



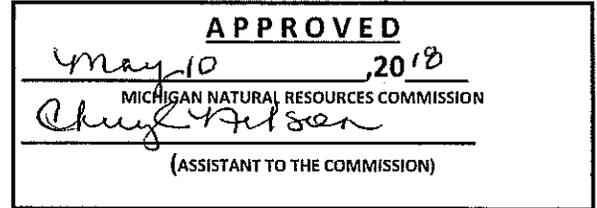
RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

SUBMITTED: March 29, 2018  
RESUBMITTED: April 16, 2018



MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Deer Management Assistance Permit Regulations  
Wildlife Conservation Order Amendment No. 6 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:

At the July 13, 2017 Natural Resources Commission (NRC) meeting, the NRC issued an amendment to Deer Management Assistance Permits and Antler Point Restrictions (Wildlife Conservation Order Amendment No. 6 of 2017) that extended the Deer Management Assistance Permit (DMAP) pilot study area for an additional year with a June 8, 2018 sunset clause. The sunset clause allowed for further discussions and deliberations with stakeholder groups, the NRC, and the Department to reach consensus on DMAP regulations.

*Current Regulations under the Pilot Program*

Current regulations allow qualifying landowners within Antrim, Benzie, Charlevoix, Grand Traverse, and Leelanau Counties to be permitted to use firearms during portions of the early archery season for deer under the following conditions:

- A Department inspection finds that there is a crop-damage issue that may be controlled through the immediate removal of deer;
- There are factors, such as size of field and time of year, that effectively preclude archery hunting or available tools, such as Deer Damage Shooting permits, that have been previously used to discourage deer from damaging crops during the growing season;
- The landowner agrees that there will be no shooting from October 1 through October 4 and from November 10 to November 14 and;
- The landowner includes method of take in the annual report provided to the Department.

In addition, current regulations allow for the take of one antlered deer with a DMAP on lands within the pilot program area when the following conditions are met:

- An inspection by Department personnel finds that an antlered deer is causing acute damage by removing bark through antler rubbing on agricultural or horticultural trees, shrubs, or vines multiple times during a week; and
- The landowner has used barriers or other methods (e.g., fencing or tree wraps) to prevent antlered deer damage to agricultural or horticultural trees, shrubs, or vines, and the inspection shows these methods have not been effective in eliminating damage.

All antlered deer harvested with a DMAP shall be surrendered, including antlers, to the Department within 72 hours.

Detailed criteria regarding the provisions for the pilot program are published in the DMAP Decision Tree.

#### *Proposed Regulations for DMAPs*

The Department met with Michigan Bow Hunters Association, Michigan United Conservation Clubs, Quality Deer Management Association, and Michigan Farm Bureau on June 23, 2017, August 22, 2017, October 19, 2017, and January 16, 2018, to discuss and deliberate DMAP regulations.

This order proposes expanding the pilot regulations statewide with modifications to help address agricultural and horticultural damage. The Department reviewed the data from the pilot counties and determined that there are no biological concerns with expanding statewide.

Outlined below are the modifications that the stakeholder groups, the NRC, and the Department discussed and deliberated.

#### Firearm Use with DMAPs during Archery Season:

The following dates are proposed for permitting the use of firearms during the archery season statewide for deer:

- A firearm exception may be granted during the archery season except a quiet period must be observed October 27 through November 9.

The exception criteria shall be published in the DMAP Decision Tree.

#### *Issues Pros and Cons*

Landowners most frequently request DMAPs in the Lower Peninsula (LP) where there is a longer agricultural growing season and the ability to raise a diverse range of crops. Deer populations in the LP also tend to be higher than the Upper Peninsula (UP), with increased annual survival and reproductive output due to improved fitness levels associated with less severe winters and availability of high nutritional forage. Allowing qualifying landowners statewide to use firearms during the early archery season for deer allows for reduced horticultural damage.

The Department received feedback from landowners in the pilot area regarding method of take with DMAPs indicating that they feel they are able to adequately protect their agricultural interests with the use of a firearm during the early portion of the archery season. Some hunters and organizations indicated to the Department that they were concerned that firearm deer take under DMAPs during the archery season may interfere with hunters using archery methods in nearby areas. In addition, the Department and NRC also received feedback regarding potential archery deer season safety issues. During this season, archery hunters are not required to wear hunter orange and are often in camouflage clothing and blinds. Archery hunters may not be visible to landowners using firearms on nearby property during archery season. During the 2014-2017 pilot evaluation period, there was no documented increase in hunting causality incidents. There was an increase in the number of complaints made to local law enforcement due to the use of firearms during the archery season, but complaints were resolved when officers confirmed that those utilizing firearms were permitted to do so.

### *Biological*

The number of deer that are taken with DMAPs each year, regardless of method of take, is not expected to adversely impact the population of the species.

### *Social*

The NRC, Department, Michigan Bow Hunters Association, Michigan United Conservation Clubs, Quality Deer Management Association, and Michigan Farm Bureau discussed different options on when a firearm may be used with a DMAP during the early archery season when authorized on a case-by-case basis using a decision tree. A consensus was not reached.

During the 2014-2017 evaluation period, 3,108 deer were harvested using DMAPs in the five-county area and of that, 316 deer were harvested using a firearm during the archery season.

### *Economic*

The Department does not expect significant budgetary or personnel implications.

### Taking Antlered Deer:

Currently, there is no mechanism available to take antlered deer that are protected under an antler point restriction (APR) during an open deer season and causing damage. After discussions and deliberations with stakeholder groups, the consensus was to allow the take of antlered deer statewide with a DMAP under the following conditions:

- DMAPs may be valid for the taking of deer with antlers extending three inches or more above the skull with permission when an antlered deer is actively and acutely causing horticultural damage.
- The total number of DMAPs issued for the taking of antlered deer statewide shall be one DMAP per permittee, except that:
  - The total number of DMAPs issued for the taking of antlered deer in DMUs 005, 010, 015, 024, 028, 040, 043, 045, 051, 053, 057, 067, 083, 115, and 122 shall be a minimum of one DMAP per permittee but shall not exceed three DMAPs per permittee.

- This exception may be authorized on a case-by-case basis by the wildlife supervisor and district law enforcement supervisor if the Department determines that taking only antlerless deer will not be sufficient to reduce active and acute horticultural damage.
- The exception criteria shall be published in the DMAP Decision Tree.
- Only the head and antlers of an antlered deer shall be submitted to the Department within 72 hours of harvest.

#### *Issues Pros and Cons*

The Department attempts to minimize deer damage to agricultural lands through a variety of tools. Where necessary, the Department issues DMAPs to eligible landowners to take antlerless deer during the hunting seasons. In some areas, DMAPs have not been effective at reducing horticultural damage by bucks. Current regulations allow for the take of antlered deer within the pilot area. Allowing an antlered deer to be taken on a DMAP offers an additional solution for producers who have bucks causing rub damage on horticultural trees.

Some hunters may not be in favor of allowing buck harvest with a DMAP in areas where there is an APR. Antler point restrictions are used to protect an age class of bucks from harvest, and this proposal may eliminate the opportunity to advance some bucks to the next age class.

Requiring landowners to submit the head and antlers to the Department will allow the landowner to utilize the carcass and allow the Department to verify harvest.

#### *Biological*

The Department does not expect a biological impact based on data from the pilot area regarding total buck harvest.

#### *Social*

The abundance of food in the form of available crops combined with the more than adequate cover of scattered woodlots and idle fields provide near perfect white-tailed deer habitat. Agricultural lands are almost entirely found on private land and the abundant nutritional forage provided by crops allows for tremendous deer productivity. Allowing bucks to be harvested on a DMAP will provide an additional management tool to eliminate damage to horticultural crops.

#### *Economic*

This proposal will allow all landowners an increased ability to protect their crop investment.

#### Reporting Requirements:

In addition to the DMAP reporting requirement due by January 15, permittees authorized to use a firearm must provide the Department by October 29, the name and address of all permittees, number of deer harvested, and the method of take used under the permit from October 1 through October 14. This order proposes eliminating this additional reporting requirement and adding it to the DMAP report that is due by January 15. The report will include the following:

- Name and address of all hunters.
- Number of deer harvested under the authority of the permit.

- If permitted to use a firearm, the name and address of all hunters, number of deer harvested, and method of take used under the permit.

This change is proposed statewide. This will provide simplicity of reporting requirements. To collect data that shows the use of DMAPs is an effective means to address landowner-deer conflict issues, the Department must receive an annual report from permittees detailing the number of deer taken under permits at the property, the method of take used, and the licensed hunters participating. Occasionally, a landowner does not submit the annually required report or submits a report with fraudulent or incomplete data. Currently, if the permittee fails to comply with the conditions of the permit, such as submitting an annual report, the permittee is ineligible to receive DMAPs for one year. To ensure better records management, this order proposes expanding ineligibility for a landowner to receive DMAPs for up to three years for repeated noncompliance.

#### *Issues Pros and Cons*

This will eliminate confusion and problems associated with submitting two DMAP reports to the Department. Some applicants submit the wrong reporting form or reporting information. It will also help alleviate extra administrative requirements for the Department. By expanding the length of ineligibility, the Department hopes to receive better records and to promote compliance with the conditions of the permit.

