



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

May 16, 2022

To: Daniel Eichinger, Director

Information: Natural Resources Commission

Transaction: Proposed June 14, 2022, Oil and Gas Lease Auction

Authority: Part 5, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended

Auction Method: Online Auction

Acres Offered: Approximately 12,500 acres

Counties Offered: Antrim, Bay, Clare, Gladwin, Grand Traverse, Ingham, Kalkaska, Midland, Missaukee, Oscoda, and Otsego

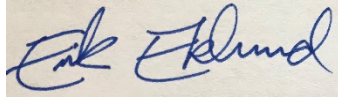
Lease Terms: Five-year primary term with two one-year extension options; one-sixth (1/6) royalty rate; minimum bid of \$10.00 per acre; and \$2.00 per acre annual rental for the primary term.

Special Restrictions: Certain parcels proposed to be offered for lease may contain restrictions limiting surface activities where environmental concerns exist. All oil and gas development activities proposed on state-owned surface require separate surface use agreements.

Notice: Township supervisors, county commissioners, legislators representing the nominated areas, and potentially affected private surface owners have been notified of the proposed auction. Notice of the proposed auction also appeared in the county newspapers representing the areas where the lands are located. This item will appear on the May 31, 2022, DNR Business Calendar and is eligible for approval June 9, 2022.

May 16, 2022

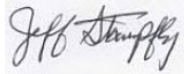
Recommendation: The mineral rights in all the lands being considered should be offered for inclusion in the proposed auction, under the terms and conditions specified.



Erik Eklund, Chief
Finance and Operations Division



James L. Dexter, Chief
Fisheries Division



Jeff Stampfly, Chief
Forest Resources Division



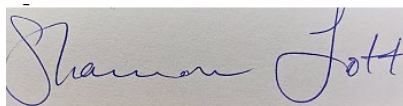
Ronald A. Olson, Chief
Parks and Recreation Division



Jared Duquette, Chief
Wildlife Division



Mark Hoffman
Chief Administrative Officer



Shannon Lott
Natural Resources Deputy

I approve the staff recommendation.

Daniel Eichinger
Director

Approval Date



STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



GRETCHEN WHITMER
GOVERNOR

DANIEL EICHINGER
DIRECTOR

SUBMITTED: April 18, 2022
RESUBMITTED: May 16, 2022



MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Designated dark sky preserve, state park lands; allowable conduct
Land Use Order of the Director Amendment No. 2 of 2022

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director to issue orders to implement land use rules.

Discussion and Background:

Within the state of Michigan and across the world, there has been a movement to preserve dark skies for future generations. A growing problem, gaining significant attention, is that of excessive amounts of night light, or light pollution. Since many light fixtures are not designed to direct light downward toward the ground, light pollution results when outdoor lighting is used and leaks into the night sky.

Michigan has been a leader in the conservation and preservation of night sky viewing. With the enactment of PA 57 of 1993, which designated state-owned land at Lake Hudson in Lenawee County as the state's first "dark sky preserve," Michigan became the first state in the country to adopt standards for dark sky preserves. Since the inception of the first preserve, five more locations have been added. An amendment to the Natural Resources and Environmental Protection Act (PA 451 of 1994), states that, in addition to Lake Hudson State Park, designated dark sky preserves have also been established at Port Crescent State Park, Rockport Recreation Area, Negwegon State Park, Wilderness State Park and Thompson's Harbor State Park.

Since the dark sky preserves are located within state parks, entry into these locations is prohibited between the hours of 10 p.m. to 8 a.m.; therefore, impacting the ability of people to take part in stargazing. The State Land Use Rule R 299.927(a) makes it unlawful to "Enter or remain in a campground, outdoor center, cabin area, or day use campsite between the hours of 10 p.m. and 8 a.m., unless the individual is a lawfully registered occupant. An individual shall not enter or remain in a day-use area between the hours of 10 p.m. and 8 a.m., except as posted otherwise." This land use order proposes to expand the open hours of the state parks where a designated, signed, dark sky preserve is located.

Designated Dark Sky Preserve, State Park Lands, Allowable Conduct
Land Use Order of the Director Amendment No. 2 of 2022

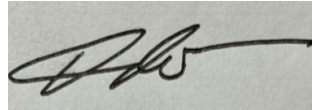
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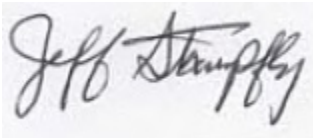
Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on May 12, 2022, at the Natural Resources Commission meeting. This item appeared on the Department's May 3, 2022 calendar and is eligible for approval on June 9, 2022.



Jared Duquette, Chief
Wildlife Division



David Shaw, Chief
Law Enforcement Division



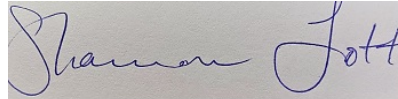
Jeff Stampfly, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
Fisheries Division



Shannon Lott
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.

