



RICK SNYDER
GOVERNOR

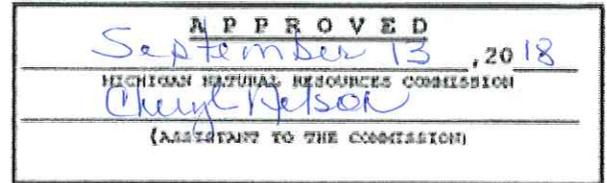
STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH

SUBMITTED:
RESUBMITTED:

July 16, 2018
August 13, 2018



MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Order to Expand the Boundary of Highland Field Trial Lands
Wildlife Conservation Order Amendment No. 15 of 2018

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director and the Commission to issue orders to manage wild animals in this state.

Discussion and Background:

Due to funding concerns and user conflicts on state managed lands, areas historically utilized for field trials have seen frequent closures. To assist with facilitating this recreation use in areas more frequently visited by individuals participating in field trials, a commitment was made by the Department to locate and develop additional field trial areas in locations identified by those partaking in field trial activities as acceptable and agreeable by the Department.

While exploring potential areas for this additional field trial use did not identify any new locations, it did raise the possibility that the area within the existing field trial area of Highland State Recreation Area could be expanded to meet the desires of the individuals as well as the commitment made by the Department. This area is a former sod farm (Sod Farm) and is not actively managed for wildlife habitat through any prescribed burning, like other locations in Highland State Recreation Area. The current field trial area consists of 929 acres and this expansion would increase the area by 381.7 acres.

The Highland Field Trial Grounds Association (HFTGA) currently leases portions of Highland Recreation Area for the purposes of field dog activities. HFTGA is responsible for maintaining these properties under the standards set by the Department. HFTGA does not have exclusive rights to these properties, and public use is allowed to use these areas, including training and scheduled events.

During the management planning process, information was conveyed that this specific area was being evaluated for development of expanding the field trial area with related facilities. It was also communicated that this expanded area would be open and available to the public. While there was significant turnout at the management planning process meeting, no negative comments have been received regarding this potential expansion. The lease with HFTGA would be amended to include the Sod Farm once the Order has been approved.

Issues Pros and Cons

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The users of Highland State Recreation Area range in variety to include hunters, hikers, bird watchers, fishermen, and field trial participants.

In addition to the information communicated during the management planning process, this possible field trail expansion has been included at regular meetings of the Michigan United Conservation Club (MUCC) and individuals who field trial have had regular conversations on this possible expansion. Wildlife Division supports the expansion the field trial area to include the Sod Farm.

There may be some impact upon uses that do not field trial on days where a field trial event has been scheduled, but this expanded area would be open and available to the public when not in conflict of a scheduled field trial event. Posting the scheduled events will help alleviate any conflicts with other users.

Other States

The Department does not see any relevance with this change regarding other states.

Biological

The Department does not expect a biological impact.

Social

Expanding the boundary of the field trial area allows for more access for all users.

Economic

The Department expects that the expanded boundary changes and additional developed facilitates will result in more recreational use of the Highland Field Trial Area by field trial users and by other users when an event is not scheduled.

Order to Expand the Boundary of Highland Field Trial Lands Wildlife Conservation Order
Amendment No. 15 of 2018

Page 3

August 13, 2018

Relevant Divisions have contributed to the preparation of this order. This order was being submitted for information on August 9, 2018 at the Natural Resources Commission meeting. This item appeared on the Department's July 2018 calendar and may be eligible for approval on September 13, 2018.



Russ Mason, Ph.D., Chief
Wildlife Division



Gary Hagler, Chief
Law Enforcement Division



Deb Begalle, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
Fisheries Division



William O'Neill
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.



Keith Creagh, Director

9/13/18

Date

WILDLIFE CONSERVATION ORDER

Amendment No. 15 of 2018

By authority conferred on the Natural Resources Commission and the Director of the Department of Natural Resources by sections 40107 and 40113a of 1994 PA 451, MCL 324.40107 and 324.40113a, it is ordered that effective September 14, 2018, the following section(s) of the Wildlife Conservation Order shall read as follows:

15.2 Field dog trial, defined; designated field dog trial areas established.

Sec. 15.2 (1) For the purposes of this chapter, "field dog trial" means a trial or meet, advertised as such and open to entry by persons whose dogs qualify, in which not less than 4 participants, with dogs, under control, are permitted to dog train in competition or contest. This definition does not apply to an individual cast within a field dog trial. There may be fewer than 4 participants with dogs in an individual cast. Dogs in a field dog trial are awarded points, trophies, or other actual honors for their performance and demonstration of hunting skills. A person or a group of persons dog training their dogs in competition but not under permit by the department are not participating in a field dog trial. (2) Designated field dog trial areas are established on state-owned lands within the following described areas:

(a) That portion of section 26 lying west of Beaumont road; the following portions of section 35 - the south 1/2 lying east of Pettibone lake road, that portion of the NW 1/4 lying between Pettibone lake road and Beaumont road, the south 1/4 of the NE 1/4, the NW 1/4 of the SW 1/4 of the NE 1/4, and that portion of the NW 1/4 of the SW 1/4 lying west of Pettibone lake road; the E 1/2 of the SE 1/4 of section 34; the west 1/2 of the SW 1/4 of section 36; T3N R7E; the following portions of section 36: the NE 1/4 the east half of the SE 1/4; and the NW 1/4 of the SE 1/4, except the south 495 feet; T3N R7E; and the following portions of section 31: the NW fractional 1/4 of the SW fractional 1/4, except beginning at a point located north 00 degrees 14 minutes east 1,347.00 feet and north 88 degrees 29 minutes 26 seconds east 1,418.27 feet from the SW corner of section 31, thence north 47 degrees 18 minutes 26 seconds east 189.50 feet; thence south 88 degrees 27 minutes 27 seconds west 120.00 feet; thence north 49 degrees 45 minutes 12 seconds east 333.31 feet; thence north 76 degrees 20 minutes 16 seconds east 149.86 feet; thence along the center of ford road (66 feet wide) south 00 degrees 14 minutes 10 seconds west 365.00 feet; thence south 88 degrees 29 minutes 26 seconds west 418.00 feet to the point of beginning, and the SW fractional 1/4 of the NW fractional 1/4, except the south 755.00 feet of the north 1,255.00 feet of the east 620.00 feet thereof, T3N R8E, Oakland county, within the Highland recreation area.