#### *Biological*

The Department does not expect a biological impact.

#### *Social*

This will help eliminate confusion and problems associated with reporting information to the Department.

#### *Economic*

The Department does not expect an economic impact.

#### DMAPs Valid on Adjacent Private Properties:

After discussions and deliberations with stakeholder groups, the consensus was to allow the use of DMAPs upon adjacent private property with permission of the landowner. This was a previous DMAP regulation prior to 2014.

#### *Biological*

The Department does not expect a biological impact.

#### *Social*

The NRC, Department, Michigan Bow Hunters Association, Michigan United Conservation Clubs, Quality Deer Management Association, and Michigan Farm Bureau discussed allowing

the use of DMAPs upon adjacent private property with permission of the landowner. The group came to a consensus on this regulation.

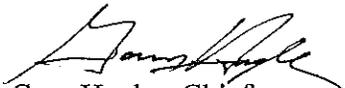
*Economic*

The Department does not expect budgetary or personnel implications.

Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on April 12, 2018, at the Natural Resources Commission meeting. This item appeared on the Department's March calendar and may be eligible for approval on May 10, 2018.



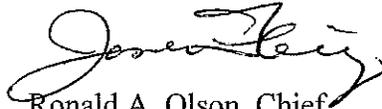
Russ Mason, Ph.D., Chief  
Wildlife Division



Gary Hagler, Chief  
Law Enforcement Division



Deb Begalle, Chief  
Forest Resources Division



Ronald A. Olson, Chief  
Parks and Recreation Division

For R.O.



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

5/10/18

Date

# WILDLIFE CONSERVATION ORDER

## Amendment No. 6 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 May 11, 2018, the following section(s) of the Wildlife Conservation Order shall read as follows:

### **5.80 Deer management assistance (DMA) hunting permits; definitions, criteria for issuance, validity of permits, application procedures, restrictions and requirements; exception; unlawful acts.**

Sec. 5.80 (1) The terms in this section shall have the meaning described to them in this section.

(a) Permit means a deer management assistance (DMA) permit.

(b) Permittee means an individual who has applied for and been authorized to purchase deer management assistance permits by the department.

(c) Authorized designee means one individual who has been designated by the landowner and approved by the department, to act on behalf of the landowner to apply for and implement the provisions of deer management assistance permits. The department reserves the right to deny an individual, including the permittee, the authority to personally implement the provisions of a permit if such authority would conflict with a court order, administrative rule, or law.

(2) Except as otherwise provided in this section, permits may be issued statewide to owners of land, or their authorized designee, located in areas where current antlerless or antlered harvest methods are insufficient to achieve department deer management objectives or where one or more of the following conditions exist:

(a) The department has documented that the property owner has significant agricultural or horticultural crop damage caused by deer.

(b) The department has documented that a serious disease outbreak is a threat to the deer herd, livestock, or human health.

(c) The department has documented a significant safety hazard caused by deer.

(d) Current antlerless regulations are insufficient to achieve landowner deer management objectives.

(3) DMA permits are valid only during an open season for the taking of deer as established by this order and only upon the land for which issued and adjacent private property with permission of the landowner.

(4) Except as otherwise provided in this section, DMA permits are valid only for the taking of an antlerless deer. An individual hunting under the authority of a DMA permit shall carry the unused permit and shall exhibit the unused permit upon the request of a law enforcement officer.

(5) An individual owning land within a qualifying area as determined by the department, or their authorized designee, may apply for a DMA permit with the wildlife supervisor on a form provided by the department. This application shall include an estimate of desired antlerless or antlered harvest and the numbers of hunters needed to meet the desired harvest objective. A DMA permit shall be signed by both the permittee and wildlife supervisor. The number of DMA permits will be determined by the wildlife supervisor. A minimum of 5 DMA permits shall be issued per permittee.

(6) The permittee shall not purchase more DMA permits than approved by the department.

(7) DMA permits may be subsequently issued to hunters by the permittee or authorized designee. An individual shall not accept, carry afield, use or attempt to use a DMA permit unless in possession of a current base license and deer license. A permittee or authorized designee shall not sell, lend, barter, or trade a DMA permit. Permittees or authorized designees shall inform hunters about rules pertaining to the use of DMA permits.

(8) A hunter issued a DMA permit by a permittee or authorized designee shall not sell, lend, barter, trade, or allow another individual to use the DMA permit. Unused permits may be reissued to hunters only by the permittee or authorized designee.

(9) The provisions of section 3.103 shall apply to a permit and kill tag issued under this section. In addition, unless otherwise provided in this section, an individual issued a DMA permit shall comply with lawful hunting hours and all regulatory requirements for the taking of deer for the season in which they are hunting.

(a) A firearm shall not be used with a DMA permit during archery season except with permission. This exception may be authorized on a case-by-case basis by the wildlife supervisor and district law enforcement supervisor consistent with the exception criteria published in the DMA permit decision tree.

(i) A permittee shall observe a quiet period during the last three full weekends being Friday, Saturday, and Sunday prior to November 10, including the provisions of section 2.1(3) and shall not use firearms during this time.

(b) DMA permits may be valid for the taking of deer with antlers extending three inches or more above the skull with permission when active and acute horticultural damage is being caused by an antlered deer. The total number of DMA permits issued for the taking of antlered deer statewide shall be one DMA permit per permittee, except that the total number of DMA permits issued for the taking of antlered deer in the deer management units listed in section 3.101i shall be a minimum of one DMA permit per permittee but shall not exceed three DMA permits per permittee. This exception may be authorized on a case-by-case basis by the wildlife supervisor and district law enforcement supervisor if the department determines that taking only antlerless deer will not be sufficient to reduce active and acute horticultural damage.

(i) After attaching the kill tag, a permittee or permittee's agent shall transport any antlered deer head and antlers in an open manner to the nearest department office and surrender the head and antlers to the department within 72 hours of harvest.

(10) A permittee shall report by January 15, on a form provided by the department, to the wildlife supervisor the name and address of all hunters, the number of deer harvested, and the method of take used under the authority of DMA permits.

(11) A permittee's first failure to comply with the terms and conditions of the permit will make the permittee ineligible to receive a DMA permit for 1 year. Any subsequent failure to comply with the terms and conditions of a permit will make the permittee ineligible to receive a DMA permit for up to 3 years as determined by the department.

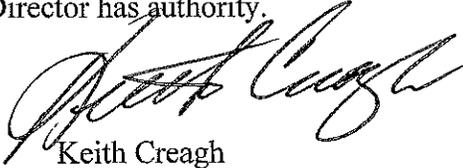
(12) Deer taken under the authority of a DMA permit shall not be included in the season limit as defined in section 3.101(8) of this order. The daily limit and season limit shall be 1 deer per DMA permit.

Issued on this 10th day of May, 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 CREAUGH  
 DIRECTOR

SUBMITTED: March 19, 2018  
 RESUBMITTED: April 16, 2018

MEMORANDUM TO THE DIRECTOR

Information: Natural Resource Commission

Subject: Order to Regulate the Locations Where a Recreation Passport is Required for Entry  
 Land Use Order of the Director Amendment No. 2 of 2018

Attached is an order for review and eventual action requiring at all Boating Access Sites (BAS) locations as opposed to the 75 current designated locations that a valid Michigan Recreation Passport for a motor vehicle be purchased and affixed to the vehicle when entering a BAS. This would ensure that the Recreation Passport applies to as many recreational places as possible and provides balance and equity to all BAS locations.

Authority:

The Natural Resources and Environmental Protection Act (NREPA) 1994 PA451, authorizes the Director to issue orders to implement land use rules.

Authority for requiring a Recreational Passport is contained in Part 741, MCL 324.74101, State Parks System, of the NREPA, and Part 5, General Powers and Duties. Parts 741 and 781 prohibits free entry of motor vehicles into any state park or portion of a state park, or boating access site posted in accordance with these Parts. Sections 74116 and 78116, specifically authorizes the Department to designate state parks or portions of state parks and boating access sites, respectively, where entry is permissible. Parts 741123 and 78116 also provide authority to the Department to establish a fine for failure to purchase as well as set the fees for park-purchased Recreation Passports.

Discussion and Background:

On April 13, 2017, the Michigan State Parks Advisory Committee reviewed a proposal from the Michigan State Park Advisory Finance Subcommittee regarding Boating Access Sites (BAS) requiring a motor vehicle to have a Recreation Passport for entry. The proposal recommends expanding the BAS locations where a Recreation Passport is required for motor vehicle access to all BASs when required by the posting of signage indicating that a Recreation Passport is necessary for entry. There may be conditions on deed restrictions or other situation where posting may not apply.

Expansion of the Recreation Passport requirement for motor vehicle entry into all BASs establishes consistency across the state. Boating access sites were historically defined as “user

65

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fee sites,” for the purpose of recognizing the additional controls on the part of department. However, these 75 “user fee sites” were not always addressed equitably across the state, and many sites not covered under this designation still require significant effort, related to operations, events, and commercial use. Previous language under NREPA also required that in order for a fee site to be established, the fee must be able to support the additional staffing with revenue through the Boating Access Site Motor Vehicle Permit. When the “Recreation Passport” was established, this language was removed as there is no longer a statutory requirement for revenue.