Daniel Eichinger, Director

Date

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 2 of 2022

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, 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:

5.24 Designated dark sky preserve, state park lands, allowable conduct.

Order 5.24 Notwithstanding the prohibition of access to day-use areas contained within administrative rule 299.927(a), access to the designated, signed, dark sky preserves identified in MCL 324.75102 for the purpose of star gazing shall be allowed 24 hours a day.

This amended order shall be posted on or after the 10th day of June 2022.

Issued on this 9th day of June 2022.

Daniel Eichinger
Director



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: April 18, 2022
RESUBMITTED: May 16, 2022

APPROVED
_____, 20
MICHIGAN NATURAL RESOURCES COMMISSION

(ASSISTANT TO THE COMMISSION)

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: North Higgins Lake State Park and Ralph A. MacMullan Conference Center
Prohibited Conduct
Land Use Order of the Director Amendment No. 3 of 2022

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director to issue orders to implement land use rules.

Discussion and Background:

Periodically, the Parks and Recreation Division reviews its Land Use Orders to determine whether any updates are necessary due to operational needs, statutes and/or clarifications to existing Land Use Orders. This proposed Land Use Order of the Director is a result of such efforts.

Proposed to be addressed in the Land Use Order are the following clarifications on prohibited acts relating to operational requirements at North Higgins Lake State Park:

- Parking or leaving of a motor vehicle in the day use area of North Higgins Lake State Park between the hours of 10:00 p.m. and 8:00 a.m., without written permission from a representative of the department;
- Leaving a trailer unattached to a vehicle in the boat launch parking lot;
- Parking a vehicle without boat trailer attached, or a vehicle not being used to transport a boat, in the boat launch parking lot; and
- Leaving a vessel unattended, moored to access piers, beached along the 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.

These prohibitions are consistent with prohibitions at South Higgins Lake State Park and other state parks due to the closed hours of the parks and the operational needs of the facility to manage its boat launch parking lot.

Additionally, this proposed Land Use Order would address access to the beach area of the Ralph A. MacMullan Conference Center, restricting access to registered guests or those who secure permission from the conference center manager. Due to the nature of this facility which is nestled on the northern shore of Higgins Lake, available for nonprofit, government and education-based organizations as well as private businesses with an outdoor- or green-themed agenda, having the ability to manage the overall use and access of the facility is necessary to preserve and protect the facility and ensure the safety of guests and staff. This proposed

North Higgins Lake State Park and Ralph A. MacMullan Conference Center Prohibited Conduct
Land Use Order of the Director Amendment No. 3 of 2022

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May 16, 2022

restriction is similar in context to Administrative Rule 299.927(i), which prohibits general access to state park campgrounds if not a registered guest or visiting a registered guest, unless with permission from the park manager or designee.

North Higgins Lake State Park and Ralph A. MacMullan Conference Center Prohibited Conduct
Land Use Order of the Director Amendment No. 3 of 2022

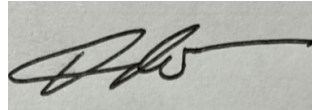
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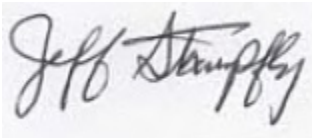
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Jared Duquette, Chief
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David Shaw, Chief
Law Enforcement Division



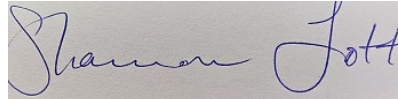
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Fisheries Division



Shannon Lott
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.

Daniel Eichinger, Director

Date

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 3 of 2022

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, 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:

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 SPs and RAs:

(1) Fayette SP, certain conduct prohibited. 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.

(b) Enter or occupy the face of the limestone cliffs in section 33, T39N R19W, and section 4, T38N R19W.

(2) Palms book SP, prohibited conduct. A person shall not do any of the following at Palms book SP:

(a) Swim, bathe, skin or scuba dive, fish, boat, enter, place or launch any object in the big spring, Kitchitikiipi, Palms book SP.

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

(3) Island lake RA, conduct prohibited. 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.

(4) Sterling SP, conduct prohibited. 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.

(5) Pontiac lake RA, prohibited conduct. 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.

(6) Ludington SP, prohibited conduct. 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.

(7) South Higgins lake SP, prohibited conduct. 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.

(8) Pinckney RA, prohibited conduct. A person shall not do the following at the Pinckney RA:

(a) Use any state-owned lands in the S 1/2 of the S 1/2 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 1/4 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.

(9) Silver lake SP, prohibited conduct. 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.

(10) Porcupine mountains wilderness SP, prohibited conduct. 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 Public Act 451 of 1994.

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

(11) Waterloo RA, prohibited conduct. 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.

(b) Operate a snowmobile on the DTE mountain bike trail without written permission from an authorized representative of the department.

(12) Fort custer RA, prohibited conduct. 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.

(13) Grand haven SP campground, prohibited conduct. A person shall not do the following at Grand haven SP:

(a) 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.

(b) A person, including a person's camping unit, shall not remain for more than 15 nights in any 20 night period from May 15 through September 15 without the written permission of the district supervisor.

(14) Holland SP, prohibited conduct. 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.

(15) Sanilac petroglyphs historic SP, prohibited conduct. 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.

