



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: April 18, 2022

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
FOR INFORMATION ONLY

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

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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.

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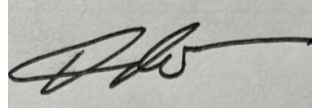
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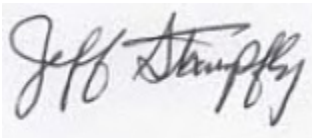
Relevant Divisions have contributed to the preparation of this order. This order is being submitted for information and consideration. This item will appear on the Department's May 3, 2022 calendar and may be eligible for approval on June 9, 2022.



Jared Duquette, Chief
Wildlife Division



David Shaw, Chief
Law Enforcement Division



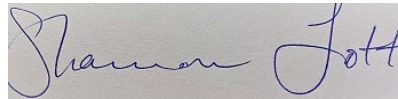
Jeff Stampfly, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
Fisheries Division



Shannon Lott
Natural Resources Deputy

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 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.

(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 N1/2 of the SW1/4 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 order shall be posted on or after the 10th day of June 2022.

Issued on this 9th day of June 2022.

Daniel Eichinger
Director