The Department recommends that the locations where a Recreation Passport is required for entry is expanded to include all state operated Boating Access Sites when required by the posting of signage indicating that a Recreation Passport is required for entry.

Relevant Divisions have contributed to the preparation of this order. This Order was submitted for information and consideration on April 12, 2018, at the Natural Resources Commission Meeting. This item appeared on the Department’s March 2018 calendar and may be eligible for approval on May 10, 2018.



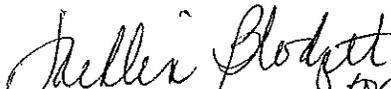
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Gary Hagler, Chief  
Law Enforcement Division



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. 2 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 Natural Resources orders the following:

### **2.103 Entry, use and occupancy of certain access sites, harbors and dams, prohibited conduct.**

Order 2.103. (1) A person shall not do any of the following:

(a) Enter, use, or occupy any state-operated boating access site with a motor vehicle unless a valid Michigan recreation passport for a motor vehicle has been purchased and affixed to the vehicle when posted against such use.

(b) Enter, use, or occupy the Crystal lake boating access site 10-066 to access the Betsie valley trail (in accordance with 19th Judicial Circuit Consent Judgment, No. 04-7095-CE and Special Trail Use and Law Enforcement Plan No. 88-3199-CH), section 22, T26N R16W, Benzie county.

(c) Enter, use, or occupy a state-operated public boating access site with an ORV except to set, place, erect, or use a fishing shanty consistent with fisheries order 251.17, or to access a waterbody to operate an ORV on the frozen surface of public waters.

Issued on this 10<sup>th</sup> day of May, 2018.

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

SUBMITTED: March 19, 2018  
RESUBMITTED: April 16, 2018

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Order to Regulate Specific Vehicle Types and Recreational Use on the Escanaba-Hermansville Grade Located in Delta and Menominee Counties in the Upper Peninsula of Michigan  
Land Use Order of the Director Amendment No. 3 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:

The Michigan Department of Natural Resources (Department) has designated approximately 3,900 miles of off-road vehicle (ORV) trails and routes, and 2,200 acres of designated scramble area statewide. Within the designated ORV trail and route system, approximately 30% is designated and maintained for motorcycle only use, approximately 30% is designated and maintained for vehicles less than 50 inches in width [i.e., all-terrain vehicles (ATV) and motorcycles], and approximately 40% is designated and maintained as ORV routes, open to ORVs of all sizes, including trucks, ATVs, and motorcycles. In addition to the designated ORV trail and route system, thousands of miles of state and national forest roads are open to ORV operation in Michigan's Upper Peninsula.

Currently, the Escanaba-Hermansville Grade (Grade) is designated as an ORV route open to all size ORVs. This use is having a negative impact on the private residents bordering the Grade. Issues such as hunter trespass during the firearm season, discharge of firearms near residences, large size vehicle use and illegal dumping on private property have resulted in numerous complaints being reported. The restrictions proposed below will assist in alleviating some, if not all, of the potential safety concerns and issues referenced above.

Escanaba-Hermansville Grade:

The 23.8 mile inactive railroad corridor extending from Escanaba to Hermansville was acquired by the State of Michigan in December 2007. The acquisition was a collaborative effort between the Department and the Michigan Department of Transportation (MDOT) with grant funding provided by the Michigan Natural Resources Trust Fund. The \$550,000 land acquisition was made under authority provided by PA 295 of 1976, State Transportation Preservation Act, as amended, thereby preserving future transportation interest while allowing for interim trail use.

Order to Regulate Specific Vehicle Types and Recreational Use on the Escanaba-Hermansville Grade Located in Delta and Menominee Counties in the Upper Peninsula Of Michigan

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The Grade is surrounded by private property and the use of full-size vehicles provides easier accessibility for illegal dumping, property damage, discharge of firearms near residences, and illegal hunting.

In 2011, the Department began gathering public input to help determine the best management objectives for the Grade. Public comment was gathered during two public meetings and an open comment period. Over several hundred comments were gathered and two primary concerns were expressed from the majority of those that commented: 1) the high amount of illegal dumping by utilization of full sized vehicles along the grade, and 2) hunter trespasses during the firearm deer season.

As a result of these concerns, the Department agreed to pursue prohibiting full-sized wheeled motor vehicles and hunting on/from the grade. An additional safety concern of utilization of full size vehicles on the Grade is that the surface width is only 10 feet wide with steep side slopes, making the Grade too narrow for full-sized vehicles safely to pass each other from opposite directions.

The proposed Grade restrictions were and still are well supported by the public, adjacent landowners, trail users, user groups and stakeholders. As the Grade is surrounded by private land, prohibiting full-size vehicles will reduce, and may eliminate, the current illegal dumping and hunter trespass occurring on these individuals' private properties.

The proposed Grade restrictions do not appear to have opposition from the Department Divisions as Division staff has been consistently engaged in the process.

Based on the comments and public input received as part of the planning process, the Grade will continue to be as a multi-use recreational trail for both non-motorized and motorized use. But will prohibit wheeled motorized vehicles 65 inches or more in width and will also prohibit discharging or hunting with a firearm on/from the Grade.

Order to Regulate Specific Vehicle Types and Recreational Use on the Escanaba-Hermansville  
Grade Located in Delta and Menominee Counties in the Upper Peninsula Of Michigan

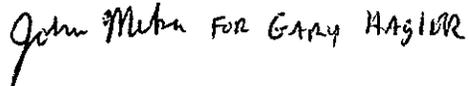
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Relevant Divisions have contributed to the preparation of this order. This Order was submitted for information and consideration on April 12, 2018, at the Natural Resources Commission Meeting. This item appeared on the Department's March 2018 calendar and may be eligible for approval on May 10, 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. 3 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 Natural Resources orders the following:

4.16c Certain state –owned lands, Delta and Menominee counties wheeled motorized vehicles, firearms, prohibited conduct, exceptions.

(1) The Escanaba-Hermansville restricted ORV route means the former Wisconsin central ltd. railroad right-of-way that is signed and maintained a restricted ORV route. Beginning in the city of Escanaba at the NW and NE1/4 line of the NE1/4 of section 21, T39N R23W, Delta county and ending in Hermansville at the NW1/4 of the NE1/4 of section 11, T38N R27W, Menominee county. (1) A person shall not do any of the following upon the Escanaba-Hermansville restricted ORV route:

(a) Operate a wheeled motorized vehicle which is 65 inches or more in width.

(b) Discharge or hunt with a firearm.

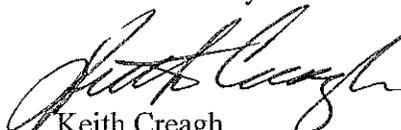
(2) This section does not apply to the following circumstances and/or vehicles:

(a) Trail segments that extend onto other trails, roads and routes that are open to other types of vehicles.

(b) Department employees and their designees using a motorized vehicle to perform official duties, or to fire, emergency, or law enforcement personnel to perform official duties.

Issued on this 10<sup>th</sup> day of May, 2018.

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

April 16, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Sale of Surplus DNR-Managed Land  
State Line Trail – Gogebic County  
Western Upper Peninsula District  
Land Transaction Case #20170257

Sale: 0.02 acre

Sale Price: \$1,000.00

Description: Gogebic County, Watersmeet Township, T45N, R39W, Section 27:  
Part of the NW 1/4 of the NW 1/4, more fully described in the case file.

Purchaser: Tom and Patricia Chester, Marion, Iowa.

PA 240 of 2012: This parcel is north of the Mason-Arenac county line and will result in a decrease of approximately 0.02 acre of counted DNR-managed lands.

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

Notice: This item will appear on the Department of Natural Resources (Department) May 1, 2018, calendar, and is eligible for approval on May 8, 2018. The transaction will also be posted in a local newspaper as required by statute.

Acquired: By exchange in 1984.

Minerals: Mineral rights will be conveyed.

Comments: The applicant purchased a home with a detached garage and property in Watersmeet in 2016, and had the property surveyed the following year. The survey showed that the garage, constructed in 2006, by the previous owner with an approved building permit, was built over the property line on land owned by the Department. The applicant brought the matter to the attention of field staff, and after reviewing the matter, field staff proposed that the applicant purchase a small parcel large enough to bring the garage into compliance with local zoning.

The proposed land sale was reviewed by Department staff and recommended for approval by the Land Exchange Review Committee on February 15, 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.

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

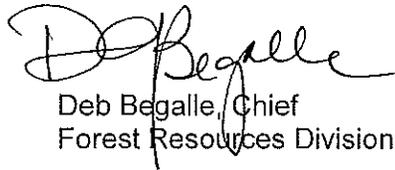
Recommendation: (1) That the property described be sold to the applicant for \$1,000.00.

(2) That the proceeds from the sale be deposited into the Land Exchange Facilitation Fund.

(3) That state-owned minerals be conveyed and aboriginal antiquities be reserved.



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

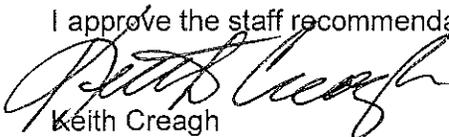


William O'Neill  
Natural Resources Deputy



Mark H. Hoffman  
Chief Administrative Officer

I approve the staff recommendations.