(16) Ionia RA, prohibited conduct. 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.

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

(18) Port crescent SP, prohibited conduct. 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.

(19) Holly RA, prohibited conduct. A person shall not do any the following:

(a) 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.

(b) Enter, use, or occupy any of the following described state-owned lands, as posted, from June 1 through September 1 except with written permission from the department:

(i) The area commonly known as the Brandt road fen within the N 1/2 of the SW 1/4 of section 12, T05N, R08E, Oakland county.

(20) Algonac SP campground, prohibited conduct. 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.

(21) Bay city SP, prohibited conduct. A person shall not do any of the following at Bay city SP:

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

(b) Enter Tobico marsh wildlife refuge of Bay city SP, being those state-owned lands in section sections 24 of T15N R04E, and sections 19 and 30 of T15N R05E, bounded by a line beginning at the water's edge of the Tobico marsh wildlife refuge within section 24 where the Lesperance drain discharges into the Tobico marsh wildlife refuge which is located approximately 1150 feet east and 453 feet north of the center of section 24, T15N R04E, then continuing east parallel to the quarter-quarter section lines section of 24, T15N R04E, and 19, T15N R05E, to Killarney beach road and the eastern boundary of the posted state-owned land with the posted and designated state trail, then southeasterly along the west edge of the designated state trail located west of Killarney beach road to a point on the quarter-quarter section line and approximately 837 feet north of the intersection of little Killarney beach road with Killarney beach road, then west approximately 1766 feet parallel along said quarter-quarter section line approximately 1500 feet to a point on said quarter-quarter section line, then diagonally north-northwesterly

approximately 5340 feet, to the point of beginning, excluding the posted and designated state trails, from September 1 to January 1 of each year without written permission from the wildlife regional supervisor or their representative.

(c) Launch a motorized vessel from state-owned lands onto the waters of Bay City SP, except department employees, designees of department employees, or fire, emergency, or law enforcement personnel performing official duties.

(22) Rockport state RA, prohibited conduct. Operate a snowmobile in sections 13, 24, 25, 26, and the north 750 feet of sections 35 and 36, T33N, R08E, except along the 100-foot wide utility line corridor that parallels the Lake Huron shoreline; section 36, T33N, R08E and section 31, T33N, R09E east of the old railroad corridor that parallels the Lake Huron shoreline; the east half of the northeast quarter of section 12, the south half of section 12, and section 13, T32N, R08E; the south 600 feet of the southwest quarter of section 6, the southwest quarter of the northwest quarter of section 8, the northwest quarter and the south half of section 7, T32N, R09E, except a designated corridor extending from Rockport road south through section 7; and all state land on Middle island, sections 3, 4, 9, and 10, T32N, R09E.

(23) Lime island state RA, prohibited conduct. Enter, use, occupy, moor, or dock onto, the southern half of the Lime island coal dock, as posted, lying within T43N, R03E, Section 26 and T42N, R03E, section 35 between May 1 and September 1, except that boats may be moored on the eastern side of the entire coal dock for safety during high seas and storm events.

(24) Belle isle SP, prohibited conduct. A person shall not do any of the following at Belle isle SP.

(a) Enter and remain or park a vehicle of any type on the premises of the Belle isle SP, between the hours of 10:00 p.m. and 5:00 a.m., without permission of the department.

(b) Erect a canopy larger than 9 feet by 9 feet and have more than 2 canopies per group unless with written permission of the department.

(c) Erect a canopy that is not open on two sides of the structure.

(d) Erect a canopy unless someone of 21 years of age or older is supervising.

(e) Skate, bicycle or use any similar contrivances on buildings or structures not otherwise developed for this purpose.

(f) Feed geese, gulls, and other bird species.

(g) Possess a grill of any type in and around playscapes, giant slides or next to buildings.

(h) Operate a snowmobile, or other motorized snow contrivance without written permission from an authorized representative of the department.

(25) Watkins lake SP and county preserve, prohibited conduct. Annually from September 1 through January 1 and from February 15 through May 15, a person shall not enter or take any animals from Watkins lake and the state-owned lands surrounding, unless authorized in writing by the department, specifically being the SE 1/4, the SE 1/4 of the NE 1/4, and the S 1/2 of the SW 1/4 of the NE 1/4 of section 13, T04S R02E, within Watkins lake SP and county preserve; except Arnold road and the associated upland roadside edge shall remain open to entry.

(26) Mike levine lakelands trail SP, prohibited conduct. a person shall not do any of the following at Mike levine lakelands trail SP:

(a) Operate a snowmobile, or other motorized snow contrivance without written permission from an authorized representative of the department.

(27) North Higgins lake SP, prohibited conduct. A person shall not do the following at North Higgins lake SP:

(a) Park or leave a motor vehicle in the day use area of North 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, beached along the 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.

(28) Ralph A. MacMullan conference center, prohibited conduct. A person shall not access the beach area of the property unless they are a registered guest or with permission from the conference center manager.

This amended order shall be posted on or after the 10th day of June 2022.

Issued on this 9th day of June 2022.

