



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

SUBMITTED: July 17, 2017
RESUBMITTED: August 14, 2017



MEMORANDUM TO THE NATURAL RESOURCES COMMISSION

Subject: Additional Colors for Hunting Apparel
Wildlife Conservation Order Amendment No. 8 of 2017

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:

Currently, individuals may not take game during the established daylight shooting hours from August 15 through April 30 unless he or she wears a cap, hat, vest, jacket, or rain gear of hunter orange. Hunter orange includes camouflage attire that is at least 50 percent hunter orange. The hunter orange garments must be the hunter's outermost garment and visible from all sides. These requirements do not apply to an individual who is:

- Taking deer with a bow or crossbow during archery deer season
- Taking bear with a bow or crossbow
- Taking turkey or migratory birds other than woodcock
- The sport of falconry
- Stationary and in the act of hunting bobcat, coyote, or fox

Public Act 377 of 2016 amended Part 401 of the Natural Resources and Environmental Protection Act to specify that an individual shall not take game during the established daylight shooting hours from August 15 through April 30 unless he or she wear hunter orange or a color authorized by the Natural Resources Commission (NRC). The NRC is required to review and determine whether hunter pink or any additional colors would be effective and safe for individuals to wear while hunting and, by October 1, 2017, issue an order authorizing those colors to be worn based on its determination.

Public Act 377 of 2016 also defines hunter pink as "the highly visible color commonly referred to as hunter pink, including blaze pink, flame pink, and fluorescent blaze pink."

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The Law Enforcement Division (LED) has reviewed research whether hunter pink or any additional colors would be as effective or more effective and safe as hunter orange for individuals to wear while hunting. The LED proposes that the NRC retain the hunter orange garment requirement and not authorize additional garment colors to be worn while hunting.

Issues Pros and Cons

Allowing the ability to wear hunter pink or any additional colors in lieu of hunter orange while hunting may appeal to new and existing hunters, especially youth and women hunters. Hunter pink clothing may also be manufactured to better fit hunters of smaller stature and allowing additional colors may lead to increased recruitment and retention. However, to the Departments knowledge, there has been no research done to determine if additional safety colors would bring any interest of new hunters.

Currently, any additional colors, such as hunter pink, already may be worn while hunting. However, the individual must wear a cap, hat, vest, jacket, or rain gear of hunter orange during the established daylight shooting hours from August 15 through April 30 and the hunter orange garment must be the individuals outermost garment and visible from all sides.

Hunter orange has been required for hunting in Michigan since the 1970s; it is the national and international recognized standard for identifying a hunter in the field/woods. Since then, the number of hunting-related injuries and deaths has steadily declined in Michigan. Many of the other states, Canadian provinces, and some countries where hunter orange is required have respectable safety records as well. In addition, based on the International Hunter Education Association - United States of Americas (IHEA-USA) research, they recommend that hunter orange be the only color used by hunters in the field to prevent hunting accidents.

There are various online articles that reference the opposition to hunter pink. Many claim it divides the hunting community and that it is chauvinist. Because so few states allow the use of any hunter safety color other than blaze orange, there is not an accumulation of field data supporting additional colors.

Hunter Pink is not an Occupational Safety and Health Act Safety approved color.

The LED Hunter Education Section sent out a survey in May 2016 to Michigan volunteer instructors, who train thousands of new hunters every year. The purpose of the survey was to see if the instructors supported allowing hunter pink or any other color in lieu of hunter orange. The survey also asked if they knew anyone who had difficulty seeing pink, orange and or other colors. The last question on the survey was to determine if the volunteers knew any non-hunters who would become hunters based on allowing additional safety colors. 216 volunteers responded, and out of the 216, 209 volunteers did not support the addition of any other color in lieu of hunter orange. 213 stated they did not know of any non-hunters who would start hunting if an additional color was allowed for safety reasons. 38 respondents stated they had difficulty seeing the color pink.

Additionally, the Michigan Hunter Safety Instructor Association (MHSIA) also does not support the addition of hunter pink or any other color. They recognize hunter orange as the international safety standard for hunting and feel the addition of other colors would increase confusion which could jeopardize safety.

Other States

Seven states allow another color in addition to hunter orange: Colorado, Louisiana, Minnesota, New York, Virginia, Wisconsin allow hunter pink, and Arkansas allows chartreuse (neon green). Hunter pink was recently rejected in Illinois, Maine, and Montana.

Biological

There is no negative biological impact.

Social

The IHEA-USA, of which Michigan is a voting member, does not currently take positions on these types of issues, however, has provided a statement regarding hunter orange and the visibility of other colors. The IHEA-USA stated, "Absent of any scientific evidence to the contrary, the IHEA-USA reaffirms our recommendation that hunter orange is the most effective color to be worn by hunters in the field to prevent hunting incidents. No nationally recognized study has established or verified standards for the wavelength, luminance, or excitation purity required for visibility of any color other than hunter orange in natural environments by human observers. Hunter orange should have a dominant wavelength between 595 and 605 nanometers, a luminance factor of not less than 40 percent, and an excitation purity of not less than 85 percent. Additionally, no qualitative or quantitative research has been conducted to document the influence, positive or negative, of hunter safety color choice on the recruitment, retention, or reactivation of new or existing hunters. Therefore, IHEA-USA recommends that hunter safety color requirements be established solely on the basis of detectability and visibility of a color in natural environments by human observers."

The following documents have been reviewed by the IHEA-USA Research Committee and are available to the NRC upon request. The documents can also be viewed online on the IHEA-USA website at www.ihea-usa.org:

- Safety Speaking Points Series by Wisconsin Department of Natural Resources
- 1961 Massachusetts Hunter- Safety Color Test by Oscar W. Richards, PH.D.
- Why Deer Spot Hunters by Majid Sarmadi
- DayGlo Fluorescent Color Theory (www.dayglo.com)
- Fluorescent Pink Speaking Points by Colorado Department of Natural Resources
- High-Visibility Clothing for Daytime Use in Work Zones by Jonathan Dan Turner, Carole Simmons, and Johnny Graham
- Detectability and Visibility of Solid Hunter Orange Vs. Camouflage Hunter Orange To Human Observers by Kelly Olson, Todd Childs, Walter Chase, and Paul DeLand
- Safety Color Study by Red Chaplin
- Hunting-Associated Injuries and Wearing "Hunter" Orange Clothing- New York, 1989-1995 (Centers for Disease Control and Prevention)

- Pink for Hunting
- Pink Hunting Rule by Wisconsin Department of Natural Resources
- Wisconsin State Statute 29.301 (2)

Economic

The addition of approved colors would require guide and manual changes, as well as additional training materials to include the addition of other approved colors. Forms, literature, and databases that track hunter casualty incidents and other safety information would also have to be changed.