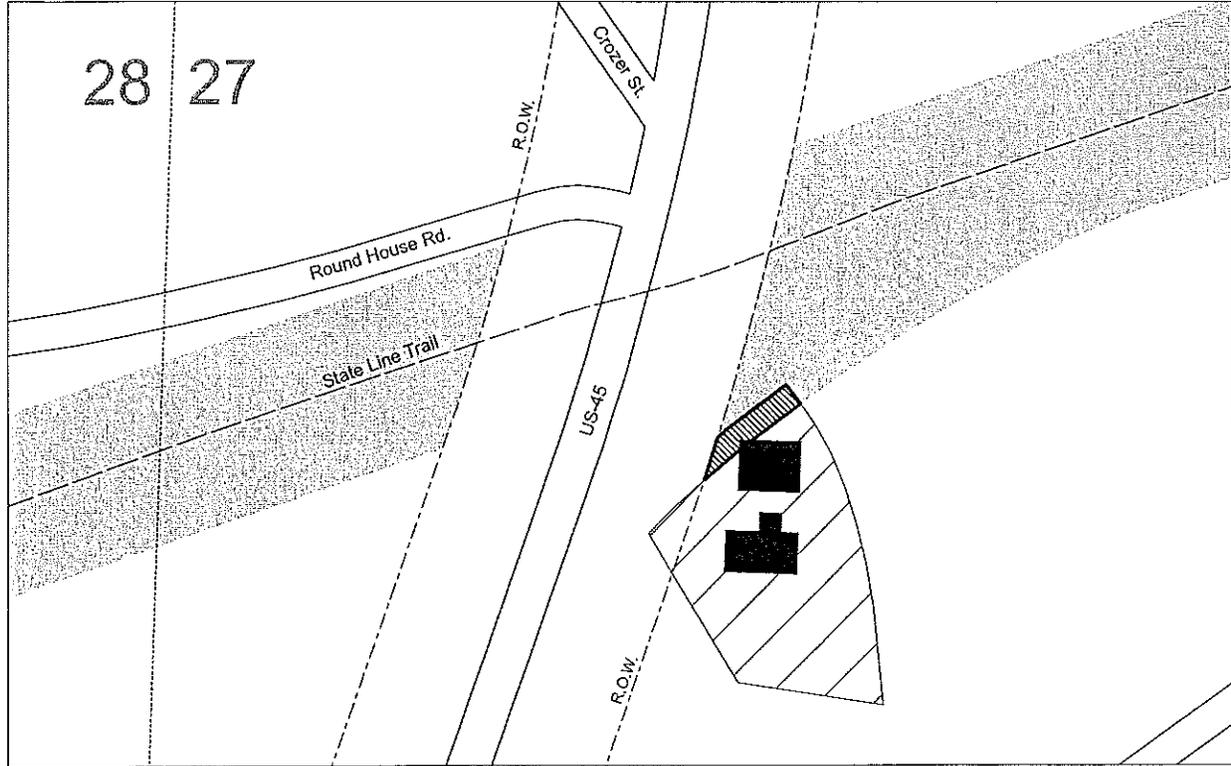
Keith Creagh  
Director

5/10/18

\_\_\_\_\_  
Date Approved

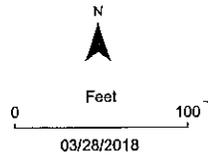
# SALE OF SURPLUS DNR-MANAGED LAND

State Line Trail – Gogebic County  
 Western Upper Peninsula District  
 Land Transaction Case #20170257

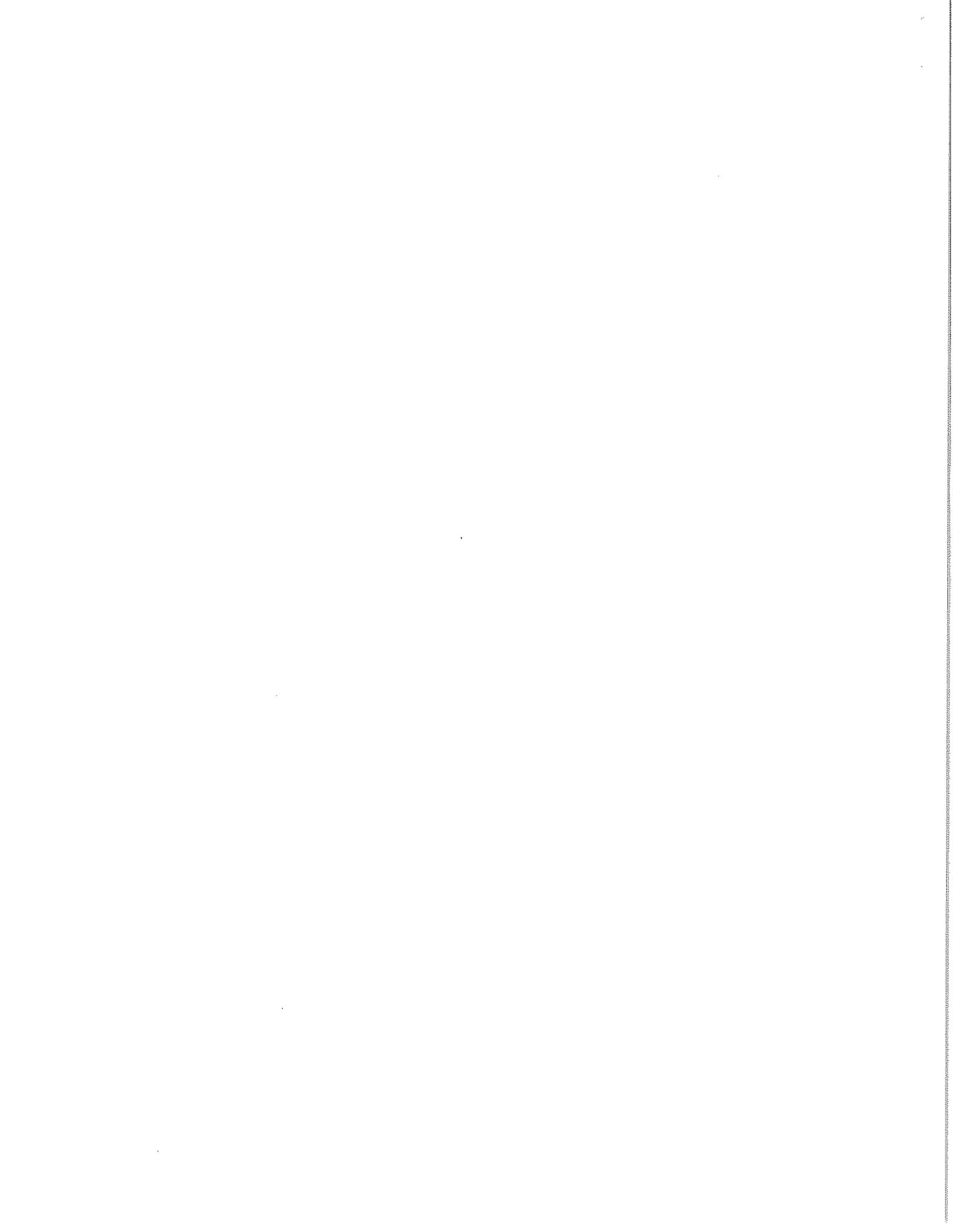


Section 27, T45N, R39W, Watersmeet Township

-  Surplus DNR land to be sold (0.02 acre)
-  Applicant's land
-  State land
-  Private land
-  Applicant's buildings



 DNR Project Boundaries





RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

April 16, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Sale of Surplus DNR-Managed Land  
Atlanta Management Unit – Presque Isle County  
Land Transaction Case #20080303

Sale: 0.98 acre

Sale Price: \$2,300.00

Description: Presque Isle County, North Allis Township, T35N, R02E, Section 23:  
A parcel of land in the N 1/2 of the NE 1/4 of the SW 1/4, more completely described in the case file.

PA 240 of 2012: This parcel is north of the Mason-Arenac County line and will result in a decrease of 0.98 acre of counted DNR-Managed lands.

Applicant: Lisa Dempsey, Onaway, 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) May 1, 2018, calendar, and is eligible for approval on May 8, 2018. The transaction will also be posted in a local newspaper as required by statute.

Acquired: By tax reversion in 1923.

Minerals: Mineral rights will be conveyed.

Comments: The desired parcel is adjacent to the applicant's land and will resolve a trespass on DNR-managed land.

The proposed land disposal was reviewed and recommended for approval by the Land Exchange Review Committee on June 25, 2009.

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.

175

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

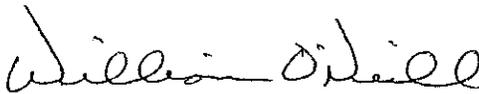
- Recommendation:
- (1) That the land be sold to the adjacent landowner for \$2,300.00.
  - (2) That the proceeds of the sale be deposited into the Land Exchange Facilitation Fund.
  - (3) That the state retain aboriginal antiquities.

