



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



M. SCOTT BOWEN
DIRECTOR

SUBMITTED: October 16, 2023
RESUBMITTED: November 13, 2023

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Parks and Recreation Division Management of State-Owned Lands – Metal
Detecting
Land Use Order of the Director Amendment No. 6 of 2023

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 the Land Use Orders that govern the lands it administers 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 Amendment is a result of such efforts.

The Parks and Recreation Division has long recognized metal detecting as a recreational activity at appropriate locales. However, there is concern that metal detectors facilitate illegal removal of archaeological and historic resources and the following laws apply:

Public Act 451, [324.74102](#) mandates the protection of historic resources within State Parks.

[Public Act 238 of 1957](#) provides a means of disposing of personal property lost or abandoned on state property and is governed under DNR Policy 04.04.01.

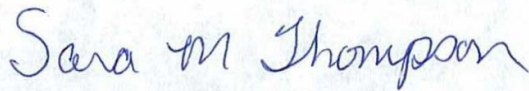
Public Act 451 of 1994, [Part 761 Aboriginal Records and Antiquities](#), prohibits a person from removing, exploring, or excavating any relic or aboriginal antiquities and abandoned property of historical or recreational value found upon or within the lands owned by or under the control of the state.

The Parks and Recreation Division has had a policy for many years that prohibits metal detector use in areas that are known to have artifacts and designated historic or archaeological sites. These sites include those listed on the State or National registers of historic places or indicated by the State Archaeologist in the State Historic Preservation Office.

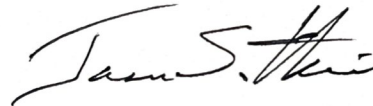
This proposed amendment would provide clarification on metal detector use that aligns with information readily available to the public on a department-managed website at <https://www.michigan.gov/dnr/places/state-parks/metal-detecting>. Although education and generating voluntary compliance will remain the primary enforcement tool, establishing these

prohibited activities will also provide necessary authority for prohibiting these activities in unwanted areas.

Relevant Divisions have contributed to the preparation of this order. This order was submitted for information and consideration on November 9, 2023, at the Natural Resources Commission meeting. This item appeared on the Department's October 2023 calendar and may be eligible for approval on December 14, 2023.



Sara Thompson, Chief
Wildlife Division



Jason S. Haines, Chief
Law Enforcement Division



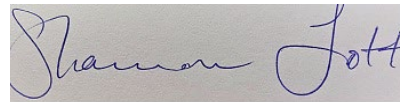
Jeffery J. Stampfly, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



Randy Claramunt, 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.

M. Scott Bowen, Director

Date

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 6 of 2023

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:

5.26 Metal detector use in state parks and recreation areas, prohibited conduct.

Order 5.26. A person shall not do any of the following in any state park (SP) or recreation area (RA):

(1) Use a metal detector outside of a designated area illustrated as open on the access map as published on the department website by April 15th of each calendar year, without written authorization of the unit supervisor or manager.

This order shall be posted on or after the 15th day of December 2023.

Issued on this 14th day of December 2023.

M. Scott Bowen
Director