(b) Section 23 east of Jossman road, T5N R8E, Oakland county, within the Holly recreation area.

(c) Section 2; the NW 1/4 of section 4; that portion of section 5 lying south of Riverside drive, T6N R7W; the SE 1/4 of the SE 1/4 of the SE 1/4 of section 32; that portion of section 33 lying south of Riverside drive; that portion of the N 1/2 of section 34 lying south of Riverside drive; the NW 1/4 of the SW 1/4 of section 34; and section 35, T7N R7W, Ionia county, within the Ionia recreation area.

(d) Sections 13 and 24 west of Five lakes road, T8N R10E, Lapeer county, within the Lapeer state game area.

(e) All of sections 24 and 25, and that portion of section 36 north of Sharon valley road, T3S R2E, Jackson county, within the Sharonville state game area.

(f) Sections 3, 4, 5, 6, 7, 8, 9, and 10, T20N R2W, Gladwin county, within the Gladwin forest area of the Au Sable river state forest, which shall be known as the Gladwin field dog trial area.

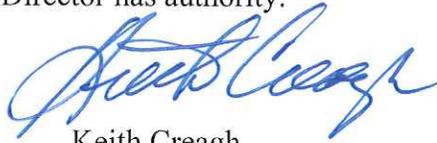
Issued on this 14th day of September 2018.

Approved as to matters over which the Natural Resources Commission has authority.



Vicki Pontz, Chair
Natural Resources Commission

Approved as to matters over which the Director has authority.



Keith Creagh
Director



STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



RICK SNYDER
GOVERNOR

KEITH CREAGH
DIRECTOR

SUBMITTED: July 16, 2018
RESUBMITTED: August 13, 2018

APPROVED
September 13, 2018
MICHIGAN NATURAL RESOURCES COMMISSION
Cheryl Johnson
(ASSISTANT TO THE COMMISSION)

MEMORANDUM TO THE NATURAL RESOURCES
COMMISSION

Subject: Fisheries Order 229.18A
Netting Regulations

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director and the Commission to issue Orders to regulate the taking of fish in the waters of this state.

Discussion and Background:

This Order governs the use of nets for catching fish in Michigan. Recently, P.A. 36 of 2018 removed a special net restriction from law. The same restriction is also listed in this Order. Therefore, the purpose of this Order is to remove the same regulation. The following provision has been listed in statute for decades, most likely in an attempt to protect migrating fish from being netted with long handled nets.

Recent requests by anglers and law enforcement personnel led to the removal of the law by the Michigan Legislature primarily due to safety concerns for anglers restricted to using only landing nets with handles measuring less than 14 inches. This restriction placed an unnecessary risk for those anglers fishing from boats as well as shoreline anglers. The change will remove the provision from this Order.

This change has the support of anglers, law enforcement, and staff and should pose no added threat to the resource. This Order is recommended for immediate effect given that statute has already been modified via Public Act 36 of 2018 to remove the provision.

Issue Pros and Cons

Removal of the provision limiting net handle size will enable anglers to use larger sized nets for landing fish. The change will remove an unnecessary regulation and result in better safety for anglers. This change will remove an unnecessary restriction set on anglers. There are no cons identified.

Biological

Changing the regulation to allow larger sized nets for landing fish will have no biological impact on the fishery resource.

Social

Anglers requested the change and will benefit from removal of the net size restriction. Anglers will be able to use longer nets to land fish resulting in a safer method versus using short handled nets.

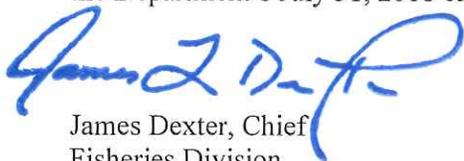
Economic

There are no anticipated significant economic gains or losses expected from the passage of this proposal.

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Recommendation:

Relevant Divisions have contributed to the preparation of this Order. This Order was submitted for information on August 9, 2018, at the Natural Resources Commission meeting. This item appeared on the Department's July 31, 2018 calendar and may be eligible for approval on September 13, 2018.



James Dexter, Chief
Fisheries Division



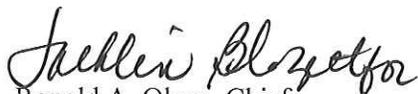
Gary Hagler, Chief
Law Enforcement Division



Russ Mason, Ph.D., Chief
Wildlife Division



Deb Begalle, Chief
Forest Resources Division

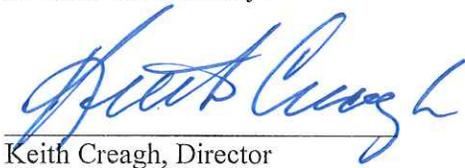


Ronald A. Olson, Chief
Parks and Recreation Division



William O'Neil
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.



Keith Creagh, Director

9/13/18

Date

FISHERIES ORDER

Netting Regulations Order 229.18A

By authority conferred on the Natural Resources Commission and the Department of Natural Resources by Part 487 of 1994 PA 451, MCL 324.48701 to 324.48740, it is ordered on September 13, 2018, the following section(s) of the Fisheries Order shall read as follows:

The following netting regulations are established statewide.