Relevant Divisions have contributed to the preparation of this order. This order was submitted for information on August 10, 2017, at the Natural Resources Commission meeting. This item appeared on the Department's July calendar and may be eligible for approval on September 14, 2017.



Russ Mason, Ph.D., Chief
Wildlife Division



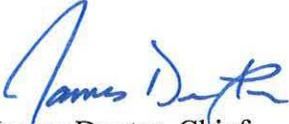
Gary Hagler, Chief
Law Enforcement Division



Marc Miller, Acting 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

9/14/17

Date

WILDLIFE CONSERVATION ORDER

Amendment No. 8 of 2017

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 15, 2017, the following section(s) of the Wildlife Conservation Order shall read as follows:

2.1 Taking of animals; prohibited methods, devices, and weapons; exceptions.

Sec. 2.1 Unless otherwise specified in this order, a person shall not do any of the following:

(1) Make use of a pit, pitfall, deadfall, scaffold, raised platform, tree, cage, snare, trap, net, baited hook, or similar device, or a drug, poison, anti-coagulant, smoke, gas, explosive, weasel, ferret, fitchew, arbalest, spear, or mechanical device, for the purpose of taking an animal or driving an animal out of their hole or home. For the purpose of this order, a mechanical device shall not be construed to mean a firearm, crossbow, slingshot, or bow and arrow. When used in this order, "raised platform" means a horizontal surface constructed or manufactured by a person that increases the field of vision of a person using the horizontal surface beyond the field of vision that would normally be attained by that person standing on the ground.

(2) Use in taking an animal, or have in the persons possession in an area frequented by animals, a semiautomatic shotgun or rifle other than .22 caliber or smaller rimfire, capable of holding more than six shells at one time in the magazine and barrel combined, or use a cartridge containing a tracer bullet, or a cartridge containing an explosive bullet, or a firearm capable of firing more than one shot with a single pull or activation of the trigger.

(3) During the five days immediately preceding November 15, transport or possess in an area frequented by deer a rifle or shotgun with buckshot, slug load, ball load, or cut shell. A person may transport a rifle or shotgun to or from a hunting camp if the rifle or shotgun is unloaded and securely encased or carried in the trunk of a vehicle. This section shall not prohibit a resident who holds a fur harvesters license from carrying a rimfire firearm .22 caliber or smaller while hunting or checking a trap line during the open season for hunting or trapping fur-bearing animals.

(4) Use in hunting, or, subject to section 43510, 1994 PA 451, MCL 324.43510, possess afield in an area inhabited by wild birds and animals within the "limited firearms deer zone" from November 15 to November 30, or use to take a deer during any firearm deer season in the "limited firearms deer zone," a firearm other than:

(a) A shotgun with a smooth or rifled barrel.

(b) A .35 caliber or larger pistol capable of holding no more than nine shells at one time in the barrel and magazine combined and loaded with straight-walled cartridges.

(c) A muzzle-loading rifle or black-powder pistol loaded with black-powder or a commercially manufactured blackpowder substitute.

(d) A .35 caliber or larger rifle loaded with straight-walled cartridges with a minimum case length of 1.16 inches and a maximum case length of 1.80 inches.

(e) A .35 caliber or larger air rifle or pistol charged only from an external high-compression power source such as an external hand pump, air tank, or air compressor.

(5) Injure, destroy, or rob the eggs of birds protected by the laws of this state or this order, or molest, harass, or annoy those birds upon their nests.

(6) Make use of a sink box or battery as these devices are defined by the United States fish and wildlife service.

(7) Set afire or assist in setting afire a marshland or other lands for the purpose of driving out wild birds or wild animals, or take or attempt to take a wild bird or wild animal so driven out of a marshland or other land.

(8) Take any animal at any time other than during the hunting hours and open seasons established in this order, except as may otherwise be provided in chapter VI.

(9) Take in 1 day more than the daily limit, or possess at one time more than the possession limit, or possess on the first day of the open season more than the daily limit, or possess more than the season limit of any animal.

(10) Destroy, disturb, or molest at any time any bear, beaver, muskrat, raccoon, squirrel, mink, badger, or rabbit house, hole, burrow, nest, dam, or den which may be used by such animals.

(11) Make use of a dog in hunting deer, except as noted in section 2.1a of this order.

(12) Affix any device to a bow, which aids in the cocking or holding of a bow string in a drawn position. This subsection shall not prohibit the use of a hand-held device to release the bow string. This subsection shall not apply to a permanently or temporarily disabled person who holds a special permit provided for in section 40101 to 40119 of 1994 PA 451, MCL 324.40101 to 324.40119, or section 5.95 of this order.

(13) Use aircraft to aid in the taking of a wild bird or wild animal.

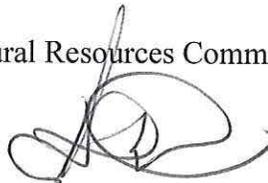
(14) Take game with a crossbow unless the hunter possesses a valid license to take game and uses only arrows, bolts, and quarrels for taking deer, bear, elk, wolf, and turkey with a broadhead hunting type of point not less than 7/8 of an inch wide with a minimum of 14 inches in length.

(15) Take deer with a crossbow or a modified bow in zone 1 from December 1 to March 31. This subsection shall not apply to a person who holds a special permit provided for in part 401, wildlife conservation, natural resources and environmental protection act, 1994 PA 451, as amended, MCL 324.40101 to 324.40119, or section 5.95 of this order.

(16) Subject to section 40116, 1994 PA 451, MCL 324.40116, take game during the established daylight shooting hours from August 15 through April 30 unless the individual wears a cap, hat, vest, jacket, rain gear of hunter orange. Hunter orange includes camouflage that is not less than 50 percent hunter orange. The garments that are hunter orange must be the hunter's outermost garment and be visible from all sides of the hunter. This does not apply to an individual engaged in the taking of deer with a bow or crossbow during archery deer season, an individual taking bear with a bow or crossbow, an individual engaged in the taking of turkey or migratory birds other than woodcock, an individual engaged in the sport of falconry, or an individual who is stationary and in the act of hunting bobcat, coyote, or fox.

