



STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENT  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

REBECCA A. HUMPHRIES  
DIRECTOR

February 26, 2010

Dear Stakeholder:

You are being contacted because you have been identified as a hunting guide and may be guiding hunters on state lands. If this is the case, then you should be aware of the following procedure affecting commercial use of state lands. As you may know, the Department of Natural Resources and Environment (Department) Director, Rebecca A. Humphries, gave final approval in October of 2005 for a Department procedure for seeking permission to use state lands for commercial and other purposes. This procedure affects groups, businesses, or individuals using state-owned lands for commercial operations (such as hunting guides). Since 2005, the Department has proceeded to authorize various commercial operations (canoe liveries, drift boat guides, etc.) on state lands utilizing the approved process. This process involves the development of a short term, limited lease authorizing the commercial use and the assessment of a fee based on the intensity of the use.

This procedure was necessary to fully implement the "Rules for the Regulation of Lands Administered by the Department of Natural Resources". While commercial operations have been unlawful for many years without a permit, the Department lacked a procedure to evaluate those proposed uses of state land and charge appropriate application and review, monitoring and use fees for allowable activities. Hunting guides using state lands fits the definition of a commercial use under R 299.921, Rule 21 which defines commercial operations as:

*(b) "Commercial operations" means any activity that involves, directly or indirectly, the buying or selling of goods or services, or the exchange or attempt or offer to exchange goods or services for money, barter, or for anything of value.*

Further, Department Administrative Rule R299.922 Unlawful acts generally.

*Rule 22. On lands owned or under the control of the Department, it is unlawful for a person or persons to do any of the following:*

*(x) To use such areas for commercial operations unless the commercial operations are conducted pursuant to a permit. The department may waive the requirement for a permit for commercial operations where the department determines that the commercial operation will not require department oversight and the commercial operation will have a minimal impact on the resource and the use of lands by others.*

Department procedures are now in place to evaluate proposed uses of state land for their applicability to the Department's mission and judge the potential effects on facilities, natural resources, and use of the lands by others. The Department has determined that guiding hunters on state-owned lands requires oversight by the Department to minimize conflicts and set standards of conduct. As a relatively new initiative by the Department, authorizing guiding will be transitioned into the approved process in stages.

The first stage of the process will be to “register” hunting guides using state lands in 2010. Enclosed with this letter is an application form that must be completed and returned to the Department if you plan on using any state lands for guiding activities this year. Guides who fail to register with the Department yet conduct guiding activities on state-owned lands in 2010 may be found guilty of a civil infraction and subject to a fine under R299.922(x).

There is NO COST this year to register your guiding activity with the Department. A \$50.00 application fee is normally required when applying for a permit. However, because the Department is transitioning into managing commercial guiding activities on state-owned lands and wishes to register as many guides as possible, the \$50.00 application fee will be waived in 2010. Additionally, no insurance will be required in 2010. The information you provide on the application will assist the Department in determining the scope of guiding in general throughout the state as well as help determine use levels. Registration will also allow the Department to assemble a mailing list of guides which will be used to notify you of public meetings planned for 2010. These meetings will be designed to gather stakeholder input on guiding activities and will be held mid-year at several locations around the state.

When completing the application and attached information sheet, it is extremely important to provide enough information for staff to determine the scope and intensity of your operations. This data will be crucial for the development of guidelines to be applied in 2011 and beyond. If you submit an application, the Department will return an executed copy to you for your use in 2010. It is this executed copy that will serve as your official authorization to conduct guiding activities on state-owned lands in 2010, fulfilling the requirements of R 299.922(x). Please return the enclosed application (there is NO FEE this year) and completed information sheet **BY April 2, 2010** to:

Brenda Mikula, Leasing Manager  
Cheboygan Field Office  
120 A Street  
Cheboygan, MI 49721

Once applications are received, staff will begin issuing use permits to hunting guides that will authorize their use of state-owned lands for commercial guiding activities in 2010.

Thank you for your cooperation. The “Permission to Use State Land” Web page may be found at [www.michigan.gov/dnr-statelandpermission](http://www.michigan.gov/dnr-statelandpermission). If you have further questions please do not hesitate to contact me at 517-335-5695 or at [hertah@michigan.gov](mailto:hertah@michigan.gov)

Sincerely,

Harold Herta, Chairman  
Commercial Operations Workgroup,  
Michigan Department of Natural Resources and  
Environment

Enclosures