SEASON	GEAR	WATERS*	SPECIES**
March 1 – May 31	Hand Net	All Great Lakes, L. St. Clair, St. Clair R., Detroit R., and St. Marys R. including all tributaries to those waters from the mouth to ½ mile upstream (except that Thompson Cr. (Schoolcraft Co., is closed). See List A for inland streams open to hand netting.	Bowfin, Carp, Goldfish, Gizzard Shad, Longnose Gar, Smelt, Suckers
March 20 – May 31	Dip Net	All Lower Peninsula and Upper Peninsula streams, except Designated Trout Streams. See List B for additional streams closed to dip netting.	Bowfin, Carp, Goldfish, Gizzard Shad, Longnose Gar, Smelt, Suckers
December 15 – end of February	Hoop Net	Peshekee R. (Marquette Co.); Au Train R. (Alger Co.) from Au Train L. to mouth; Sturgeon R. (Baraga Co.) from M-38 bridge to mouth; Sturgeon R. (Houghton Co.).	Burbot
Open for the entire year	Seine, Hand Net, Dip Net	All waters, except Designated Trout Streams and those waters closed to minnow harvest (FO-203).	Minnows
Open for the entire year	Cast Net	Great Lakes, L. St. Clair, St. Clair R., Detroit R., and St. Marys R.	Alewife, Minnows, Smelt, Gizzard Shad

*Review the netting exceptions list below for regulations that differ from those listed in the table above.

**For the purpose of this Order the term “suckers” refers to: suckers (longnose, white, northern hog, spotted), redhorse (silver, golden, black, greater, shorthead), buffalo (bigmouth, black), lake chubsucker, and quillback carpsucker. The term “minnows” refers to small baitfish used as bait: chubs, shiners, dace, stonerollers, sculpins (muddlers), mudminnows, and suckers.

Special Provisions:

1) Hand Net

- a) For the purposes of this Order, "hand net" means a mesh bag of webbing or wire suspended from a circular, oval, or rectangular frame of any size attached to a handle of any length.
- b) Hand nets not over 8 feet square and without sides or walls may be used to take minnows for personal use.
- c) Hand nets may not be fished within 100 feet of a dam.

2) Dip Net

- a) For the purpose of this Order, "dip net" means a square net that is constructed from a piece of webbing of heavy twine, hung on heavy cord or frame so as to be without sides or walls, and suspended from the corners and attached in such a manner that when the net is lifted no part is more than 4 feet below the plane formed by the imaginary lines connecting the corners from which the net is suspended. As used in fishing, it shall be lowered and raised vertically as nearly as possible.
- b) A free permit is required from a DNR office.
- c) Dip nets may not exceed 9 x 9 square feet and may not have sides or walls.
- d) Dip nets may not be erected or fished within 100 feet of a dam.
- e) The name and address of the person setting, using, or having control over the dip net equipment, including frame, boom, supporting members, and temporary buildings, shall be plainly marked in legible English on the dip net equipment or securely fastened to it by a plate or tag. Dip net equipment and a temporary building erected and used that are located on public land or the land of another person shall be removed prior to June 10 of each year unless maintained with proper permission of the landowner. This subsection does not authorize the erection or fishing of a dip net on the land or premises of another person without proper permission from the landowner.

3) Hoop Net

- a) A free permit is required from a DNR office.
- b) Hoop nets may not be fished within 100 feet of a dam.
- c) Hoop net size shall not exceed 36 inches in diameter and no longer than seven feet in length.

4) Seine

Minnow seines may not exceed 12 feet in length and 4 feet in width.

Seines may not be fished within 100 feet of a dam.

5) Cast Net

- a) Cast nets may not be fished within 100 feet of a dam.

NETTING EXCEPTIONS

LIST A – INLAND WATERS OPEN TO HAND NETTING

The following inland waters are open to use of hand nets from March 1– May 31 for Bowfin, Carp, Goldfish, Gizzard Shad, Longnose Gar, Smelt, and Suckers:

ALGER COUNTY

Towes Creek

West Branch Whitefish River from Sea Lamprey Barrier (T44N, R21W, S29) downstream 500 feet to posted signs.

CHARLEVOIX COUNTY

Lake Charlevoix and tributaries to one-half mile upstream.

CHIPPEWA COUNTY

Trout Creek down from Big Trout Lake (T42N, R3E, S31)

Prentiss Creek (T42N, R2E)

DELTA COUNTY

Days River from sea lamprey barrier downstream for 500 feet.

Rapid River from Rapid River Falls (T24N, R21W, S19) down to County Road (in S15).

Escanaba River from mouth to 1st dam upstream of US-2.

Ford River down from Jaeger Road.

HOUGHTON COUNTY

Portage Lake and all tributaries thereto for one-half mile above mouth.

North and South Portage Canal and all tributaries thereto for one-half mile above mouth.

Torch Lake and all tributaries thereto for one-half mile above mouth.

LUCE COUNTY

Little Two Hearted River from mouth upstream to bridge on County Road 412 (T50N, R9W, S25)

MACKINAC COUNTY

Doe Creek (T43N, R10W)

Foley Creek down from I-75

Hoban Creek down from US-2

Hudson Creek (T41N, R11W, S8)

Martineau Creek down from I-75

McClouds Creek

Milakokia River, Milakokia Lake down to Heinz Lake

Norton Creek from M-135 down to South Manistique Lake

Nunn's Creek from Highway M -134 to mouth

Pearson's Creek, (T42N, R1W and R1E)

Rabbits Back Creek down from Mackinac Trail

Scrams Creek (T42N, R11W, S11)

Taylor Creek (T43N, R12W, S2, 11, 12 and 13)

MANISTEE COUNTY

Little Bear Creek down from Bear Lake to trunkline Highway US-31

MENOMINEE COUNTY

Big Cedar River down from mouth of Elwood Creek (T35N, R25W, S11).

LIST B – INLAND STREAMS CLOSED TO DIP NETTING

It shall be unlawful to take or attempt to take any species of fish with dip nets on the following named streams:

ARENAC COUNTY

Au Gres River – From mouth at Saginaw Bay upstream to M-65 (T22N, R5E, S26)

Rifle River – From Steve’s Road (T19N, R5E, S9) upstream

BENZIE COUNTY

Cold Creek – From mouth at Crystal Lake (T26N, R15W, S26) to source

GRAND TRAVERSE COUNTY

Unnamed Creek – From source at Green Lake (T26N, R12W, S20) upstream to Bridges Lake

IOSCO COUNTY

Au Gres River – From mouth at Saginaw Bay upstream to M-65 (T22N, R5E, S26)

LEELANAU COUNTY

Houdek Creek – From mouth at North Lake Leelanau (T31N, R12W, S35) to source

MONROE COUNTY

Huron River - From mouth at Lake Erie upstream to Belleville Dam

Stony Creek - From mouth at Lake Erie upstream to Finzel Road (T5S, R8E, S23)

WAYNE COUNTY

Huron River - From mouth at Lake Erie upstream to Belleville Dam

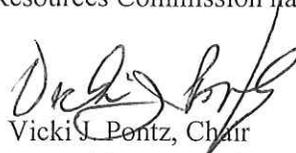
This Order shall be assigned number FO-229.18A, and is entitled "Netting Regulations."