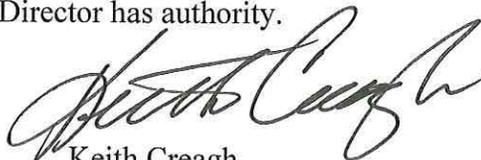
Issued on this 14th day of September, 2017.

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



John Matonich, Chairman
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 CREAUGH
DIRECTOR

SUBMITTED: July 17, 2017
RESUBMITTED: August 14, 2017

MEMORANDUM TO THE NATURAL RESOURCES
COMMISSION

A P P R O V E D
<i>September 14</i> , 20 <i>17</i>
MICHIGAN NATURAL RESOURCES COMMISSION
<i>Cheryl Nelson</i>
(ASSISTANT TO THE COMMISSION)

Subject: Fisheries Order 201.18
Special Fishing Regulations, Big Island Lake Complex, Schoolcraft County

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 special fishing regulations in the waters of the Big Island Lake Wilderness in Schoolcraft County. The area spans 5,295 acres containing 23 lakes, ranging in size from five to 149 acres and joined by short, marked portages forming an expansive waterway for kayakers and canoeists. The Big Island Lake Complex is a popular destination located in the Hiawatha National Forest in the central Upper Peninsula. This area was designated as a Wilderness Area in 1987 and is protected and managed so as to preserve its natural conditions. Use of motorized equipment and equipment used for mechanical transport (including carts and portage wheels) is generally prohibited on all lands designated as wilderness. Wilderness areas are sometimes managed with special fishing regulations such as: gear restrictions, shortened possession seasons, increased size limits, and reduced possession limits to protect and conserve fish populations from over harvest within the area.

Fishing regulations in effect on the Big Island Lake Complex have been in place for many years. However, some questions concerning the northern pike regulations have arose recently as two regulations are outside of the options listed in the Northern Pike Management Plan. As a result, Fisheries Division staff initiated review of the northern pike regulations focusing on the 42 inch minimum size limit and daily possession limit of one northern pike. After looking into the northern pike information closer, the department has determined that the 42 inch minimum size limit and daily possession limit of one fish could be modified. Therefore, the department recommends updating the northern pike regulations to the current statewide northern pike regulations of a 24 inch minimum size limit and daily possession limit of two northern pike per day which is deemed protective and will still meet the aims of designated Wilderness Areas. These changes will result in increased opportunities for anglers to harvest northern pike in this special Wilderness Area plus serve to protect northern pike populations into the future here.

Several other changes involve modifications to muskellunge regulations including: removing the reference to the muskellunge harvest tag, adding the requirement that all muskellunge harvested must be registered online, and changing the possession season to match the new statewide possession season opener to the first Saturday in June. The harvest tag will no longer be required; however, online registration of all muskellunge harvest will be mandatory. The muskellunge possession season will be changed to the new statewide possession season being adopted for the next fishing season to the first Saturday in June.

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Issue Pros and Cons

Anglers will now have greater opportunities to harvest northern pike in these waters. Increased harvest on northern pike could result in a reduction in the overall size structure of northern pike populations in some capacity over time. Adding mandatory registration for muskellunge will help in future management of the species. Removal of the muskellunge harvest tag will reduce a requirement for anglers who had to obtain a tag prior to harvest of muskellunge.

Biological

High use areas require special regulations to protect fish communities from overharvest for future visitors to enjoy. These regulations are biologically based and will protect the resource into the future.

Social

Anglers who visit the Wilderness Area are supportive of these regulations which allow harvest of a limited number of fish for table fare. This allowance may benefit those who choose to pack less food into the area since they will have more opportunities to harvest northern pike for a meal. Muskellunge are highly regarded as trophy fish and anglers support adding protections to enhance muskellunge fisheries.

Economic

The Department does not expect the proposed changes to have any significant budgetary or personnel implications.

Recommendation:

Relevant Divisions have contributed to the preparation of this Order. This Order was submitted for information on August 10, 2017, at the Natural Resources Commission meeting. This item appeared on the Department's August 2017 calendar and may be eligible for approval on September 14, 2017.



James Dexter, Chief
Fisheries Division



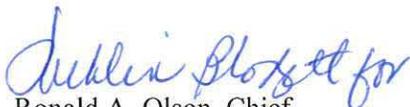
Gary Hagler, Chief
Law Enforcement Division



Russ Mason, Ph.D., Chief
Wildlife Division



Marc Miller, Acting 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

9/14/17

Date

FISHERIES ORDER

Special Fishing Regulations, Big Island Lake Complex, Schoolcraft County Order 201.18

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, it is ordered on September 14, 2017, the following section(s) of the Fisheries Order shall read as follows:

The Big Island Lake Complex is described as all lands and waters bounded by County Road 445 on the west, County Road 437 on the south, U. S. Forest Service Haywire Grade Snowmobile Trail on the east and Townline Lake Road on the north. The area includes all connecting waterways with 19 major lakes plus several unnamed lakes: Cucumber, Big Island, Townline, Mid, Upper, Coattail, Onega, McInnes, Klondike, Center, Neds, Vance, Twilight, Farm (Blush), Byers, Nevilles, Bluegill, Pear, and Jarr Lakes, all in Schoolcraft County.

1. It shall be unlawful to fish by any means other than hook-and-line.
2. Artificial lures only, use of live bait is prohibited.
3. Minimum size limits, possession limits, and open seasons are as follows:

Species	Open Seasons	Min. Size Limit	Possession Limit
Muskellunge (including Tiger Muskellunge) (see Note 1)	1 st Saturday in June – November 30	42 inches	1 fish per angling season
Northern Pike	May 15 – November 30	24 inches	2 fish per day
Bass	Sat. before Memorial Day – November 30	18 inches	1 fish per day
Yellow Perch, Bluegill & Pumpkinseed	Last Sat. in April - November 30	No size limit	5 fish per day in combination
Trout (Neds & Twilight only)	Last Sat. in April – Sept. 30	15 inches	1 fish per day

Note 1 - All harvested muskellunge (including tiger muskellunge) must be registered online at www.michigan.gov/fishing. Muskellunge harvest is limited to one (1) muskellunge per angler per year (April 1 – March 31).