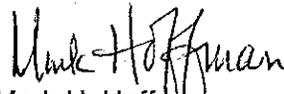
  
Russ Mason, Ph.D., Chief  
Wildlife Division

  
Deb Begalle, Chief  
Forest Resources Division

  
James L. Dexter, Chief  
Fisheries Division

 <sup>for P.O.</sup>  
Ronald A. Olson, Chief  
Parks and Recreation Division

  
William O'Neill  
Natural Resources Deputy

  
Mark H. Hoffman  
Chief Administrative Officer

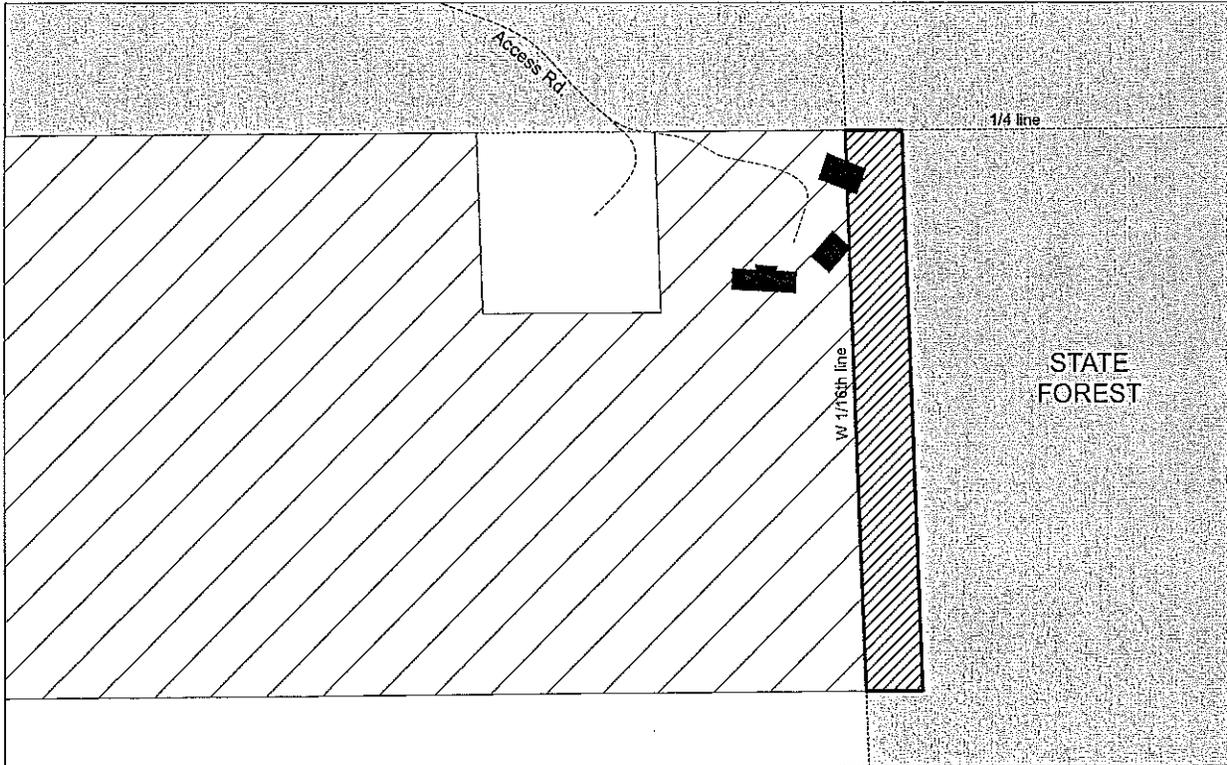
I approve the staff recommendations.

  
Keith Creagh  
Director

5/10/18  
Date Approved

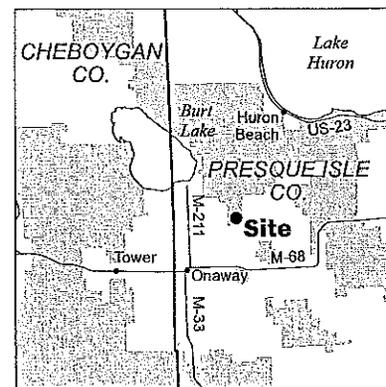
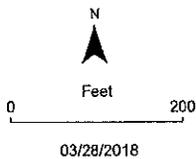
# SALE OF SURPLUS DNR-MANAGED LAND

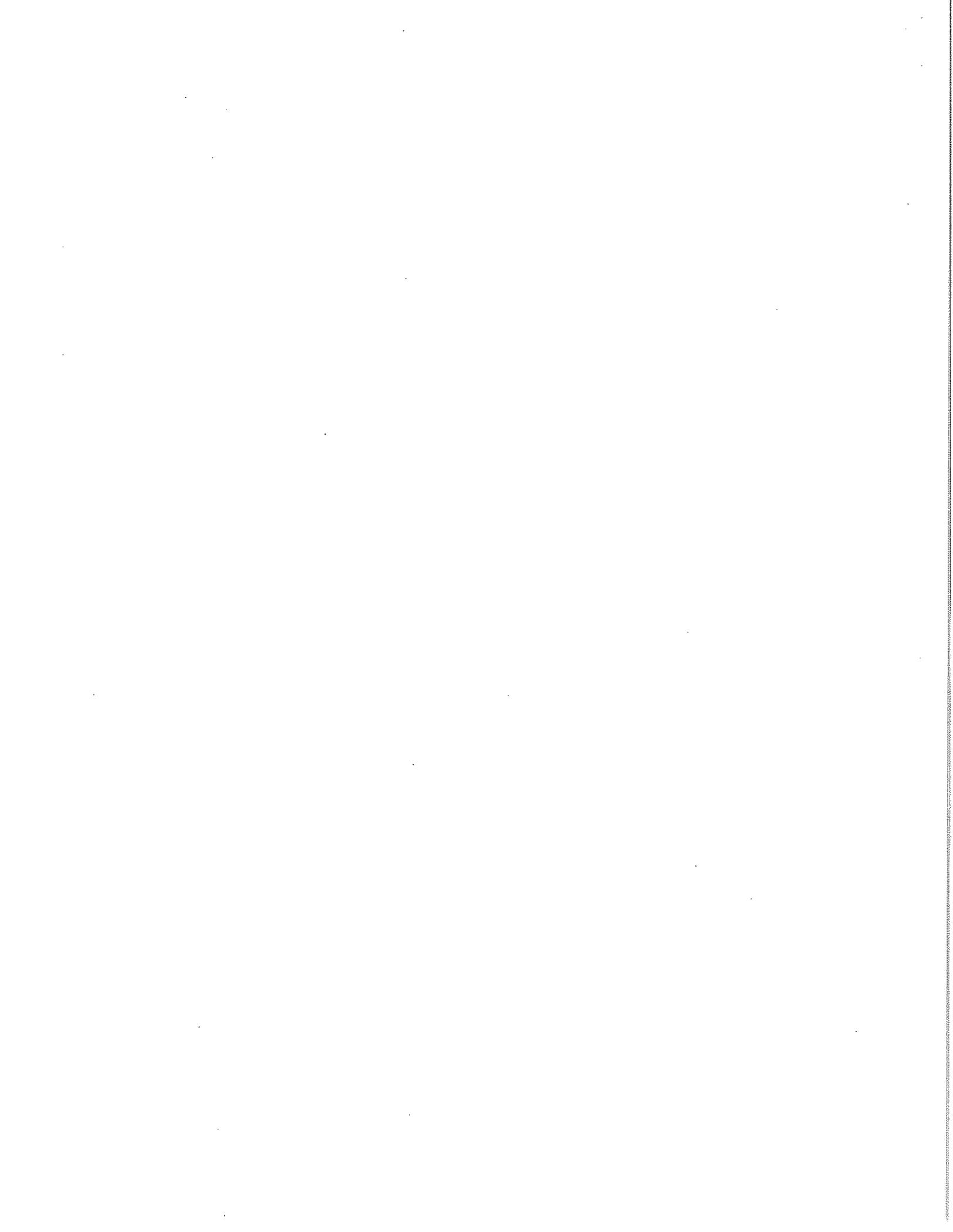
Atlanta Management Unit – Presque Isle County  
Land Transaction Case #20080303



Section 23, T35N, R02E, North Allis Township

- Surplus DNR land to be sold (0.98 acre)
- Applicant's land
- State land
- Private land







RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

April 16, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: State Forest Land Exchange  
Gwinn Management Unit – Alger County  
Greenleaf Timber Exchange  
Land Transaction Case #20150032

Applicant: Greenleaf Timber Holdings, Inc., Powers, Michigan.

PA 240 of 2012: PILT Estimate: \$120.00. The parcels involved in the exchange are north of the Mason-Arenac county line and will result in a decrease of 10 counted acres.