This Order supersedes the Order entitled "Netting Regulations," which became effective April 1, 2018, and is assigned number FO-229.18.

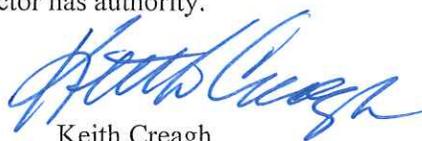
This Order shall take immediate effect on September 14, 2018 and shall remain in effect until amended/rescinded.

Issued on this 13th day of September, 2018.

Approved as to matters over which the Natural Resources Commission has authority.


Vicki J. Pontz, Chair
Natural Resources Commission

Approved as to matters over which the Director has authority.


Keith Creagh
Director



STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING

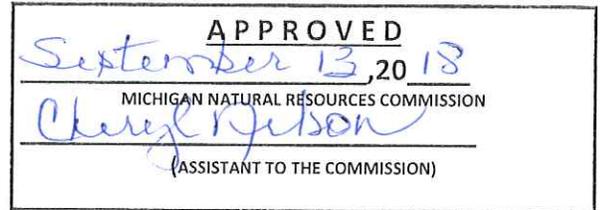


RICK SNYDER
GOVERNOR

KEITH CREAGH
DIRECTOR

SUBMITTED:
RESUBMITTED:

July 16, 2018
August 13, 2018



MEMORANDUM TO THE NATURAL RESOURCES
COMMISSION

Subject: Fisheries Order 251.18
Ice Fishing Shanty Regulations

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, authorizes the Director and the Commission to issue Orders to regulate the taking of fish in the waters of this state.

Discussion and Background:

Fisheries Order 251 covers regulations on ice fishing shanties used for fishing. Recent legislative changes to ice shanty regulations (P.A. 25 of 2018) modified the shanty labeling options for shanty owners to allow the use of the owner's driver license number or the owner's DNR sportcard number. Previously, the shanty owner was required to affix their name and address to each side of the fishing shanty. Some anglers objected to this requirement. Adding two new anonymous owner identification options for those anglers using ice shanties will result in greater privacy for anglers. The Order is being modified to mirror the language in statute as appropriate. Since the changes to statute have already occurred, this Order is recommended for immediate effect.

Issue Pros and Cons

The proposed changes will add more options for anglers who use ice shanties and prefer to not list their name and address on their ice fishing shanty. There are no cons identified.

Biological

There are no biological effects associated with these changes.

Social

Anglers have requested these changes and now have more options to consider when required to affix owner identification on their shanty.

Economic

There are no anticipated significant economic gains or losses expected from the passage of this proposal.

Recommendation:

Relevant Divisions have contributed to the preparation of this Order. This Order was submitted for information on August 9, 2018, at the Natural Resources Commission meeting. This item appeared on the Department's July 31, 2018 calendar and may be eligible for approval on September 13, 2018.


James Dexter, Chief
Fisheries Division


Gary Hagler, Chief
Law Enforcement Division


Russ Mason, Ph.D., Chief
Wildlife Division


Deb Begalle, Chief
Forest Resources Division


Ronald A. Olson, Chief
Parks and Recreation Division


William O'Neill
Natural Resources Deputy

I have analyzed and discussed these recommendations with staff and concur as to matters over which the Director has authority.


Keith Creagh, Director

9/13/18
Date

FISHERIES ORDER

Ice Fishing Shanty Regulations Order 251.18

By authority conferred on the Natural Resources Commission and the Department of Natural Resources by Part 487 of 1994 PA 451, MCL 324.48701 to 324.48740 and 324.46502 to 324.46507, it is ordered on September 13, 2018, the following section(s) of the Fisheries Order shall read as follows:

1. As used in this part:
 - a) "Fishing shanty" means a fishing house or any other structure or shelter placed on the ice on the waters over which this state has jurisdiction.
 - b) "Local unit of government" means a county, city, township, village, or other governmental unit. Local unit of government does not include the state.
2. Except as otherwise provided in subsection (4), a person shall not set, place, erect, cause to be set, placed, or erected, or use a fishing shanty at any time upon the ice in waters over which this state has jurisdiction, unless information identifying the owner as prescribed in this subsection is affixed to each side of the outside of the fishing shanty in legible alphanumeric characters not less than 2 inches in height. The alphanumeric characters must be readily visible and consist of materials that are not soluble in water. The information identifying the owner under this subsection must be 1 of the following:
 - a) The owner's name and address.
 - b) The owner's driver license number.
 - c) The number of the owner's sportcard issued under MCL 324.43522.
3. Placing the information identifying the owner on a piece of wood, plastic, or other material and affixing that piece of material to the fishing shanty does not satisfy the requirements of this section.
4. The identification requirement in subsection (2) does not apply to a tent or other temporary shelter if the tent or shelter is removed from the ice at the conclusion of each day's fishing activity.
5. A person who sets, places, erects, cause to be set, placed, or erected a fishing shanty upon the ice of any waters of counties located within the Upper Peninsula, or the waters of the Great Lakes adjacent to the Upper Peninsula, shall remove the fishing shanty before ice conditions are unsafe for its removal. However, except as provided in provision (8), the fishing shanty shall not remain on the ice beyond 12 midnight, March 31, of any year. Persons placing a shanty on Michigan-Wisconsin boundary waters shall remove the shanty by midnight of March 15 each year.
6. A person who sets, places, erects, cause to be set, placed, or erected a fishing shanty upon the ice of any water in Emmet, Cheboygan, Presque Isle, Charlevoix, Leelanau, Antrim, Otsego, Montmorency, Alpena, Benzie, Grand Traverse, Kalkaska, Crawford, Oscoda, Alcona, Manistee, Wexford, Missaukee, Roscommon, Ogemaw, Iosco, Mason, Lake, Osceola, Clare, Gladwin, Arenac, Oceana, Newaygo, Mecosta, Isabella, Midland, or Bay counties listed in this provision, shall remove the fishing shanty before ice conditions are unsafe for its removal. However, except as provided in provision (8), the fishing shanty shall not remain on the ice beyond 12 midnight, March 15, of any year.
7. A person who sets, places, erects, causes to be set, placed, or erected a fishing shanty upon the ice of water in any of the counties of this state not listed in provision (6), and those waters of the Great Lakes adjacent to these counties, except as provided below, shall remove a fishing shanty before ice conditions are unsafe for its removal. However, except as provided in provision (8), the fishing shanty shall not remain on the ice beyond 12 midnight, March 1, of any year.

