

**MEMORANDUM OF UNDERSTANDING
BETWEEN
MICHIGAN DEPARTMENT OF NATURAL RESOURCES
AND
MICHIGAN DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
REGARDING STATE LAND USE PERMITS FOR MILITARY EXERCISES RELATED
TO CAMP GRAYLING**

I. PURPOSE

This Memorandum of Understanding (MOU) is entered into on this date of April 21, 2023, by the Michigan Department of Natural Resources (DNR) and the Michigan Department of Military and Veterans Affairs (DMVA) through their respective Directors. The purposes of the MOU are to:

- a. Establish terms by which DMVA and/or the Michigan National Guard will apply for state land use permits for the limited, narrowly tailored use of tax reverted State land by the Michigan National Guard for the purpose of conducting training exercises related to Camp Grayling.
- b. Provide for the protection of Michigan's natural resources and for the continued recreational or other legal use of State land by members of the public and citizens of Michigan's federally recognized Tribes, including during any State or Tribal hunting seasons.

II. BACKGROUND

- a. DMVA and the Michigan National Guard have requested access to additional State land for the purpose of conducting training exercises related to Camp Grayling.
- b. The purpose of these exercises is to conduct training focused on cyber and electronic warfare over distances with smaller, dispersed groups of National Guard members.
- c. This MOU outlines the process by which DMVA and/or the Michigan National Guard can obtain a limited use of State land that will serve the dual purposes of allowing training exercises to support military preparedness while protecting Michigan's natural resources and public and Tribal access to those resources.

III. AGREEMENT

- a. For any Camp Grayling training events intended to be conducted on State land beyond the Camp Grayling borders, DMVA and/or the Michigan National Guard will apply to DNR for State land use permits. These applications will designate specific periods of time and locations for access to conduct training exercises. All land use permits will be processed and issued in accordance with DNR's authority under Part

5, Department of Natural Resources, of the Michigan Natural Resources and Environmental Protection Act, MCL 324.501 *et seq.* and its associated administrative rules, including Mich. Admin Code, R. 299.921–933, and also MCL 324.2101(1).

- b. The permits and military training exercises described in this MOU will be limited to a maximum of approximately 52,000 acres of tax-reverted State land designated in Exhibit A. The land use permit applications will be limited to the amount of acreage needed for the proposed military training exercise.
- c. All areas covered by any land use permit described in this MOU will remain open to legal public and Tribal use during the time periods covered by any such permit, including during any military training exercises conducted.
- d. The land use permits described in this MOU will not allow military training exercises to take place in any protected or sensitive habitat areas, or within 3,000 feet of any inland lakes or designated trout streams listed in Fisheries Order 210.23.
- e. DMVA and/or the Michigan National Guard will maintain the State land at issue, including any roads or trails, in the condition they existed in prior to the military training exercise.
- f. DMVA and/or the Michigan National Guard will continue public service announcements related to permitted activities through existing military protocols.
- g. The purpose of the land use permits described in this MOU will be to conduct the following activities:
 - 1. Small formation activity involving less than 500 National Guard members and up to 100 affiliated partner members;
 - 2. Controlled trials of cyber and electronic warfare technologies;
 - 3. Low impact or light maneuver training.
- h. The following activities will not be permitted:
 - 1. Live fire or any similar kinetic activity;
 - 2. Use of Aqueous Film-Forming Foam material or any similar or other material known to contain harmful pollutants, including PFAS.
 - 3. Activity within 3,000 feet of any inland lakes or designated trout streams listed in Fisheries Order 210.23;
 - 4. Use of tanks;
 - 5. Erection of fencing or any permanent structure;
 - 6. Violent, loud, or disorderly conduct;

7. Activity that results in significant damage to vegetation;
 8. Storage of watercraft or other vehicles beyond designated permitted period;
 9. Use of any loudspeaker, PA system, or similar equipment.
- i. DMVA and/or the Michigan National Guard will pay for their land use permit applications according to the same fee schedule that applies to the general public, and DNR will process the land use permit applications in the same manner that it processes all other land use permit applications.
 - j. The land use permit applications will be governed by all applicable state and federal laws.

IV. AUTHORIZED REPRESENTATIVES

The authorized representatives responsible for carrying out the provisions of this MOU are:

For DNR:

Tom Barnes, Unit Manager
Grayling Forest Management Unit
989-348-6371 ext. 7440
BarnesT2@michigan.gov

For DMVA:

LTC Kathryn Prater, J3
Michigan Army National Guard
517-481-8169
Kathryn.a.prater.mil@army.mil

V. LIABILITY AND COMPLIANCE WITH LAWS

DNR and DMVA assume no liability for any actions or activities conducted under this MOU, except to the extent that recourse or remedies are provided by federal or state law. All activities will be conducted in accordance with all applicable federal, state, and local laws, rules, and regulations.

VI. TERM

This MOU will be in effect from the date of execution for five (5) years unless it is terminated as set forth below. It may be extended for five-year additional increments upon the mutual agreement of the Departments and upon the execution of written amendments to this MOU by DNR and DMVA.

VII. MODIFICATION

This MOU may be modified upon the mutual agreement of DNR and DMVA and upon execution of a written amendment signed by both Departments. Either DNR or DMVA may update their authorized representative under Section IV at any time upon written notice to the other Department.

VIII. TERMINATION

DNR or DMVA may terminate this MOU at any time upon prior written notice to the other Department.

IX. SIGNATURE

This MOU is entered into upon signing by the duly authorized representatives of DNR and DMVA.



**Shannon Lott, Acting Director
Department of Natural Resources**



**MG Paul D. Rogers
The Adjutant General and Director
Department of Military and Veteran Affairs**