remove ordnance without written permission.

(b) Operate a snowmobile off the designated snowmobile route.

Grand Haven state park campground, prohibited conduct.

(13) A person shall not place or allow a recreational camping unit under their control to be placed front-first upon a campsite in the Grand Haven SP campground. The tongue of a trailer or front of a self-propelled camping unit shall face the roadway.

Holland state park, prohibited conduct.

(14) A person shall not possess or use furniture designed or intended for indoor use within Holland SP from May 15 to July 15 unless the furniture is enclosed within a camping shelter. Furniture that is designed or intended for indoor use and is placed outside of a camping shelter may be removed at the discretion of the park manager.

Sanilac petroglyphs historic state park, prohibited conduct.

(15) A person shall not do any of the following at the Sanilac petroglyphs historic SP:

(a) Enter into the fenced area containing the petroglyph rock when the entry gate is closed.

(b) Walk upon or otherwise come into contact with the petroglyph rock within the fenced area.

Ionia recreation area, prohibited conduct.

(16) A person that has been issued a campsite permit shall not possess or allow to be possessed upon the campsite more than 4 animals other than horses by all members of the camping party combined.

Seven lakes state park, prohibited conduct.

(17) A person shall not operate a snowmobile, or other motorized snow contrivance without written permission from an authorized representative of the department.

Port Crescent state park, prohibited conduct.

(18) With the exception of accessing Saginaw bay via the campground, a person shall not operate a snowmobile, or other motorized snow contrivance without written permission from an authorized representative of the department.

Holly recreation area, prohibited conduct.

(19) A person shall not operate a snowmobile or other motorized snow contrivance outside an area bordered by McGinnis road to the north, Wildwood road to the east and Dixie highway to the south, without written permission from an authorized representative of the department.

Algonac state park campground prohibited conduct.

(20) A person shall not place or allow a recreational camping unit under their control to be positioned horizontal to the park's roadways in the riverfront campground. The tongue of a trailer or front or rear of a self-propelled camping unit shall face the park's roadway, and all camping units must be parked on pads where they exist.

This amended order shall be posted on or after September 14, 2007.

Issued on this 13th day of September, 2007.

**Rebecca A. Humphries
Director**