8. After the dates listed in provisions (5), (6), and (7), a person may place and use a fishing shanty for the purposes of fishing if the fishing shanty is removed from the ice at the conclusion of each day's fishing activity.

9. A person who sets, places, erects, causes to be set, placed, or erected a fishing shanty upon the ice of Lake St. Clair within the jurisdiction of this state shall remove the fishing shanty before ice conditions are unsafe for its removal or before sundown on the first Sunday after February 20 and on a daily basis following that date. Failure to remove a fishing shanty within the time specified in this provision is a violation of this order, and the department or the local unit of government may then authorize the removal and storage or destruction of the fishing shanty.

This Order shall be assigned number FO-251.18, and is entitled "Ice Fishing Shanty Regulations."

This Order supersedes the Order entitled "Ice Fishing Shanty Regulations," which became effective September 15, 2017, and is assigned number FO-251.17.

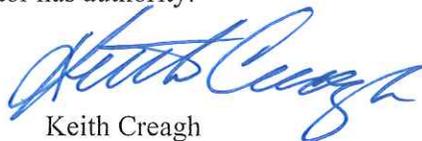
This Order shall take immediate effect on September 14, 2018 and shall remain in effect until amended/rescinded.

Issued on this 13th day of September, 2018.

Approved as to matters over which the Natural Resources Commission has authority.


Vicki J. Pontz, Chair
Natural Resources Commission

Approved as to matters over which the Director has authority.


Keith Creagh
Director



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

August 13, 2018

To: Keith Creagh, Director

Information: Natural Resources Commission

Transaction: Proposed October 30, 2018, Oil and Gas Lease Auction

Authority: Part 5 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended

Auction Method: Oral Auction

Acres Offered: Approximately 15,800 acres

Counties Offered: Alpena, Arenac, Cheboygan, Clare, Crawford, Kalkaska, Midland, Ogemaw, Presque Isle, and Roscommon

Lease Terms: Five-year primary term with two one-year extension options; 1/6 royalty rate; minimum bid of \$10.00 per acre; and \$2.00 per acre annual rental for the primary term.

Special Restrictions: Certain parcels proposed to be offered for lease may contain restrictions limiting surface activities where environmental concerns exist. All oil and gas development activities proposed on state-owned surface require separate surface use agreements.

Notice: Township supervisors, county commissioners, legislators representing the nominated areas, and potentially affected private surface owners have been notified of the proposed auction. Notice of the proposed auction also appeared in the county newspapers representing the areas where the lands are located. This item will appear on the September 4, 2018, DNR Business Calendar and is eligible for approval September 13, 2018.

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August 13, 2018

Recommendation: The mineral rights in all the lands being considered should be offered for inclusion in the proposed auction, under the terms and conditions specified.



Mark B. Sweatman, Director
Office of Minerals Management



James L. Dexter, Chief
Fisheries Division



Russ Mason, Ph.D., Chief
Wildlife Division



Ronald A. Olson, Chief
Parks and Recreation Division



William O'Neill
Natural Resources Deputy



Debbie A. Begalle, Chief
Forest Resources Division

I approve the staff recommendation.



Keith Creagh
Director

9/13/18

Approval Date



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAM
DIRECTOR

SUBMITTED: July 24, 2018
RESUBMITTED: August 13, 2018

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Removal of the Temporary Closure on Department-managed Land at the Otsego Dam Structure and Certain Surrounding Areas, Allegan County Land Use Order of the Director Amendment No. 6 of 2018

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:

On September 8, 2016, the Director signed Land Use Orders of the Director Amendment No. 7 of 2016 that temporarily closed Department-managed land at the Otsego Dam structure and certain surrounding lands along the Kalamazoo River located in Allegan County, Otsego Township, T01N R12W, in sections 17, 20, and 21 in order to comply with an Administrative Order on Consent issued by the United States Environmental Protection Agency (EPA) to remove polychlorinated biphenyl (PCB) contaminated waste and soil waste and soil materials that pose a significant risk to public health and the environment. These lands are designated as portions of Allegan State Game Area, in the Kalamazoo River bottomlands unit. The temporary closure area is approximately 185 acres, and includes 50 acres or more of water and riverine or lacustrine wetlands.

Construction has been performed to remove impounded sediments, to conduct bank excavation and stabilization, and to conduct floodplain clearing and excavation. In addition, improvements have been made to the area including the removal of the Otsego Township Water Control Structure (replaced dam in March 2016), bank and vegetative restoration, improved access to the river for boating, and the installation of a public boat launch. The project commenced in summer of 2016 and concluded in July of 2018.

The Department and the EPA plan to celebrate the opening of the area at the end of August with a ribbon-cutting ceremony. Completion of the removal of PCBs, removal of the dam structure, and improved access to the Kalamazoo River will provide the public with more recreational opportunities. The Department also plans on giving written permission for the public to access the area after the ribbon cutting ceremony.