Daniel Eichinger
Director



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: April 18, 2022
RESUBMITTED: May 16, 2022



MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: State Parks and Recreation Areas, prohibited conduct
Land Use Order of the Director Amendment No. 4 of 2022

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director to issue orders to implement land use rules.

Discussion and Background:

Periodically, the Parks and Recreation Division (PRD) reviews its Land Use Orders to determine whether any updates are necessary due to operational needs, changes in statutes and/or clarifications to existing Land Use Orders. This proposed Land Use Order of the Director is a result of such efforts.

Specifically proposed to be addressed in the Land Use Order is clarification on operational requirements relating to camping in a state park equestrian campground and a requirement to have at least one horse per campsite. Historically within state park equestrian campgrounds, there have been operational requirements to have a horse while camping at an equestrian campsite. While there have been changes to the Central Reservation System to separate horse camping from other types, there are still concerns about having the appropriate tools in place to address issues. Due to an increase of users camping without horses, the safety concerns this presents to all users, and an increase in conflict reported between equestrian and non-equestrian users of these campgrounds, PRD recommends specifying the requirement in a Land Use Order. This action would ensure that individuals utilizing an equestrian campground do so while camping with a horse and would be directly related to only those equestrian campgrounds at Brighton, Fort Custer, Ionia, Ortonville, Pontiac Lake, Waterloo and Yankee Springs Recreation Areas.

This proposed Land Use Order would also provide clarification on operational issues relating the prohibition of electric skateboard use in state parks, which is currently prohibited by statute but does not provide any mechanism for enforcement by Commissioned Park Officers. Inclusion of this prohibition in this Land Use Order would allow for a maximum penalty of a civil infraction and up to a \$500 fine; however, education and voluntary compliance typically resolve any issue.

Additionally, the proposed Land Use Order clarifies that launching of an unmanned aircraft from state managed lands and conducting any activity within subsection (5) would not be an allowed use. Since Commissioned Park Officer's authority is land based, once an unmanned aircraft has launched enforcement of any activity identified in subsection (5) has been difficult.

Therefore, providing clarification regarding a land-based offense is believed to provide better enforcement capabilities.

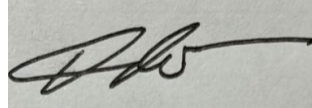
Finally, this proposed Land Use Order provides clarification of the Administrative Rule that makes it an offense to use state land for a commercial purpose without securing the required permit.

Again, while enforcement is typically sought first through education and voluntary compliance, establishing these operational incompatible activities in a Land Use Order provides necessary authority for ceasing these unwanted activities.

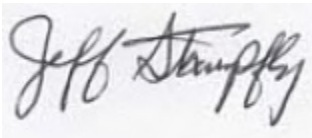
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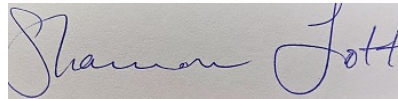
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Shannon Lott
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.

Daniel Eichinger, Director

Date

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 4 of 2022

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, 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:

5.1 State parks and recreation areas, certain conduct prohibited.

Order 5.1 A person shall not do any of the following in any state park (SP) or recreation area (RA):

- (1) Have more than one horse for each registered camper at any designated horsemen's campground without first obtaining proper written permission from the department.
 - (a) There must be at least one horse registered to a camper per campsite in order to camp at the following equestrian campgrounds within a SP or RA:
 - (i) Brighton RA.
 - (ii) Fort Custer RA
 - (iii) Ionia RA.
 - (iv) Ortonville RA.
 - (v) Pontiac Lake RA.
 - (vi) Waterloo RA from May 1 through October 31.
 - (vii) Yankee Springs RA.
 - (2) Enter, use or occupy a designated mountain bike trail when posted closed except with written permission from an authorized representative of the department.
 - (3) Operate either of the following:
 - (a) An electric bike in conflict with MCL 324.72105.
 - (b) An electric skateboard in conflict with MCL 257.660.
 - (4) Use, in any way, a sky lantern.
 - (a) "Sky lantern" means an unmanned hot air balloon made of paper or other lightweight material that is launched into the atmosphere and has a flame inside the balloon.
 - (4) Launch an unmanned aircraft from state managed lands in conflict with 5.1(5).
 - (5) Operate an unmanned aircraft in conflict with the unmanned aircraft system act (PA 436 of 2016), and as follows:
 - (a) In a manner that knowingly and intentionally interferes with department employees and their designees performing official duties.
 - (b) In a manner that interferes with department staff when conducting search and rescues.
 - (c) Within 100 yards of a cultural or historical site or structure.
 - (d) Upon or over the viewing platform at Tahquamenon falls.

- (e) Upon or over the platform at Palms Book SP.
- (f) Over an occupied beach area.
- (g) Over an equestrian facility.
- (h) Over a campground.
- (i) Over a restroom or open-air changing court.
- (j) Over an area subject to an aerial right-of-way.
- (k) For a commercial purpose without first obtaining written permission from an authorized representative of the department, pursuant to administrative rule 299.922(dd).

This amended order shall be posted on or after the 10th day of June 2022.

