



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: August 15, 2022
RESUBMITTED: September 12, 2022



MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Silver Lake State Park ORV Area, Conditions for Use, Prohibited Conduct
Land Use Order of the Director Amendment No. 7 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:

Silver Lake State Park manages approximately 1,500 acres of critical dunes – 1/3 is operated under a concession contract (Mac Woods), 1/3 is open to pedestrians, and the other 1/3 is open to ORVs. Silver Lake State Park’s ORV riding area is offered within approximately 450 acres from April 1st – October 31st annually. During the off-season the ORV area is relatively unused except by a few pedestrians.

From 2019 through 2021, the Parks and Recreation Division (PRD) partnered with third-party partners to hold equestrian riding events in the ORV area of Silver Lake State Park and in 2020 and 2021, PRD also partnered with third-party partners to hold fat tire biking events in the ORV area of Silver Lake State Park when it was closed to ORVs for the season. These events provided an opportunity for equestrian riders and fat tire bike enthusiasts to ride in the dunes of the ORV area of the park and allowed PRD to evaluate these activities to determine whether they were compatible uses and explore establishing an annual season for equestrian shoreline riding and fat tire bike riding.

The only potential issues identified by PRD staff were the collection of manure and capacity should equestrian riding be offered as a season. To address collection of manure, PRD has entered into an agreement with the Michigan Horse Council wherein it has agreed that in exchange for an opportunity for a dedicated season, its members/volunteers will coordinate and undertake the manure clean up necessary during the established season. Additionally, due to concerns related to adequate horse trailer and vehicle parking, as well as space on the shoreline for riding, the equestrian riding season will be managed through utilization of the Department’s reservation system; therefore, requiring participants to make a reservation and secure a permit for the desired date of their equestrian ride.

With this assurance, PRD staff determined that due to the existing infrastructure, operational support, and public interest, Silver Lake State Park could easily expand these activities as recreational opportunities in the ORV area of the park during a time when it was closed for the season to ORV users. The following proposed Land Use Order would designate these activities as an annual season.

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The language of this Land Use Order proposes to prohibit the use of flashing lights on or attached to a vehicle, except for manufactured installed hazard lights, due to confusion of whether the lights are from a recreational vehicle or an emergency vehicle.

Additionally, the language of this Land Use Order proposes to prohibit the use of rental vehicles in the ORV area, except for those permitted for use pursuant to Administrative Rule 299.922(dd), which would be those rental vehicles that have a valid permit from the Department to conduct commercial operation on state land due to encroachment of commercial rental operations advertising that the use of their rental vehicles may occur within the ORV area of Silver Lake State Park, which negatively impacts the concession contracts the Department entered into with the awarded concessionaires to allow their commercial operation to be conducted in this area.

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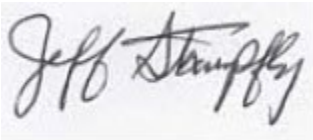
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Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on September 8, 2022, at the Natural Resources Commission meeting. This item appeared on the Department's August 30, 2022 calendar and may be eligible for approval on October 13, 2022.



for

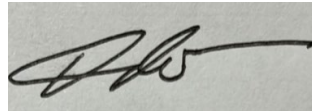
Jared Duquette, Chief
Wildlife Division



Jeff Stampfly, Chief
Forest Resources Division



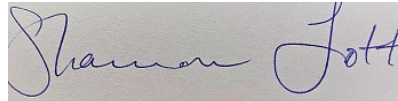
James Dexter, Chief
Fisheries Division



David Shaw, Chief
Law Enforcement Division



Ronald A. Olson, Chief
Parks and Recreation 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. 7 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:

5.9 Silver lake state park ORV area, conditions for use, prohibited conduct.

Order 5.9 State lands of Silver lake SP posted as the ORV area:

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

(a) Possess or consume an alcoholic beverage at any time in the ORV area, ORV welcome center area, pedestrian area, or any area extending one-quarter of a mile from the boundary of the ORV area.

(b) Leave a vehicle, trailer, or other equipment or contrivance unattended in the ORV welcome center area at any time without first obtaining written permission from the department.

(c) Operate a remote-controlled device within the ORV area.

(d) Utilize any color of flashing lights on or attached to a vehicle, except for manufactured installed hazard lights.

(e) Utilize a rental vehicle in the ORV area, except for those permitted for use pursuant to Administrative Rule 299.922(dd). This prohibition does not apply to owned, financed or leased personal vehicles.

(2) A person may do the following, at their own risk, from a half hour before sunrise and until a half hour after sunset:

(a) From November 1st until November 30th each year access the ORV area for the use of equestrian riding after securing the required permit from the Department. Normal use of the pedestrian parking lot by motorized vehicles and trailers for parking shall be allowed.

(b) From December 15th until March 15th each year access the ORV area for the use of fat tire bikes. Normal use of the pedestrian parking lot by motorized vehicles for parking shall be allowed.

(i) The uses identified above do not allow for any of the following:

(a) Disturbance of the land beyond normal use of equestrians or tire tread by peddling.

(b) Disturbance of any vegetation.

(c) Access through or beyond the roped or signed protected areas.

(d) Use of a motorized vehicle in the ORV area, except for use by the department or vehicles used by volunteers authorized by the department.

This order shall be posted on or after the 14th day of October 2022.

Issued on this 13th day of October 2022.

Daniel Eichinger
Director