The Department recommends removing the temporary closure on Department-managed land at the Otsego Dam structure and certain surrounding lands along the Kalamazoo River located in

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Removal of the Temporary Closure on Department-managed Land at the Otsego Dam Structure and Certain Surrounding Areas, Allegan County

Land Use Order of the Director Amendment No. 6 of 2018

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August 13, 2018

Allegan County, Otsego Township, T01N R12W, in sections 17, 20, and 21. The Department also recommends an administrative change to remove the closure on the Plainwell No.1 Dam structure because the dam structure no longer exists.

Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on August 9, 2018, at the Natural Resources Commission meeting. This item appeared on the Department's July calendar and may be eligible for approval on September 13, 2018.



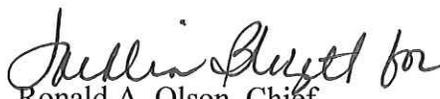
Russ Mason, Ph.D., Chief
Wildlife Division



Gary Hagler, Chief
Law Enforcement Division



Deb Begalle, Chief
Forest Resources Division



Ronald A. Olson, Chief
Parks and Recreation Division



James Dexter, Chief
Fisheries Division



William O'Neill
Natural Resources Deputy

LAND USE ORDERS OF THE DIRECTOR

Amendment No. 6 of 2018

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, as amended, MCL 324.504, and in accordance with R 299.921 to R 299.933, the Director of the Department of the Natural Resources orders the following:

3.11 Certain dam structures, Allegan county, entry prohibited.

Order 3.11 (1) A person shall not enter into or upon any of the following dam structures without written permission from the wildlife management unit supervisor or his or her representative:

- (a) The Trowbridge dam structure located in section 12, T01N R13W, Allegan county.
- (b) The Swan creek dam structure located in section 17, T02N R14W, Allegan county.
- (c) The Swan creek diversion dam structure located in section 9, T2N R14W, Allegan county.
- (2) This section shall not apply to department personnel acting in the lawful performance of their duties.

3.11a Certain state owned lands, Allegan county, entry prohibited, exception.

Order 3.11a (1) A person shall not enter, use, or occupy that portion of the former Plainwell impoundment, section 24, T1N R12W, Otsego township and sections 19 and 30 T1N R11W, Gun plain township, Allegan county, enclosed by a fence or posted against entry, use or occupancy.

This amended order shall be posted on or after the 14th day of September, 2018.

Issued on this 13th day of September, 2018.



Keith Creagh
Director



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

August 13, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Parks and Recreation Land Acquisition
Western Upper Peninsula District – Houghton County
The Kuusisto Tract
Land Transaction Case #20160175

Purchase: 70 acres - \$300,000.00

Funding Source: Douglass Houghton Falls Acquisition Project, 15-0186

PA 240 of 2012: PILT Estimate: \$3,357.97
This parcel is located north of the Mason-Arenac County line and will result in 70 counted acres.

Description: Houghton County, Calumet Township, T56N, R33W, Section 36:
Part of the NE 1/4; AND Schoolcraft Township, T56N, R32W, Section 31:
The South 1/2 of the SW 1/4, and the North 1/2 of the SW 1/4.

Seller(s): James D. Kuusisto, Lake Linden, Michigan.

Authority: Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Notice: This item will appear on the Department of Natural Resources (Department) September 4, 2018 calendar, and is eligible for approval on September 11, 2018.

Management Purpose: The property will be managed by Parks and Recreation Division as a park and scenic area. This acquisition will contribute to achieving quality recreation opportunities, protecting and managing natural resources.

Comments: The property includes 70 acres of land that is crossed by the deep gorge of Hammell Creek and contains the 110-foot high Douglass Houghton Falls, Michigan's tallest waterfall. The property is accessible via frontage on M-26 and is covered in a mix of mature pine and open meadow.

The property will be improved with appropriate public access to protect the natural features surrounding the falls and provide safe viewing. Public facilities at the falls will be dedicated to all those who have served their country in the military, and particularly those veterans who continue to suffer from the lingering effects of their experiences.

The seller will convey mineral rights relative to this tract.

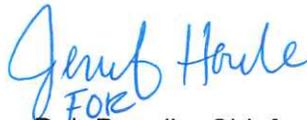
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Engagement: Support was received from Calumet Township and Houghton County.

- Recommendation:
1. That the acquisition be approved, with payment to be made from the Michigan Natural Resources Trust fund, Douglass Houghton Falls Acquisition Project, 15-0186.
 2. This land is to be dedicated as part of the Douglass Houghton Falls Scenic Site.



Russ Mason, Ph.D., Chief
Wildlife Division



Deb Begalle, Chief
Forest Resources Division



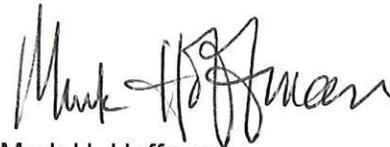
James L. Dexter, Chief
Fisheries Division



Ronald A. Olson, Chief
Parks and Recreation Division



William O'Neill
Natural Resources Deputy



Mark H. Hoffman
Chief Administrative Officer

I approve the staff recommendations.