4. It shall be unlawful to take or possess any other species of fish from these waters.

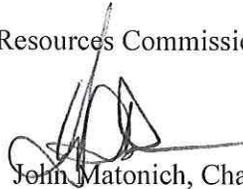
This Order shall be assigned number FO-201.18, and is entitled "Special Fishing Regulations, Big Island Lake Complex, Schoolcraft County."

This Order supersedes the Order entitled "Special Fishing Regulations, Big Island Lake Complex, Schoolcraft County," which became effective October 14, 2016, and is assigned number FO-201.16.

This Order shall take effect on April 1, 2018 and shall remain in effect until amended/rescinded.

Issued on this 14th day of September, 2017.

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



John Matonich, Chairman
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

SUBMITTED: July 17, 2017
RESUBMITTED: August 14, 2017

MEMORANDUM TO THE NATURAL RESOURCES
COMMISSION

A P P R O V E D
September 14, 2017
MICHIGAN NATURAL RESOURCES COMMISSION
Cheryl Nelson
(ASSISTANT TO THE COMMISSION)

Subject: Fisheries Order 224.17
Regulations on the Take of Reptiles and Amphibians

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 sets regulations for Michigan's reptiles and amphibians and is recommended to be modified by removing two statutory references listed in the Order. A proposed change to statute by Senate Bill 316, sponsored by Senator Booher would repeal Section 45501 of PA 451, which prohibits the use of artificial lights when harvesting frogs with a spear. A second provision references Section 48703 of PA 451, which has recently been repealed and warrants removal from the Order. The Natural Resources Commission (NRC) has the explicit authority to set regulations on the take and harvest of fish and reptiles and amphibians via orders. Recommended changes to the Order will not result in any changes for anglers as both provisions will remain in effect once the unnecessary statutory references are removed. This Order is recommended for immediate effect.

Issue Pros and Cons

Changes will remove two outdated statutory references and will not result in any regulatory changes for anglers. There are no cons identified.

Biological

The regulation changes proposed are not related to biology.

Social

The regulation changes will not result in any noticeable changes for anglers.

Economic

The Department does not expect the proposed changes to have any significant budgetary or personnel implications.

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Recommendation:

Relevant Divisions have contributed to the preparation of this Order. This Order was submitted for information on August 10, 2017, at the Natural Resources Commission meeting. This item appeared on the Department's August 2017 calendar and may be eligible for approval on September 14, 2017.



James Dexter, Chief
Fisheries Division



Gary Hagler, Chief
Law Enforcement Division



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Marc Miller, Acting 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

9/14/17
Date

FISHERIES ORDER

Regulations on the Take of Reptiles and Amphibians Order 224.17

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 14, 2017, the following section(s) of the Fisheries Order shall read as follows:

It shall be unlawful to kill, take, trap, possess, buy, sell, offer to buy or sell, barter, or attempt to take, trap, possess or barter any reptile or amphibian from the wild, or the eggs of any reptile or amphibian from the wild, except as provided within this Order.

GENERAL

1. The following species of reptiles and amphibians shall not be taken from the wild and possessed except as authorized under a permit for scientific research, conservation, or educational purposes from the director:

Eastern Massasauga Rattlesnake (*Sistrurus catenatus catenatus*)

Queen Snake (*Regina septemvittata*)

Blanding's Turtle (*Emydoidea blandingii*)

Wood Turtle (*Glyptemys insculpta*)

Eastern Box Turtle (*Terrapene carolina*)

Grey Rat Snake (*Pantherophis spiloides*) [formerly known as the Black Rat Snake (*Elaphe obsoleta obsoleta*)] – Exception: albino color variations of this species commonly bred in the pet trade may be possessed without permit

Boreal Chorus Frog (*Pseudacris maculata*)

Western Lesser Siren (*Siren intermedia nettingi*)

Mudpuppy (*Necturus maculosus*)

Fowler's toad (*Bufo [Anaxyrus] fowleri*) [= *Bufo woodhousii fowleri*]

Pickereel frog (*Rana palustris*)

Butler's Garter Snake (*Thamnophis butleri*)

Smooth Green Snake (*Ophedryx vernalis*) [= *Liochlorophis vernalis*]

2. Reptiles and amphibians designated as endangered or threatened by the Department in R. 299.1024 and R 299.1025 under authority conferred on the Department by the Michigan Endangered Species Act, Part 365 of 1994 PA 451, shall not be taken from the wild and possessed except as authorized under a permit for scientific research, conservation, or educational purposes from the director. These include:

Kirtland's Snake (*Clonophis kirtlandii*)

Copper-bellied Water Snake (*Nerodia erythrogaster neglecta*)

Eastern Fox Snake (*Pantherophis gloydi*) [= *Pantherophis vulpinus gloydi* = *Elaphe gloydi*]

Six-lined racerunner (*Aspidoscelis sexlineata*) [= *Cnemidophorus sexlineatus*]

Spotted Turtle (*Clemmys guttata*)

Marbled Salamander (*Ambystoma opacum*)

Small-mouthed Salamander (*Ambystoma texanum*)

Blanchard's Cricket Frog (*Acris blanchardi*) [= *Acris crepitans blanchardi*]

3. A person may collect reptiles and amphibians or their eggs for research studies or other special use under a permit issued by the director's designated fisheries representative. The permit shall be valid only for the species, number, manner and time specified on the permit.
4. A person may take certain species of reptiles and amphibians for personal use. See PERSONAL USE.
5. The taking of reptiles and amphibians for commercial purposes is prohibited.
6. Reptiles may be taken only by hand, trap, seines up to 12 x 4 feet overall dimension, hand net, or hook-and-line.
7. Amphibians may be taken by hand, hook-and-line, hand net or trap where not otherwise prohibited by law. In addition, frogs may be speared. Frogs shall not be speared with the aid of an artificial light.
8. Traps used or possessed in areas frequented by reptiles must have a plate or tag attached bearing the name and address of the user in legible English.
9. It is illegal to possess or transport in the field, dressed or processed reptiles or amphibians that cannot be measured or identified.
10. A person shall immediately release to the wild any reptile or amphibian that is taken during a closed season, is under the legal size, or is otherwise protected.
11. Reptile eggs may not be disturbed or removed from the wild except as authorized under a permit for scientific research, conservation, or educational purposes by the director.
12. Reptiles and amphibians shall not be taken with a firearm (including spring, air, or gas), bow and arrow, or crossbow.