Issued on this 9th day of June 2022.

Daniel Eichinger
Director



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: April 18, 2022
RESUBMITTED: May 16, 2022

APPROVED
_____, 20____
MICHIGAN NATURAL RESOURCES COMMISSION

(ASSISTANT TO THE COMMISSION)

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Boating Access Sites and Harbors Uses
Land Use Order of the Director Amendment No. 5 of 2022

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director to issue orders to implement land use rules.

Discussion and Background:

Periodically, the Parks and Recreation Division reviews its Land Use Orders to determine whether any updates are necessary due to operational needs, statutes and/or clarifications to existing Land Use Orders. This proposed Land Use Order of the Director is a result of such efforts.

Proposed to be addressed in the Land Use Order is clarification on operational requirements relating to current access sites and harbors managed by the Parks and Recreation Division. Specifically, this Order reflects the following:

- Acquisition of the Union Lake South Boating Access Site and the allowed and prohibited activities at this site;
- The proposed requirement at the Lexington Boating Access site for vehicle and trailer parking on Saturdays, Sundays and holiday; and
- The prohibition of dogs at Bolles Harbor Boating Access Site unless it is under immediate control on a leash not exceeding 6 feet in length and the required removal of any fecal material. This Land Use Order also allows for fishing activities to occur at Bolles Harbor Boating Access Site.

This proposed Land Use Order also provides clarification on operational issues relating the prohibition of electric skateboard use at boating access facilities, which is currently prohibited by statute, but does not provide any mechanism for enforcement by Commissioned Park Officers. Inclusion of this prohibition in this Land Use Order would allow for a maximum penalty of a civil infraction and up to a \$500 fine; however, education and voluntary compliance typically resolve any issue.

Additionally, the proposed Land Use Order clarifies that launching of an unmanned aircraft from state managed lands and conducting any activity within subsection 2.103(g) would not be an allowed use. Since Commissioned Park Officer's authority is land based, once an unmanned aircraft has launched enforcement of any activity identified in subsection 2.103(g) has been

difficult. Therefore, by providing clarification regarding a land-based offense is believed to provide better enforcement capabilities.

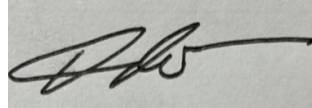
Finally, the proposed Land Use Order provides clarification of Administrative Rule 299.922(dd), which makes it an offense to use state land for a commercial purpose without securing the required permit.

Again, while enforcement is typically sought first through education and voluntary compliance, establishing these operational incompatible activities in a Land Use Order provides necessary authority for ceasing these unwanted activities.

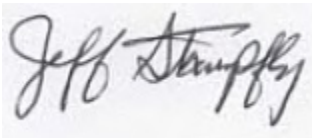
Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on May 12, 2022, at the Natural Resources Commission meeting. This item appeared on the Department's May 3, 2022 calendar and is eligible for approval on June 9, 2022.



Jared Duquette, Chief
Wildlife Division



David Shaw, Chief
Law Enforcement Division



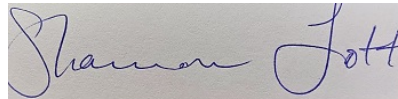
Jeff Stampfly, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
Fisheries Division



Shannon Lott
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.

Daniel Eichinger, Director

Date

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 5 of 2022

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, 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:

2.103 Entry, use and occupancy of certain access sites, harbors and dams, prohibited conduct.

Order 2.103 (1) A person shall not do any of the following:

(a) Enter, use, or occupy any of the following state-owned lands with a motor vehicle unless a valid Michigan recreation passport for a motor vehicle has been purchased and affixed to the vehicle when posted against such use.

(b) Enter, use, or occupy the Crystal lake boating access site 10-066 to access the Betsie valley trail (in accordance with 19th Judicial Circuit Consent Judgment, No. 04-7095-CE and Special Trail Use and Law Enforcement Plan No. 88-3199-CH), section 22, T26N R16W, Benzie county.

(c) Enter, use, or occupy a state-operated public boating access site with an ORV except to set, place, erect, or use a fishing shanty consistent with fisheries order 251.17, or to access a waterbody to operate an ORV on the frozen surface of public waters. 5.1 State parks and recreation areas, certain conduct prohibited.

(d) Operate either of the following:

(i) An electric bike in conflict with MCL 324.72105 at a state-operated public boating access site or harbor.

(ii) An electric skateboard in conflict with MCL 257.660.

(e) Use, in any way, a sky lantern at a state-operated public boating access site or harbor.

(i) "Sky lantern" means an unmanned hot air balloon made of paper or other lightweight material that is launched into the atmosphere and has a flame inside the balloon.

(f) Launch an unmanned aircraft from state managed lands in conflict with 2.103(g).

(g) Operate an unmanned aircraft in conflict with the unmanned aircraft system act (PA 436 of 2016), and as follows at a state-operated public boating access site or harbor.

(i) In a manner that knowingly and intentionally interferes with department employees and their designees performing official duties.

(ii) In a manner that interferes with department staff when conducting search and rescues.