Keith Creagh
Director

9/13/18

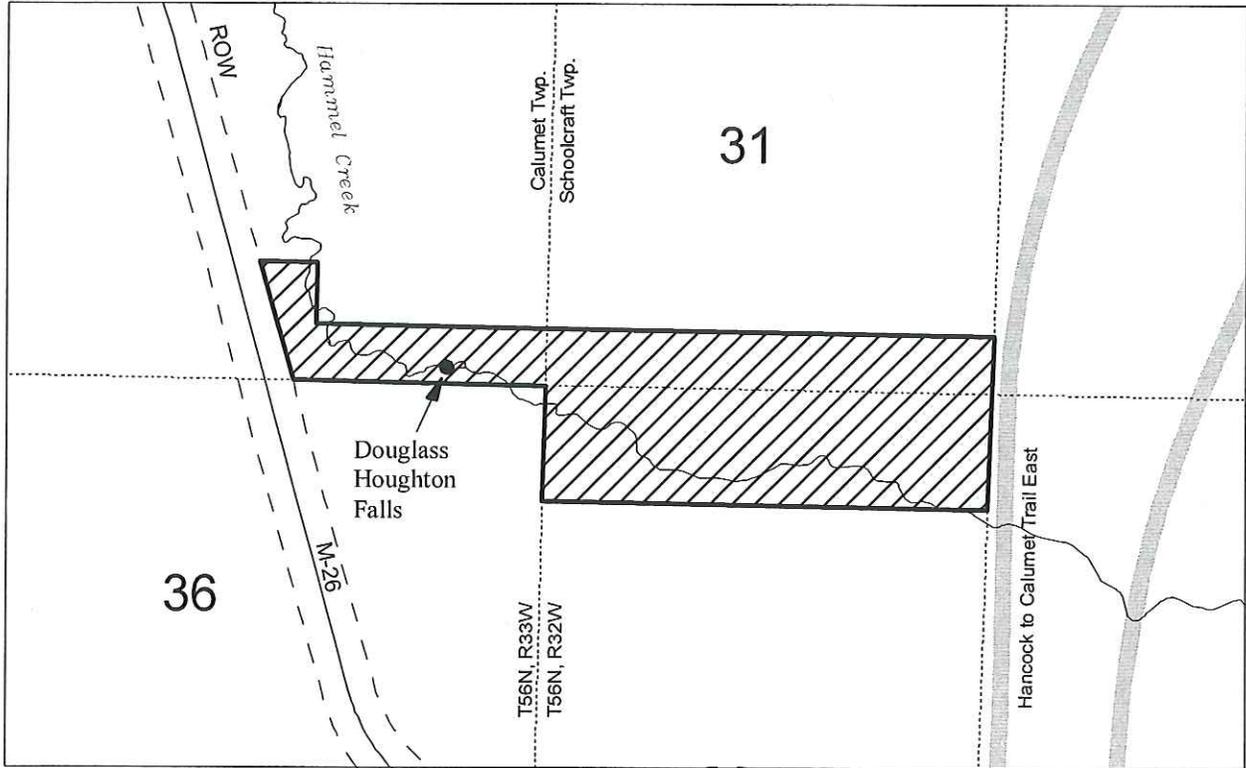
Date Approved

PARKS AND RECREATION LAND ACQUISITION

Western Upper Peninsula District – Houghton County

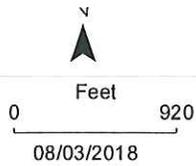
The Kuusisto Tract

Land Transaction Case #20160175

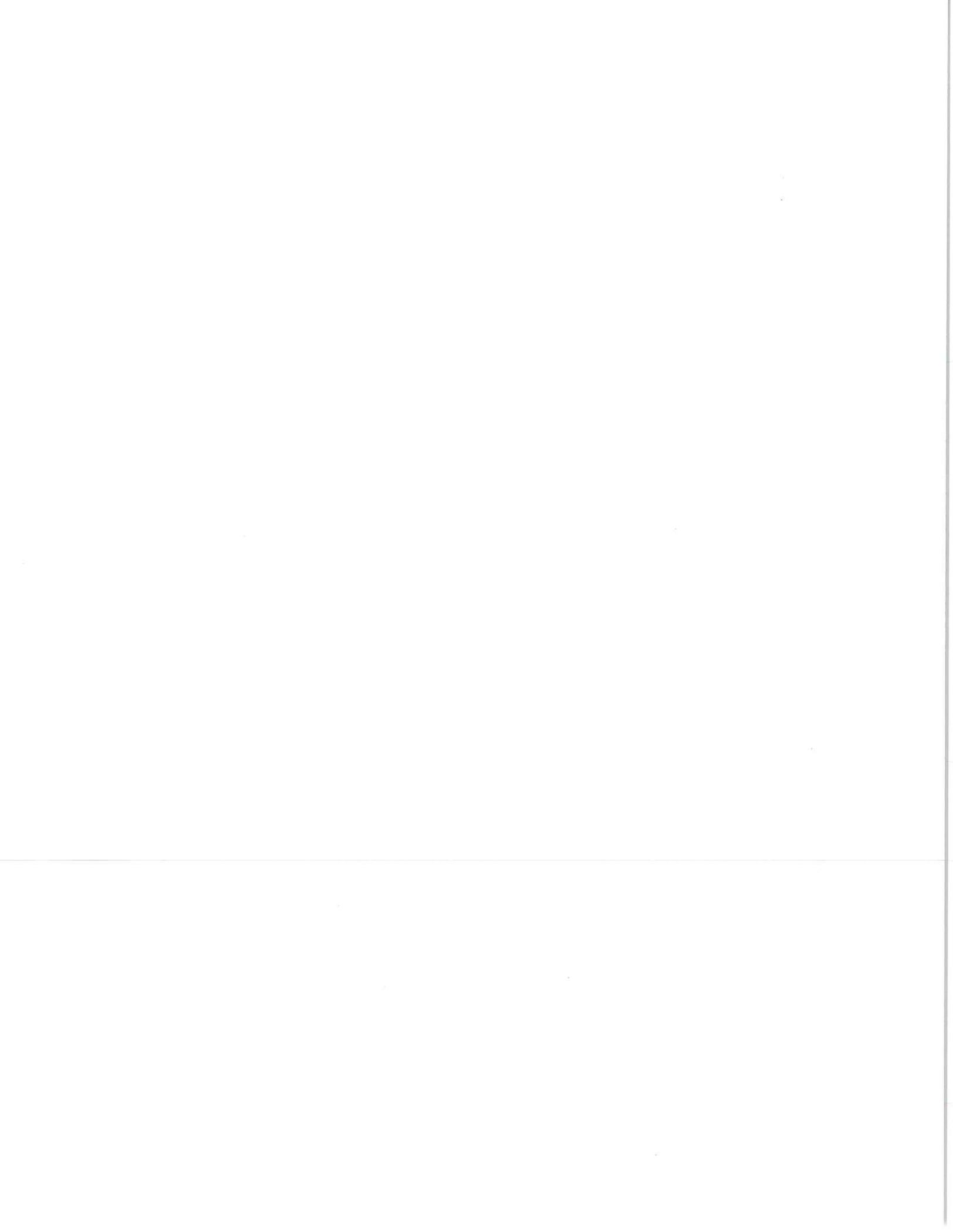


Section 31, T56N, R32W, Schoolcraft Township
Section 36, T56N, R33W, Calumet Township

-  Land to be acquired by DNR (70 Acres)
-  State land
-  Private land



 DNR Project Boundaries





RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

August 13, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Sale of Surplus DNR-Managed Land
Cadillac Management Unit – Missaukee County
Land Transaction Case #20160079

Sale: 11 subdivision lots (5.24 acres)

Sale Price: \$3,500.00

Description: Missaukee County, Caldwell Township, T23N, R08W, Section 23:
Dyer Lake Plat, Lots 788 and 789 & Lots 817-825.