PERSONAL USE

1. A fishing license is required to take reptiles and amphibians for personal use.
2. Traps used for the taking of turtles shall be limited to no more than 3 traps, shall be constructed and set in a manner to allow turtles to surface and breathe, and shall be constructed of mesh at least 1 inch wide at the narrowest measurement.
3. All reptiles and amphibians taken for personal use shall not be bought, sold or offered for sale.
4. Snapping turtle carapace length: to obtain the carapace (top of shell) length, use a flexible tape to measure from the nuchal scute (the scute directly behind the turtle's head) to the base of the notch where the two most posterior scutes meet.
5. The following table lists the regulations that apply to the taking of reptiles and amphibians for personal use:

Species	Season	Minimum Size (inches)	Daily Possession Limit	Possession Limit
Frogs, toads, salamanders,	Last Sat. in May - Nov. 15	None	10 in any combination	10 in any combination
Snapping turtles	July 15-Sept. 15	13 inch minimum carapace length	2 in combination (no more than 1 of either species)	4 total in combination (no more than 2 of either species)
Softshell turtles		None		
All other turtles (painted, musk, map, red-eared slider); snakes and lizards	Open all year	None	3 in combination (However, no more than 2 turtles and no more than 1 of any one turtle species)	6 total in combination (However, no more than 4 turtles and no more than 2 of any one turtle species)

This Order shall be assigned number FO-224.17, and is entitled "Regulations on the Take of Reptiles and Amphibians."

This Order supersedes the Order entitled "Regulations on the Take of Reptiles and Amphibians," which became effective October 14, 2016, and is assigned number FO-224.16.

This Order shall take immediate effect on September 15, 2017 and shall remain in effect until amended/rescinded.

Issued on this 14th day of September, 2017.

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



John Matonich, Chairman
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: July 17, 2017
 RESUBMITTED: August 14, 2017

MEMORANDUM TO THE NATURAL RESOURCES
 COMMISSION

A P P R O V E D
September 14, 2017
 MICHIGAN NATURAL RESOURCES COMMISSION
Cheryl Nelson
 (ASSISTANT TO THE COMMISSION)

Subject: Fisheries Order 251.17
 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:

This is a new Order regulating fishing on the ice with a shanty. The Natural Resources Commission has the authority to issue Orders to regulate the taking of fish in Michigan and a recent legislative modification proposes to remove specific references to ice fishing shanties in statute. Therefore, the purpose of this Order is to maintain the regulations on ice fishing shanties currently listed in Sections 46501 – 46507 of PA 451. Information contained relates to shanty removal dates based upon locality plus other provisions defining a shanty and labeling requirements for shanties left on the ice longer than a day. The shanty removal dates and other regulations have been in place for many years. There are two recommended changes to the package of regulations: adding a provision stipulating that temporary shanties that are removed daily do not need to be labeled as indicated in provision 2 and the Michigan – Wisconsin boundary water shanty removal date is being moved from Fisheries Order 205 and into this Order where all the other removal dates are listed. Since changes to statute were proposed through a bill introduction, this Order is recommended for immediate effect.

Issue Pros and Cons

All the regulations concerning ice fishing shanties will be in one place. Moving these regulations into an Order increases the opportunity to adaptively manage these regulations as needed. There are no cons identified.

Biological

The timing and dates have been in effect for many years and are based upon longstanding weather patterns.

Social

Anglers are generally supportive of these regulations and removal dates. When weather varies from year to year some anglers may not like having to remove shanties when winter may still be in full effect. However, there are also those other periods when warm weather forces anglers to retrieve their shanties ahead of the removal date.

Economic

The Department does not expect the proposed changes to have any significant budgetary or personnel implications.

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Recommendation:

Relevant Divisions have contributed to the preparation of this Order. This Order was submitted for information on August 10, 2017, at the Natural Resources Commission meeting. This item appeared on the Department's August 2017 calendar and may be eligible for approval on September 14, 2017.



James Dexter, Chief
Fisheries Division



Gary Hagler, Chief
Law Enforcement Division



Russ Mason, Ph.D., Chief
Wildlife Division



Marc Miller, Acting 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

9/14/17

Date

FISHERIES ORDER

Ice Fishing Shanty Regulations Order 251.17

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 14, 2017, 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. A person shall not set, place, erect, or cause to be set, placed, or erected, or use a fishing shanty at any time upon the ice in waters over which the state has jurisdiction, unless the name and address of the owner is affixed to each side of the outside of the fishing shanty in legible letters not less than 2 inches in height. The letters shall be readily visible and consist of materials that are not soluble in water. Placing the owner's name and address on a piece of wood, plastic, or other material and affixing that piece of material to the fishing shanty is not compliance with this provision. Tents or other temporary shelters that are removed each day do not require identification.
4. A person who sets, places, erects, or causes 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 (7), 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.
5. A person who sets, places, erects, or causes 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 (7), the fishing shanty shall not remain on the ice beyond 12 midnight, March 15, of any year.
6. A person who sets, places, erects, or 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 (5), 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 (7), the fishing shanty shall not remain on the ice beyond 12 midnight, March 1, of any year.
7. After the dates listed in provisions (4), (5), and (6), 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.
8. A person who sets, places, erects, or 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-251.17, and is entitled "Ice Fishing Shanty Regulations."

This Order shall take immediate effect on September 15, 2017 and shall remain in effect until amended/rescinded.

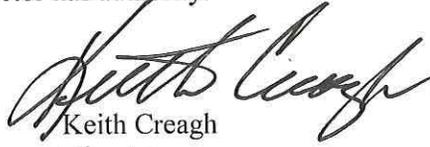
Issued on this 14th day of September, 2017.

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



John Malovich, Chairman
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 14, 2017

To: Keith Creagh, Director

Information: Natural Resources Commission

Transaction: Proposed October 25, 2017, 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 30,300 acres

Counties Offered: Arenac, Calhoun, Clare, Gladwin, Isabella, Lake, Midland, and Osceola

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 5, 2017 DNR Business Calendar, and is eligible for approval September 14, 2017.

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August 14, 2017

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



Marc Miller, Acting Chief
Forest Resources Division

I approve the staff recommendation.