(iii) Within 100 yards of a cultural or historical site or structure.

(iv) Over an occupied beach area.

(v) Over an equestrian facility.

(vi) Over a campsite.

(vii) Over a restroom or open-air changing court.

(viii) Over an area subject to an aerial right-of-way.

(ix) For a commercial purpose without first obtaining written permission from an authorized representative of the department, pursuant to administrative rule 299.922(dd).

2.105 Unattended vessel, vessel on trailer, unattached trailer or anchored vessel, conduct prohibited.

Order 2.105 A person shall not do any of the following:

(1) Leave unattended, a vessel, a vessel on a trailer, a trailer unattached to a vehicle, or a vessel anchored to the adjacent bottomlands of any of the following state-owned lands:

- (a) Harrisville boating access site 1-7, section 12, T26N R9E, Alcona county.
- (b) Benton harbor boating access site 11-12, section 24, T4S R14W, Berrien county.
- (c) Marble lake boating access site 12-3, section 28, T6S R5W, Branch county.
- (d) Lake Margrethe boating access site 20-34, section 8, T26N, R4W, Crawford county.
- (e) Lobdell lake boating access site 25-1, section 35, T5N R5E, Genesee county.
- (f) Lake Fenton boating access site 25-2, section 14, T5N R6E, Genesee county.
- (g) Lake Ponemah boating access site 25-3, section 22, T5N R6E, Genesee county.
- (h) Port austin boating access site 32-12, section 30, T19N R12E, Huron county.
- (i) Au Sable river mouth boating access site 35-1, section 10, T23N R9E, Iosco county.
- (j) East Tawas boating access site 35-13, section 29, T22N R8E, Iosco county.
- (k) Lake Nepessing boating access site 44-1, T7N R9E, Lapeer county.
- (l) Harley Ensign memorial boating access site 50-1, section 15, T2N R14E, Macomb county.
- (m) Selfridge boating access site 50-3, section 5, T2N R14E, Macomb county.
- (n) Clinton river cutoff boating access site 50-7, section 30, T2N R14E, Macomb county.
- (o) Halfway creek boating access site 58-6, section 33, T8S R8E, Monroe county.
- (p) Bolles harbor boating access site 58-10, private claim 75, Monroe county.
- (q) Orchard lake boating access site 63-1, section 14, T2N R9E, Oakland county.
- (r) Union lake south boating access site 63-4, section 1, T2N R8E, Oakland county.
- (s) Oakland lake boating access site 63-3, section 2, T3N R9E, Oakland county.
- (t) Tackles drive boating access site 63-4, section 13, T3N R8E, Oakland county.
- (u) White lake boating access site 63-6, section 13, T3N R7E, Oakland county.
- (v) Lake Orion boating access site 63-7, section 2, T4N R10E, Oakland county.
- (w) Big lake boating access site 63-8, section 28, T4N R8E, Oakland county.
- (x) Long lake boating access site 63-9, section 1, T2N R8E, Oakland county.
- (y) Crescent lake boating access site 63-11, section 21, T3N R9E, Oakland county.

- (z) Loon lake boating access site 63-12, section 11, T3N R9E, Oakland county.
- (aa) Squaw lake boating access site 63-13, section 29, T5N R10E, Oakland county.
- (bb) Lakeville lake boating access site 63-14, section 27, T5N R11E, Oakland county.
- (cc) Maceday lake boating access site 63-16, section 7, T3N R9E, Oakland county.
- (dd) Cedar Island lake boating access site 63-17, section 27, T3N R8E, Oakland county.
- (ee) Tipsico lake boating access site 63-18, section 30, T4N R7E, Oakland county.
- (ff) West Houghton lake boating access site 72-3, Roscommon county.
- (gg) West Higgins lake boating access site 72-5, Roscommon county.
- (hh) North channel boating access site 74-1, section 9, T2N R16E, St. Clair county.
- (ii) Deckers landing boating access site 74-3, section 3, T2N R15E, St. Clair county.
- (jj) Marine city boating access site 74-18, section 12, T3N R16E, St. Clair county.
- (kk) Fairhaven boating access site 74-2, section 23, T3N R15E, St. Clair county.
- (ll) Lexington boating access site 76-4, section 31, T10N R17E, Sanilac county.
- (mm) Portage lake boating access site 81-20, section 1, T1S R4E, Washtenaw county.
- (nn) Belleville lake boating access site 82-3, section 22, T3S R8E, Wayne county.
- (oo) Belleville lake west boating access site 82-9, section 19, T3S R8E, Wayne county.