Private Land Offered in Exchange: 30 acres

Location: Alger County, Limestone Township, T45N, R21W, Section 25:  

- The W 1/2 of the W 1/2 of the SE 1/4 of the SE 1/4

 Alger County, Limestone Township, T45N, R21W, Section 36:  

- The W 1/2 of the W 1/2 of the NE 1/4 of the SE 1/4 AND The W 1/2 of the W 1/2 of the SE 1/4 of the SE 1/4

Value: \$ 21,000.00  
 Payment at Closing: \$ 8,000.00

Total Compensation  
 To be Provided by  
 Applicant: \$ 29,000.00

State Land Desired in Exchange: 40 acres

Location: Alger County, Mathias Township, T44N, R21W, Section 03:  

- The SE 1/4 of the SW 1/4

Value: \$ 28,000.00

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

Notice: This item will appear on the Department of Natural Resources (Department) May 1, 2018, calendar and is eligible for approval on May 8, 2018.

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Comments:

The desired state land is surrounded by private ownership and is not accessible for DNR management or public recreation. The offered parcels are within the AuTrain Wildlife Refuge. This refuge serves as an important stopover and protection for migrant waterfowl, shore birds and many rare species along with providing habitat for additional wildlife. Additionally, this exchange will contribute to consolidation of DNR managed land.

The desired state land was acquired by tax reversion in 1939.

The state will retain mineral rights on the desired parcel and the applicant does not own mineral rights on the offered parcels.

The proposed land exchange was reviewed and recommended for approval by the Land Exchange Review Committee on October 15, 2015, and February 15, 2018.

Engagement:

Local engagement with Alger County has been extensive regarding the Department's acquisition of lands in the Au Train Basin throughout the exchange process.

Recommendation(s):

1. That the exchange be approved, with the state reserving mineral rights and aboriginal antiquities.
2. That the offered land be dedicated as part of the Gwinn Management Unit.



Russ Mason, Ph.D., Chief  
Wildlife Division



Deb Begalle, Chief  
Forest Resources Division



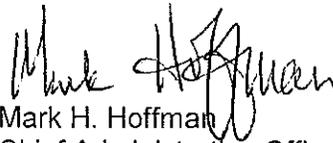
James L. Dexter, Chief  
Fisheries Division

 for R.O.

Ronald A. Olson, Chief  
Parks and Recreation Division

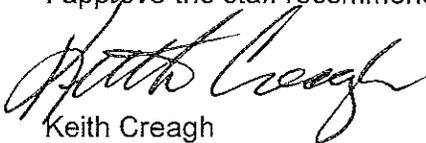


William O'Neill  
Natural Resources Deputy



Mark H. Hoffman  
Chief Administrative Officer

I approve the staff recommendations.



Keith Creagh  
Director

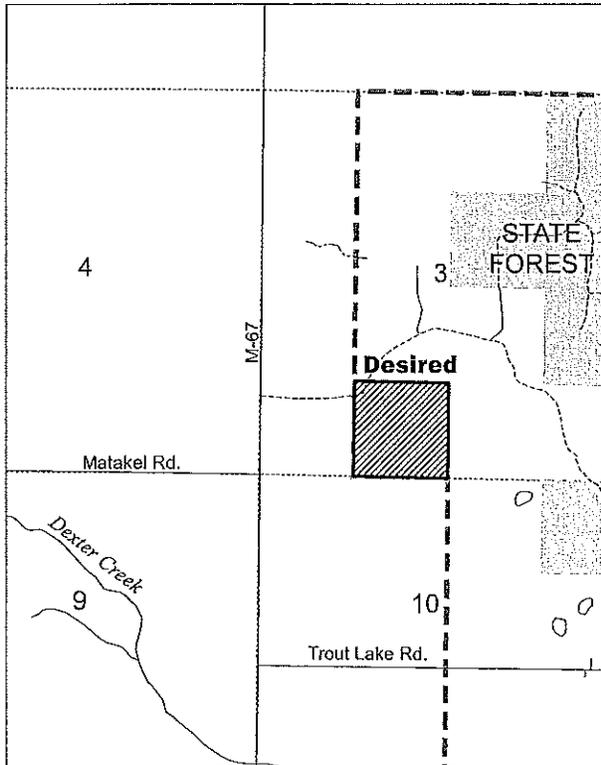
5/10/18

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Date Approved

# STATE FOREST LAND EXCHANGE

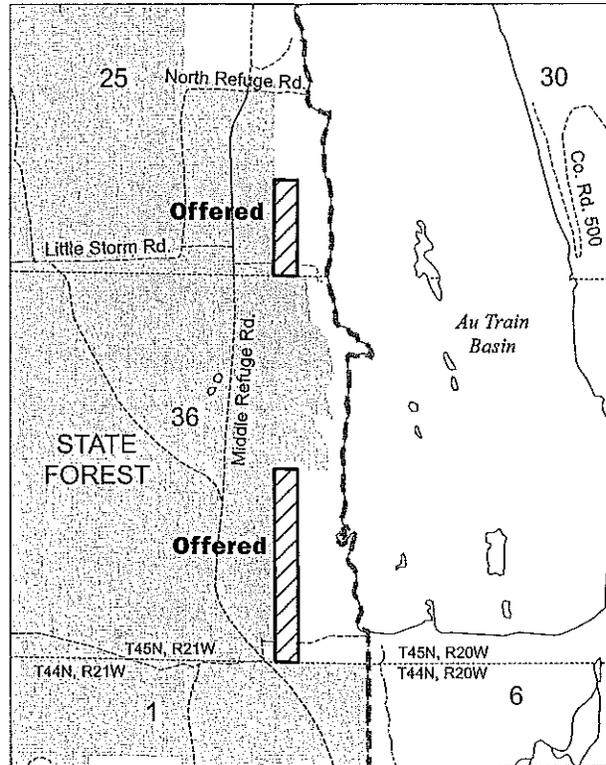
## Gwinn Management Unit – Alger County

### Land Transaction Case #20150032



Section 3, T44N, R21W, Mathias Township

- State land desired from DNR (40 acres)
- State land
- Private land
- DNR Project Boundary

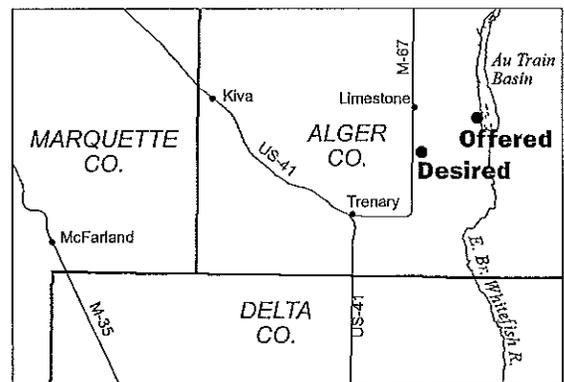


Sections 25 and 36, T45N, R21W  
Limestone Township

- Land offered to DNR in exchange (30 acres)
- State land
- Private land
- DNR Project Boundary



N  
Feet  
0 1,000  
03/26/2018



- DNR Project Boundaries



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

April 16, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: State Forest Land Exchange  
Grayling Management Unit – Crawford County  
Traverse City Management Unit – Kalkaska County  
DMVA Exchange  
Land Transaction Case #20130274

Applicant: Department of Military and Veterans Affairs, Lansing, Michigan.

PA 240 of 2012: PILT Estimate: \$1,310.00. The parcels involved in the exchange are north of the Mason-Arenac county line and will result in an increase of 14.39 counted acres.

Private Land Offered in Exchange: 324.39 acres

Location: Crawford County, Beaver Creek Township, T25N, R04W, Section 01:

- The N 1/2 of the NE 1/4, more completely described in the case file
- The SE 1/4 of the NE 1/4
- The SW 1/4 of the NE 1/4
- The W 1/2 of the SE 1/4

Crawford County, Beaver Creek Township, T25N, R04W, Section 02:

- The NE 1/4 of the NE 1/4

Kalkaska County, Bear Lake Township, T26N, R05W, Section 15:

- The NW 1/4 of the SE 1/4

Value: \$ 328,000.00

State Land Desired in Exchange: 310 acres

Location: Crawford County, Beaver Creek Township, T25N, R04W, Section 07:

- The NE 1/4 of the NE 1/4
- The NW 1/4 of the NE 1/4
- The SE 1/4 of the NE 1/4
- The NE 1/4 of the SW 1/4 of NE 1/4
- The E 1/2 of the NE 1/4 of the SE 1/4

Crawford County, Beaver Creek Township, T25N, R04W, Section 08:

- The NW 1/4 of the NW 1/4
- The NE 1/4 of the NW 1/4
- The SW 1/4 of the NW 1/4
- The NW 1/4 of the SW 1/4

Value: \$ 265,000.00

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

Notice: This item will appear on the Department of Natural Resources (Department) May 1, 2018, calendar and is eligible for approval on May 8, 2018.

Comments: The desired state lands are part of an active mortar range that the DMVA built in trespass several years ago. The offered land has been managed by the DMVA since 1948 and 1950 when it was acquired from the DNR via Special Use Legislation. The DNR retained hunting rights on these parcels. These parcels are considered excess to DMVA management needs. This exchange of state lands will allow for continued military training on the desired parcels, consolidate DNR and DMVA ownership, and offer recreational opportunities to the public on the offered lands.

The desired state land was acquired by Federal Government Exchange in 1941 for tax reverted parcels.

The state will retain mineral rights on the desired parcels and the applicant will retain mineral rights on the offered parcels.