Keith Creagh
Director

9/14/17

Approval Date



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

August 14, 2017

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Sale of Surplus DNR-Managed Land
Barry State Game Area – Barry County
Land Transaction Case #20150169

Sale: 0.36 acre

Sale Price: \$3,200.00

Description: Barry County, Yankee Springs Township, T03N, R10W, Section 09:
As more particularly described in the case file.

PA 240 of 2012: This parcel is south of the Mason-Arenac County line.

Applicant: Russell and Patricia Kermeen, Middleville, 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 5, 2017, calendar, and is eligible for approval on September 12, 2017. The transaction will also be posted in a local newspaper as required by statute.

Acquired: Purchased with Pittman-Robertson funds in 1954.

Minerals: To be retained.

Comments: The desired parcel is adjacent to the applicant's land and will resolve an existing trespass of a driveway and two buildings on DNR-managed land.

The proposed land disposal was reviewed and recommended for approval by the Land Exchange Review Committee on February 18, 2016, with the condition that the Department receive approval from the United States Fisheries and Wildlife Service (USFWS) to sell this Pittman-Roberson purchased property.

Proceeds will be deposited into the Land Exchange Facilitation Fund (LEFF) Pittman-Robertson Subfund. 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.

August 14, 2017

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 \$3,200.00 contingent on the Department receiving approval from the USFWS to sell this property.

(2) That the proceeds of the sale be deposited into the LEFF Pittman-Robertson Subfund.

(3) That the state retain minerals and aboriginal antiquities.



Russ Mason, Ph.D., Chief
Wildlife Division



Marc Miller, Acting Chief
Forest Resources Division



James L. Dexter, Chief
Fisheries Division



Ronald A. Olson, Chief
Parks and Recreation Division

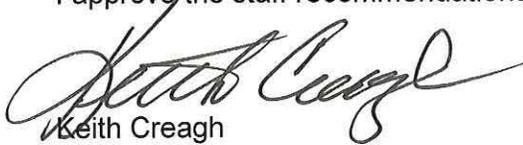


William O'Neill
Natural Resources Deputy



Mark H. Hoffman
Chief Administrative Officer

I approve the staff recommendations.



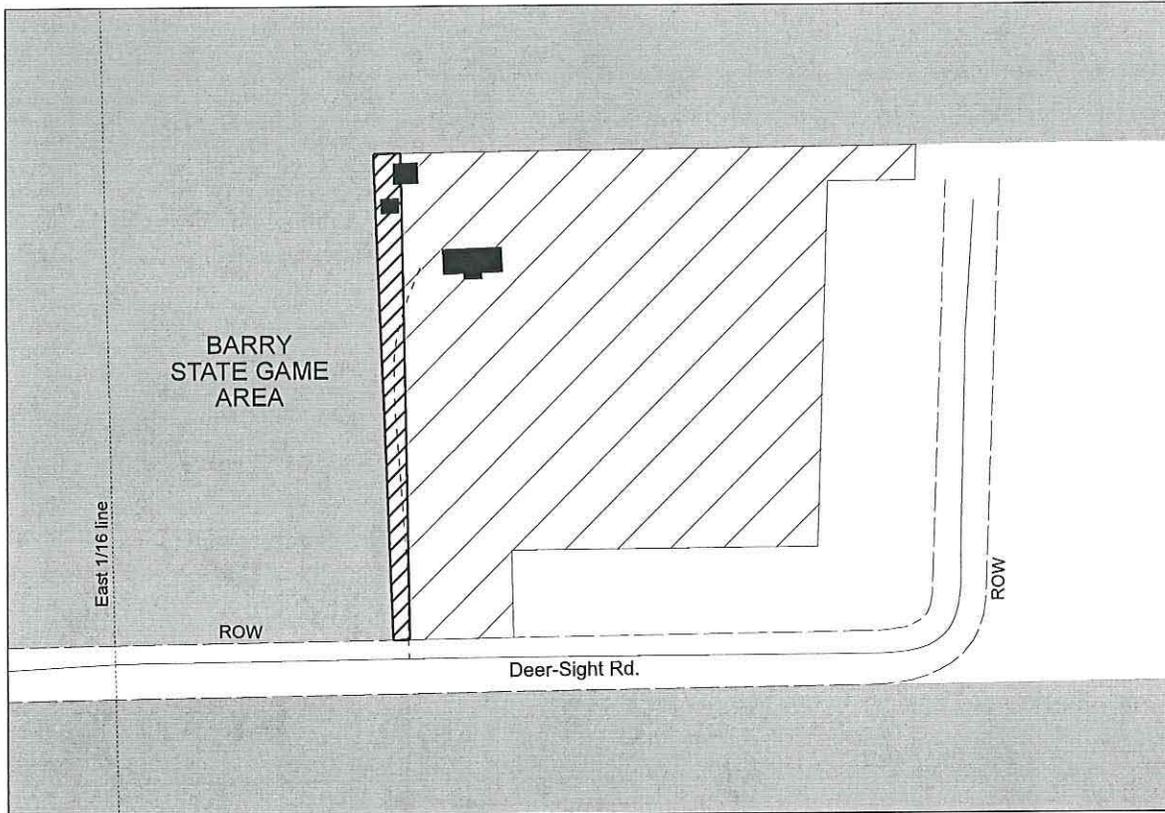
Keith Creagh
Director

9/14/17

Date Approved

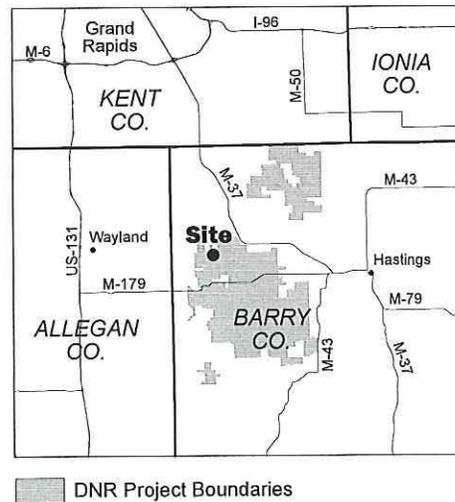
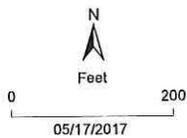
SALE OF SURPLUS DNR-MANAGED LAND

Barry State Game Area – Barry County
Land Transaction Case #20150169



Section 9, T03N, R10W, Yankee Springs Township

- Surplus DNR land to be sold (0.36 acre)
- Applicant's land
- State land
- Private land
- Driveway
- Buildings





RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

August 14, 2017

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: State Forest Land Exchange
Sault Ste. Marie Management Unit – Mackinac County
Corogin Exchange
Land Transaction Case #20160233

Applicant: Peter & Dana Corogin, Vermilion, Ohio

PA 240 of 2012: PILT Estimate: \$970.00. The parcels involved in the exchange are north of the Mason-Arenac County line and will result in an increase of 80 counted acres.