2.106 Vehicle and trailer parking within certain access sites and harbors, prohibited conduct.

Order 2.106 A person shall not do any of the following:

- (1) Park a vehicle of any type on the premises of the Harrisville boating access site 1-7, section 12, T26N R9E, Alcona county, between the hours of 11:00 p.m. and 4:00 a.m. daily from July 1 through October 31.
- (2) Park a vehicle with a trailer attached on the premises of Au Gres mooring facility, Arenac county.
- (3) Park a vehicle with a trailer attached, leave unattended, a vessel, a vessel on a trailer, a trailer unattached to a vehicle on the premises of Lexington mooring facility, Sanilac county.
- (4) Park a motor vehicle at the dock parking lot between the hours of 11:00 p.m. and 5:00 a.m. daily from May 20 through September 15 at the East Tawas mooring facility, Iosco county. This prohibition does not apply to boaters registered and moored at the East Tawas state dock.
- (5) Enter or remain on the premises of the dock parking lot of the East Tawas mooring facility, Iosco county, from May 20 through September 15, without having paid the posted entrance fee. This prohibition does not apply to boaters registered and moored at the East Tawas state dock with a parking permit.
- (6) Park a vehicle of any type in the Upper Foote dam parking lot located at the Foote dam public access site 35-101, section 15, T24N R8E, Iosco county, between the hours of 11:00 p.m. and 4:00 a.m. daily from August 1 through October 31.
- (7) Park a vehicle of any type on the premises of the Belleville lake boating access site 82-3, section 22, T3S R8E, Wayne county, between the hours of 7:00 p.m. and 7:00 a.m. daily from November 1

through March 31, or between the hours of 10:00 p.m. and 7:00 a.m. daily from April 1 through October 31.

(8) Park a vehicle of any type between the hours of 11:00 p.m. and 4:00 a.m. daily from May 1 through September 14 on any of the following state-owned lands:

- (a) Buchanan road boating access site 11-8, section 13, T7S R18W, Berrien county.
- (b) Jasper dairy road boating access site 11-13, section 27, T5S R18W, Berrien county.
- (c) Diamond lake boating access site 14-6, section 6, T7W R14W, Cass county.
- (d) Lobdell lake boating access site 25-1, section 35, T5N R5E, Genesee county.
- (e) Lake Fenton boating access site 25-2, section 14, T5N R6E, Genesee county.
- (f) Lake Ponemah boating access site 25-3, section 22, T5N R6E, Genesee county. In addition, such conduct shall be prohibited on September 15.
- (g) Sugar loaf lake boating access site 39-11, section 5, T4S R11W, Kalamazoo county.
- (h) Lake Nepessing boating access site 44-1, T7N R9E, Lapeer county.
- (i) Harley Ensign memorial boating access site 50-1, section 15, T2N R14E, Macomb county.
- (j) Selfridge boating access site 50-3, section 5, T2N R14E, Macomb county.
- (k) Clinton river cutoff boating access site 50-7, section 30, T2N R14E, Macomb county.
- (l) Halfway creek boating access site 58-6, section 33, T8S R8E, Monroe county.
- (m) Bolles harbor boating access site 58-10, private claim 75, Monroe county.
- (n) Orchard lake boating access site 63-1, section 14, T2N R9E, Oakland county.
- (o) Union lake south boating access site 63-4, section 1, T2N R8E, Oakland county.
- (p) Oakland lake boating access site 63-3, section 2, T3N R9E, Oakland county.
- (q) Tackles drive boating access site 63-4, section 13, T3N R8E, Oakland county.
- (r) White lake boating access site 63-6, section 13, T3N R7E, Oakland county.
- (s) Lake Orion boating access site 63-7, section 2, T4N R10E, Oakland county.
- (t) Big lake boating access site 63-8, section 28, T4N R8E, Oakland county.
- (u) Long lake boating access site 63-9, section 1, T2N R8E, Oakland county.
- (v) Crescent lake boating access site 63-11, section 21, T3N R9E, Oakland county.
- (w) Loon lake boating access site 63-12, section 11, T3N R9E, Oakland county.
- (x) Squaw lake boating access site 63-13, section 29, T5N R10E, Oakland county.
- (y) Lakeville lake boating access site 63-14, section 27, T5N R11E, Oakland county.
- (z) Maceday lake boating access site 63-16, section 7, T3N R9E, Oakland county.

(aa) Cedar island lake boating access site 63-17, section 27, T3N R8E, Oakland county.

(bb) Tipsico lake boating access site 63-18, section 30, T4N R7E, Oakland county.

(cc) Klinger lake boating access site 75-2, section 2, T8S R11W, St. Joseph county.

(dd) Lexington boating access site 76-4, section 31, T10N R17E, Sanilac county.

(9) Park a motorized vehicle without a trailer attached in any area other than a parking space designated as "parking for vehicles without trailers," between the hours of 4:00 a.m. and 11:00 p.m. on any Saturday, Sunday or holiday on any of the following state-owned lands:

(a) Lake Fenton boating access site 25-2, section 14, T5N R6E, Genesee county.

(b) Little Whitefish lake boating access site 59-9, section 8, T11N R10W, Montcalm county.

(c) Orchard lake boating access site 63-1, section 14, T2N R9E, Oakland county.

(d) Union lake south boating access site 63-4, section 1, T2N R8E, Oakland county.

(e) Lexington boating access site 76-4, section 31, T10N R17E, Sanilac county.

(10) Park a vehicle of any type between the hours of 11:00 p.m. and 4:00 a.m. daily from April 15 through October 31 on the premises of the Port Austin boating access site 32-12, section 30, T19N R12E, Huron county.

