



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

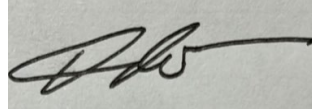
Finally, this proposed Land Use Order provides clarification of the Administrative Rule that makes it an offense to use state land for a commercial purpose without securing the required permit.

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.

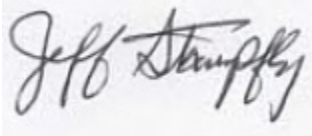
Relevant Divisions have contributed to the preparation of this order. This order is being submitted for information and consideration. This item will appear on the Department's May 3, 2022 calendar and may be eligible for approval on June 9, 2022.



Jared Duquette, Chief
Wildlife Division



David Shaw, Chief
Law Enforcement Division



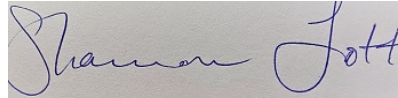
Jeff Stampfly, Chief
Forest Resources Division



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. 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 ~~4~~ **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.

(ef) Over an occupied beach area.

(fg) Over an equestrian facility.

(gh) Over a campground.

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

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

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

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