Private Land Offered in Exchange: 240 acres

Location: Mackinac County, Newton Township, T43N, R11W, Section 36:
The E 1/2 of the SE 1/4 and the SE 1/4 of the NE 1/4.

Mackinac County, Newton Township, T43N, R12W, Section 08:
The E 1/2 of the SE 1/4 and the SE 1/4 of the NE 1/4.

Value: \$ 146,000.00

State Land Desired in Exchange: 160 acres

Location: Mackinac County, Newton Township, T43N, R12W, Section 04:
The N 1/2 of the SW 1/4 and the NW 1/4 of the SE 1/4 and the SW 1/4 of the NW 1/4.

Value: \$ 135,000.00

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

Notice: This item will appear on the Department of Natural Resources (Department) September 5, 2017, calendar, and is eligible for approval on September 12, 2017.

Comments: The desired state land is not easily accessible to the public. The offered parcels are both adjacent to state-owned land on the east. The state will gain 2,940 feet of frontage on Mead Creek and both parcels will provide increased access and opportunities for recreational users. In addition, the

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offered lands contain a portion of obligate wintering complex and quality timber.

The desired state lands were acquired by tax reversion in 1940 & 1941.

The state will retain mineral rights on the desired parcels. The state already owns the 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: Certified letters were sent to Mackinac County and Newton Township on July 26, 2017. Neither expressed concerns.

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 Sault Ste. Marie Management Unit.



Russ Mason, Ph.D., Chief
Wildlife Division



Marc Miller, Acting 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.



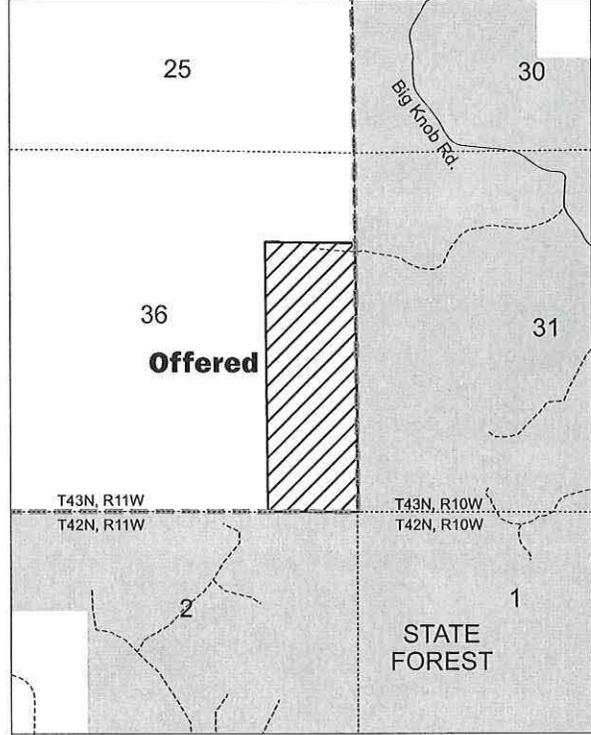
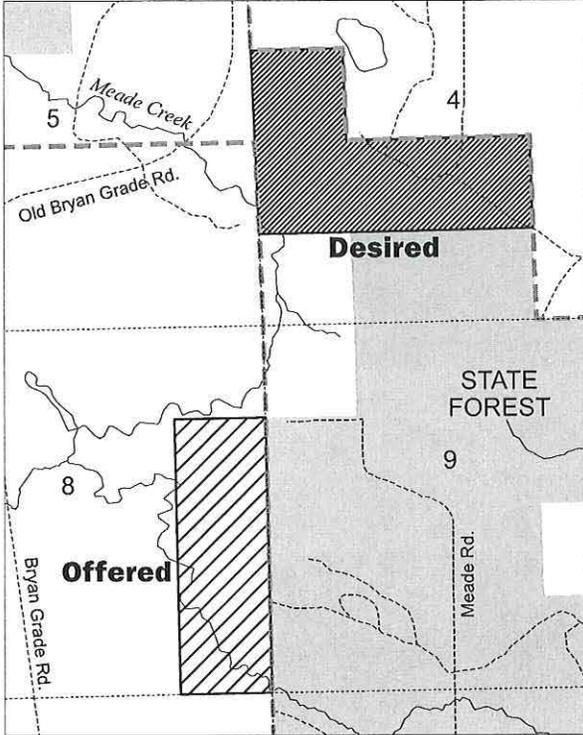
Keith Creagh
Director

9/14/17

Date Approved

STATE FOREST LAND EXCHANGE

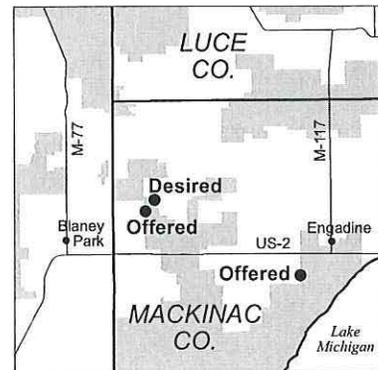
Sault Ste. Marie Management Unit – Mackinac County
Land Transaction Case #20160233



Sections 4 and 8, T43N, R12W, Newton Township

Section 36, T43N, R11W, Newton Township

- State land desired from DNR (160 acres)
- Land offered to DNR in exchange (240 acres)
- State land
- Private land
- DNR Project Boundary



DNR Project Boundaries



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

August 14, 2017

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: State Forest Land Exchange
Gwinn Management Unit – Marquette County
Shingleton Management Unit – Schoolcraft County
Veneberg Exchange
Land Transaction Case #20160072

Applicant: Bruce & Carol Veneberg, Munising, Michigan.