PA 240 of 2012: These parcels are north of the Mason-Arenac County line and will result
in a decrease of 0.00 acres of counted DNR-Managed lands.

Applicant: Michael Reynolds & John Strouss, Pinckney & Highland, Michigan.

Authority: Natural Resources and Environmental Protection Act, 1994 PA 451, as
amended.

Notice: This item will appear on the Department of Natural Resources
(Department) September 4, 2018, calendar, and is eligible for approval
on September 11, 2018. The transaction will also be posted in a local
newspaper as required by statute.

Acquired: Tax reverted in 1939, 1940 and 1943.

Minerals: Mineral rights will be conveyed.

Comments: The desired parcel is adjacent to the applicant's land. The two
applicants are the only adjacent landowners as the subdivision roads
accessing this property have been legally vacated.

The proposed land disposal was reviewed and recommended for
approval by the Land Exchange Review Committee on
April 20, 2017 and April 19, 2018.

Proceeds will be deposited into the Land Exchange Facilitation Fund
(LEFF). The LEFF allows the Department to sell rights in land and
deposit the proceeds in a fund which can then be used to acquire
replacement property.

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Engagement: Due to the small size of the parcel, the Land Exchange Review Committee determined local engagement is not necessary.

- Recommendation: (1) That the land be sold to the adjacent landowners for \$3,500.00.
- (2) That the proceeds of the sale be deposited in the Land Exchange Facilitation Fund.
- (3) That the state retain aboriginal antiquities.



Russ Mason, Ph.D., Chief
Wildlife Division



Deb Begalle, Chief
Forest Resources Division



James L. Dexter, Chief
Fisheries Division



Ronald A. Olson, Chief
Parks and Recreation Division



William O'Neill
Natural Resources Deputy



Mark H. Hoffman
Chief Administrative Officer

I approve the staff recommendations.

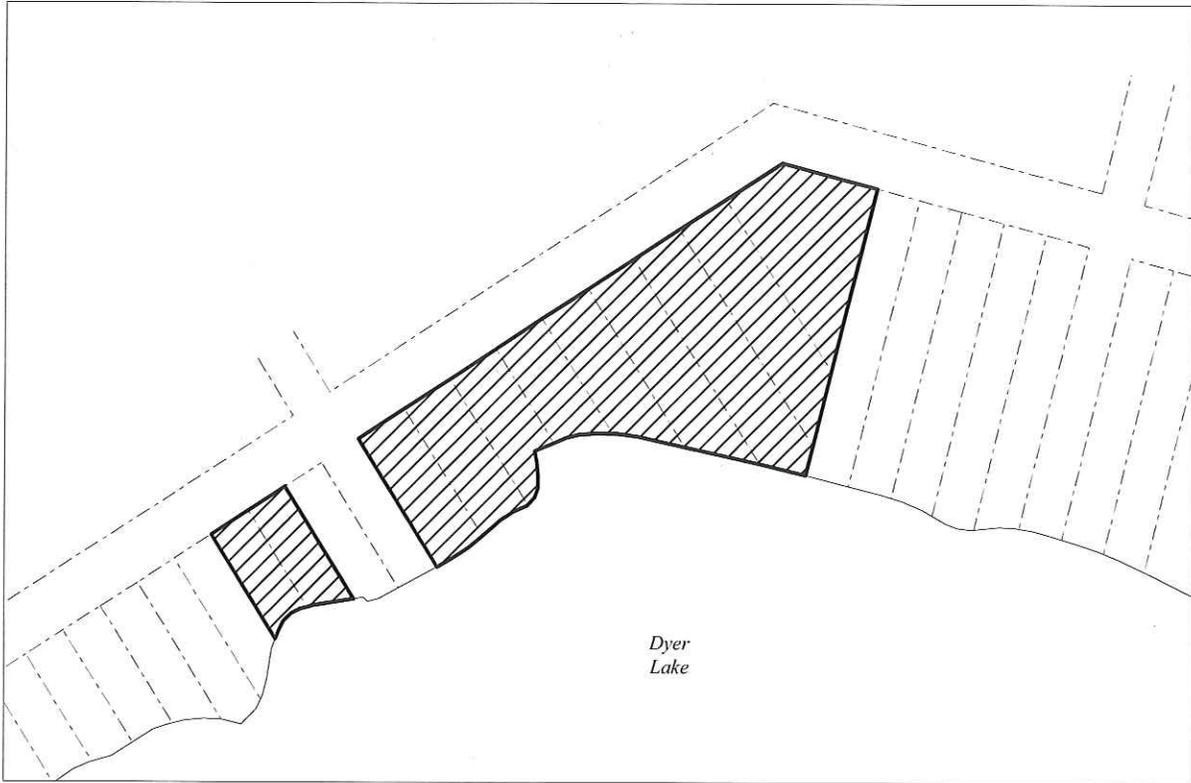


Keith Creagh
Director

9/13/18

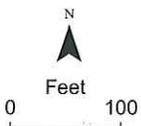
Date Approved

SALE OF SURPLUS DNR-MANAGED LAND
Cadillac Management Unit – Missaukee County
Land Transaction Case #20160079



Dyer Lake Plat, Section 23, T23N, R08W, Caldwell Township

-  Surplus DNR land to be sold (11 lots, 5.24 acres)
-  Private land



07/23/2018