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

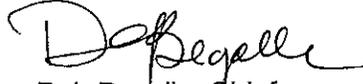
Engagement: This being an exchange between two State Departments, formal local engagement was left at the discretion of Crawford County. Crawford County was contacted regarding this exchange on March 15, 2018, and the Board determined no formal engagement was necessary.

Recommendation(s):

1. That the exchange be approved, with the state reserving mineral rights and aboriginal antiquities.
2. That the offered land be dedicated as part of the Grayling Management Unit and the Traverse City Management Unit.



Russ Mason, Ph.D., Chief  
Wildlife Division



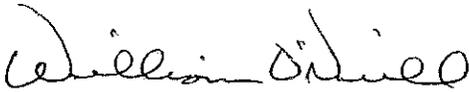
Deb Begalle, Chief  
Forest Resources Division



James L. Dexter, Chief  
Fisheries Division

 <sup>for R.A.</sup>

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.



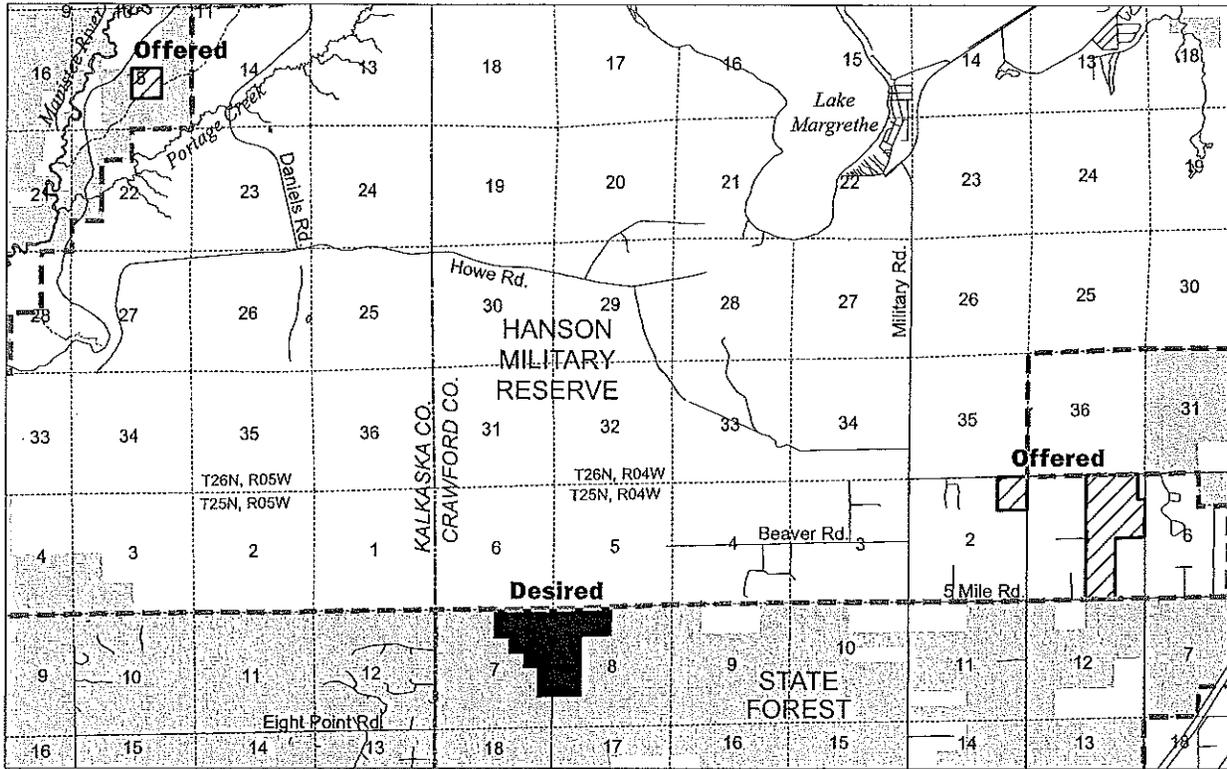
Keith Creagh  
Director

5/10/18

\_\_\_\_\_  
Date Approved

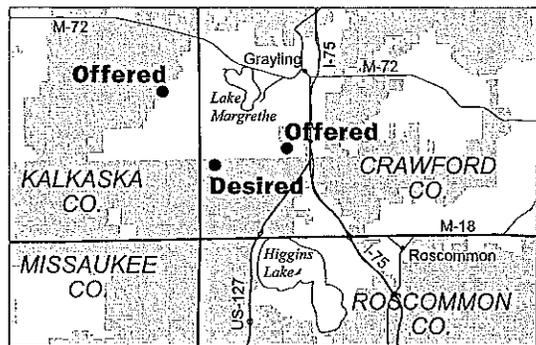
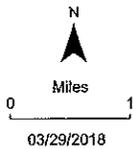
# STATE FOREST LAND EXCHANGE

Grayling and Traverse City Management Units – Crawford and Kalkaska Counties  
 Land Transaction Case #20130274



Sections 1, 2, 7, 8, T25N, R04W, Beaver Creek Township, Crawford County  
 Section 15, T26N, R05W, Bear Lake Township, Kalkaska County

-  State land desired from DNR (310.00 acres)
-  Land offered to DNR in exchange (324.39 acres)
-  State land
-  DNR Project Boundary



 DNR Project Boundaries

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RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

April 16, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: State Forest Land Exchange  
Gaylord Management Unit – Mackinac County  
Schmidt Exchange  
Land Transaction Case #20170202

Applicant: Denise Schmidt, Windsor, South Carolina.

PA 240 of 2012: PILT Estimate: \$0.00. The parcels involved in the exchange are north of the Mason-Arenac county line and will result in an increase of 0 counted acres.

Private Land Offered in Exchange: 11 subdivision lots (1.05 acres)  
Location: Mackinac County, Bois Blanc Township, Huron Shores Subdivision:
 

- Block 7: Lots 31 through 39
- Block 8: Lots 1 and 2

 Value: \$ 8,000.00

State Land Desired in Exchange: 3 subdivision lots (0.5 acre)  
Location: Mackinac County, Bois Blanc Township, Huron Shores Subdivision:
 

- Block 17: Lots 1, 2 and 3

 Value: \$ 7,800.00

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

Notice: This item will appear on the Department of Natural Resources (Department) May 1, 2018, calendar and is eligible for approval on May 8, 2018.

Comments: The desired parcels block in well with the applicant's adjacent ownership. The desired parcels assist in consolidation of state ownership. This exchange will consolidate state and private ownership within the Huron Shores Subdivision.

The desired state land was acquired by tax reversion in 1945.

85

The state will convey mineral rights on the desired parcels and the applicant will convey mineral rights on the offered parcels.

The proposed land exchange was reviewed and recommended for approval by the Land Exchange Review Committee on December 21, 2017.

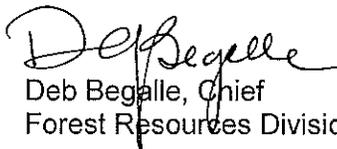
Engagement: The Land Exchange Review Committee determined that due to the small size of these parcels local engagement was not necessary.

Recommendation(s):

1. That the exchange be approved, with the state reserving aboriginal antiquities.
2. That the offered land be dedicated as part of the Gaylord Management Unit.



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

for. R.O.



William O'Neill  
Natural Resources Deputy



Mark H. Hoffman  
Chief Administrative Officer

I approve the staff recommendations.