2.108 Possession of dogs, removal of pet fecal material at certain access sites and harbors, prohibited conduct.

Order 2.108 A person shall not do any of the following on any of the following state-owned lands and within the dates listed below.

(1) Locations that are open to early goose season shall be exempt from this order during the inclusive dates of the early goose season.

(2) Possess a dog from May 1 through September 14 on any of the following state-owned lands:

(a) Green lake boating access site 3-4, section 10, T4N R11W, Allegan county.

(b) Lake Sixteen boating access site 3-9, section 16, T2N R11W, Allegan county.

(c) Diamond lake boating access site 14-6, section 6, T07S, R14W, Cass county

(d) Lobdell lake boating access site 25-1, section 35, T5N R5E, Genesee county.

(e) Lake Fenton boating access site 25-2, section 14, T5N R6E, Genesee county.

(f) Lake Ponemah boating access site 25-3, section 22, T5N R6E, Genesee county.

(g) Sherman lake boating access site 39-2, section 29, T1S R9W, Kalamazoo county.

(h) Eagle lake boating access site 39-6, section 9, T3S R12W, Kalamazoo county.

(i) Austin lake boating access site 39-14, section 26, T3S R11W, Kalamazoo county.

(j) Lake Nepessing boating access site 44-1, T7N R9E, Lapeer county.

(k) Clinton river cutoff boating access site 50-7, section 30, T2N R14E, Macomb county

(l) Orchard lake boating access site 63-1, section 14, T2N R9E, Oakland county.

- (m) Union lake south boating access site 63-4, section 1, T2N R8E, Oakland county.
- (n) Oakland lake boating access site 63-3, section 2, T3N R9E, Oakland county.
- (o) Tackles Drive boating access site 63-4, section 13, T3N R8E, Oakland county.
- (p) White lake boating access site 63-6, section 13, T3N R7E, Oakland county.
- (q) Lake Orion boating access site 63-7, section 2, T4N R10E, Oakland county.
- (r) Big lake boating access site 63-8, section 28, T4N R8E, Oakland county.
- (s) Long lake boating access site 63-9, section 1, T2N R8E, Oakland county.
- (t) Crescent lake boating access site 63-11, section 21, T3N R9E, Oakland county.
- (u) Loon lake boating access site 63-12, section 11, T3N R9E, Oakland county.
- (v) Squaw lake boating access site 63-13, section 29, T5N R10E, Oakland county.
- (w) Lakeville lake boating access site 63-14, section 27, T5N R11E, Oakland county.
- (x) Maceday lake boating access site 63-16, section 7, T3N R9E, Oakland county.
- (y) Cedar island lake boating access site 63-17, section 27, T3N R8E, Oakland county.
- (z) Tipsico lake boating access site 63-18, section 30, T4N R7E, Oakland county.
- (aa) Lake St. Helen boating access site 72-14, section 21, T23N R1W, Roscommon county.
- (bb) Clear lake boating access site 75-4, section 17, T6S R12W, St. Joseph county.
- (cc) Van Auken boating access site 80-7, section 33, T2S R16W, Van Buren county.
- (dd) Three Mile lake boating access site 80-8, section 21, T3S R14W, Van Buren county.
- (ee) Lake Cora boating access site 80-10, section 18, T3S R14W, Van Buren county.

(3) Possess a dog, unless it is under immediate control on a leash not exceeding 6 feet in length, and shall not fail to remove any fecal material resulting from the dog, on any of the following state-owned lands:

- (a) Au Gres mooring facility, Arenac county.
- (b) De Tour mooring facility, Chippewa county.
- (c) Whitefish Point, Chippewa county.
- (d) Port Austin mooring facility, Huron county.
- (e) Port Austin boating access site 32-12, section 30, T19N R12E, Huron county
- (f) East Tawas mooring facility, Iosco county.
- (g) Copper Harbor mooring facility, Keweenaw county.
- (h) Eagle Harbor mooring facility, Keweenaw county.
- (i) Lac La Belle mooring facility, Keweenaw county.

- (j) Little lake mooring facility, Luce county.
- (k) Mackinac Island mooring facility, Mackinac county.
- (l) Harley Ensign memorial boating access site 50-1, section 15, T2N R14E, Macomb county.
- (m) Selfridge boating access site 50-3, section 5, T2N R14E, Macomb county.
- (n) Hammond bay mooring facility, Presque isle county.
- (o) Presque isle harbor mooring facility, Presque isle county.
- (p) Marine city boating access site 74-18, section 12, T3N R16E, St. Clair county.
- (q) Lexington mooring facility, Sanilac county.
- (r) Lexington boating access site 76-4, section 31, T10N R17E, Sanilac county.
- (s) North Channel boating access site 74-1, St. Clair county.
- (t) Fairhaven boating access site 74-2, St. Clair county
- (u) Deckers Landing boating access site 74-3, St. Clair county
- (v) Bolles Harbor boating access site 58-10, private claim 75, Monroe county.

This amended order shall be posted on or after the 10th day of June 2022.

Issued on this 9th day of June 2022.

Daniel Eichinger
Director