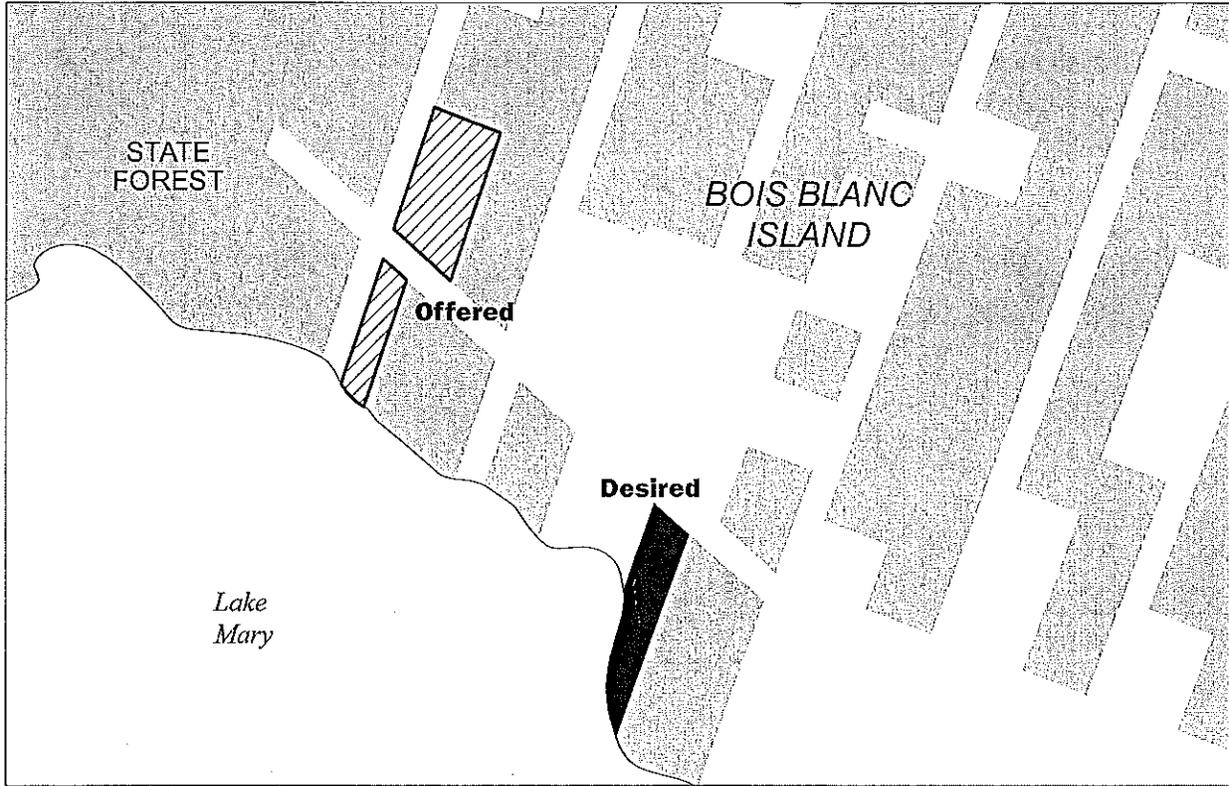
Keith Creagh  
Director

5/10/18

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Date Approved

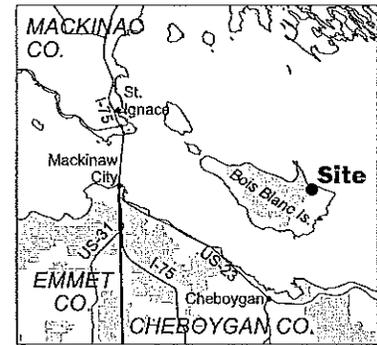
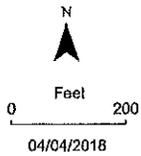
# STATE FOREST LAND EXCHANGE

Gaylord Management Unit – Mackinac County  
Land Transaction Case #20170202



Huron Shores Subdivision, Bois Blanc Township  
Block 17, Lots 1-3, Block 7, Lots 31-39, Block 8, Lots 1-2

- State Land desired from DNR (3 lots)
- Land offered to DNR in exchange (11 lots)
- State land
- Private land



DNR Project Boundaries



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



KEITH CREAGH  
DIRECTOR

April 16, 2018

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Forest Resources Easement Acquisition  
Crystal Falls Management Unit – Dickinson County  
Stiemsma Easement  
Land Transaction Case #20170085

Purchase: \$1,000.00  
Easement for ingress and egress, 66 feet wide by 148.9 feet long  
(0.23 acre).

Funding Source: Two-Thirds Land Exchange Facilitation Fund (LEFF),  
One-Third Special Legislation Funding for Snowmobile Trail.

PA 240 of 2012: PILT Estimate: \$0.00  
This parcel is north of the Mason-Arenac County line and will result in an  
increase of 0 counted acres.

Description: Dickinson County, Sagola Township, T44N, R29W, Section 15:  
A 66-foot wide by 148.9 linear foot easement for ingress and egress  
over a strip of land in the SE 1/4 of the SW 1/4; as more particularly  
described in the case file.

Seller(s): Bernice and Bryan Stiemsma as Co-Trustees of the Gerald W.  
Stiemsma and Bernice A. Stiemsma Living Trust, Dowling, 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) May 1, 2018, calendar, and is eligible for approval on  
May 8, 2018.

Management Purpose: To secure public access over an existing two-track road that runs across  
property owned by the seller.

Comments: This easement will mitigate a state encroachment of the Big Wheel Road  
on private property. Big Wheel Road provides access to approximately  
6,000 acres of state forest land and the entirety is designated as part of  
Snowmobile Trail 32.

Engagement: None needed.

89

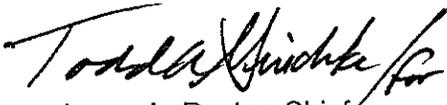
- Recommendation:
1. That the acquisition of this easement be approved with payment to be made from the Land Exchange Facilitation Fund and the Special Legislation Funding for Snowmobile Trail.
  2. That the offered easement be dedicated as part of the Crystal Falls Management Unit.



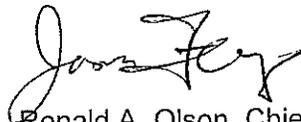
Russ Mason, Ph.D., Chief  
Wildlife Division



Deb Begalle, Chief  
Forest Resources Division

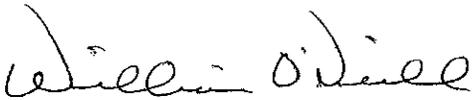


James L. Dexter, Chief  
Fisheries Division

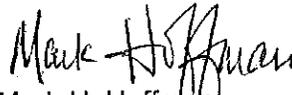


Ronald A. Olson, Chief  
Parks and Recreation Division

for P.O.



William O'Neill  
Natural Resources Deputy



Mark H. Hoffman  
Chief Administrative Officer

I approve the staff recommendations.



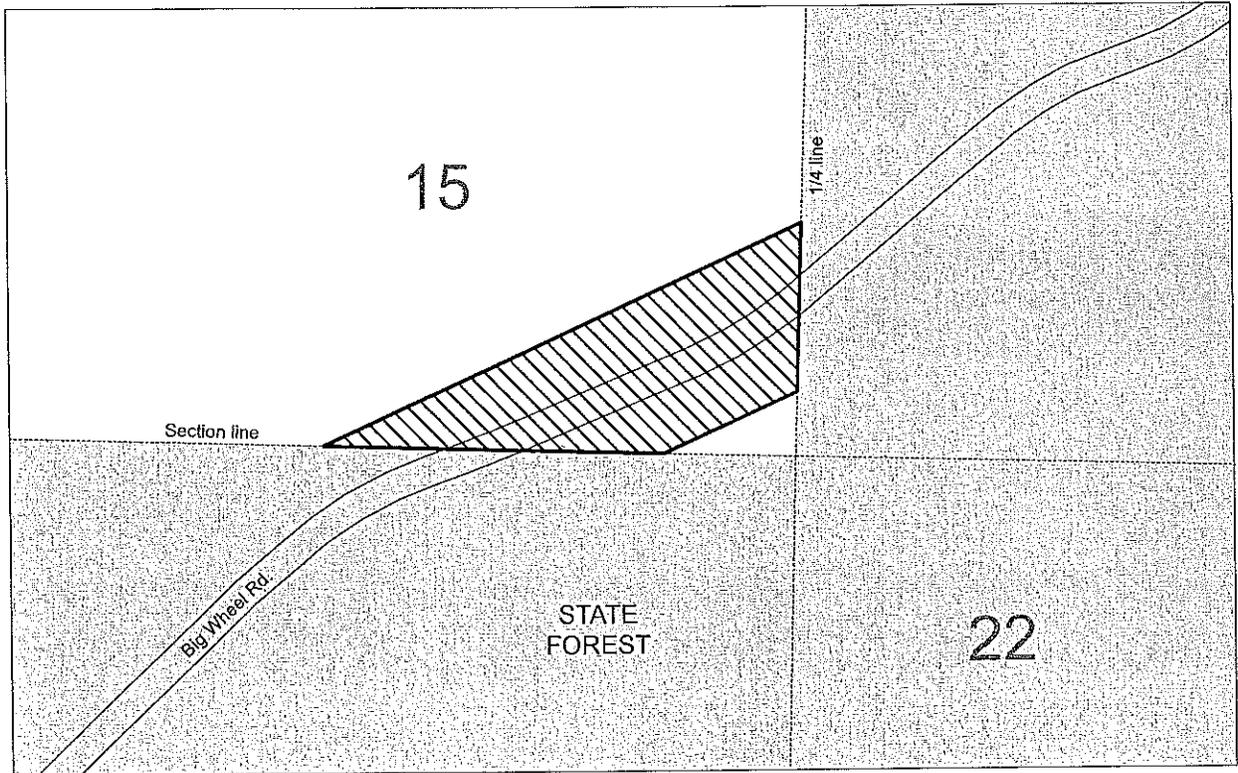
Keith Creagh  
Director

5/10/18

Date Approved

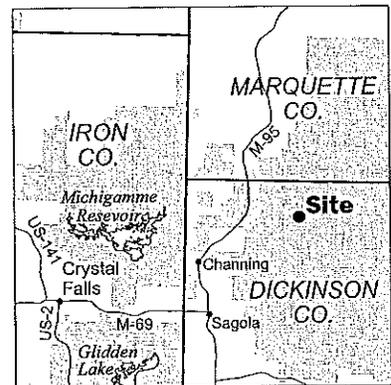
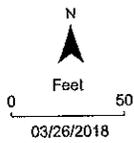
# FOREST RESOURCES EASEMENT ACQUISITION

Crystal Falls Management Unit – Dickinson County  
Land Transaction Case #20170085



Section 15, T44N, R29W, Sagola Township

- Easement to be acquired by DNR (148.9 ft x 66 ft, 0.23 acre)
- State land
- Private land



DNR Project Boundaries