PA 240 of 2012: PILT Estimate: \$161.00. 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: 40 acres
Location: Schoolcraft County, Seney Township, T46N, R14W, Section 03:
The NW 1/4 of the SE 1/4.

Value: \$ 26,400.00
Payment at Closing: \$ 1,000.00

Total Compensation
To be Provided by
Applicant: \$ 27,400.00

State Land Desired in Exchange: 40 acres
Location: Marquette County, Republic Township, T45N, R30W, Section 16:
The NE 1/4 of the NE 1/4.

Value: \$ 27,000.00

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

Notice: This item will appear on the Department of Natural Resources (Department) September 5, 2017, calendar, and is eligible for approval on September 12, 2017.

Comments: The desired state land is surrounded by private ownership and fragmented from other state-owned land. The offered parcel is adjacent to state-owned land on two sides and contains approximately 215 feet on the Fox River, a

designated natural river.

The desired state land was acquired by tax reversion in 1942.

The state will convey mineral rights on the desired parcel. The state already owns the mineral rights on the offered parcel.

The proposed land exchange was reviewed and recommended for approval by the Land Exchange Review Committee on December 15, 2016.

Engagement:

Certified letters were sent to Schoolcraft County and Seney Township on January 6, 2017. Neither provided a formal response. Certified letters were sent to Marquette County and Republic Township on January 10, 2017. Marquette County did not provide a formal response. Republic Township gave support to this exchange.

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 Shingleton Management Unit.



Russ Mason, Ph.D., Chief
Wildlife Division



Marc Miller, Acting 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. Hoffmann
Chief Administrative Officer

I approve the staff recommendations.



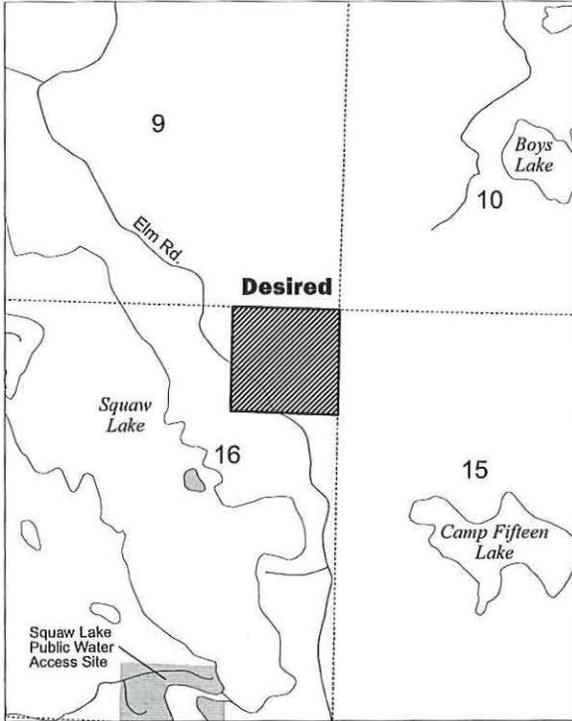
Keith Creagh
Director

9/14/17

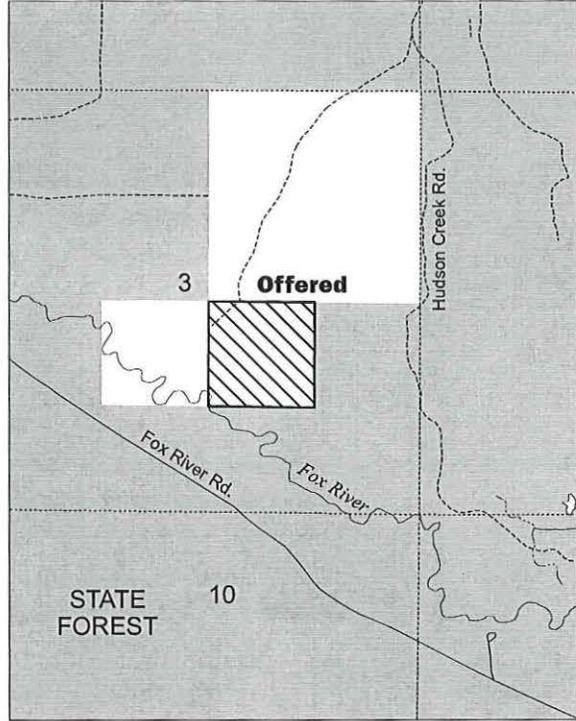
Date Approved

STATE FOREST LAND EXCHANGE

Gwinn Management Unit – Marquette County
 Shingleton Management Unit – Schoolcraft County
 Land Transaction Case #20160072



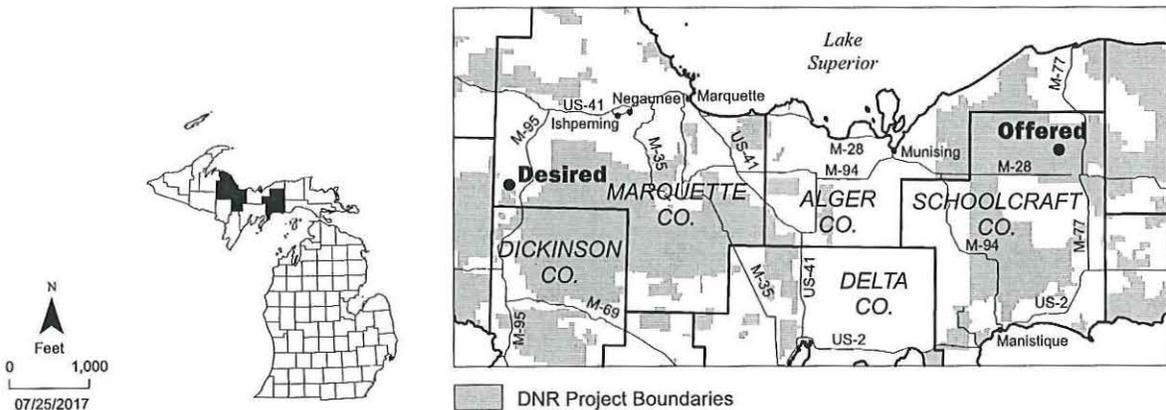
Marquette County, Republic Township
 Section 16, T45N, R30W



Schoolcraft County, Seney Township
 Section 3, T46N, R14W

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

- Land offered to DNR in exchange (40 acres)
- State land
- Private land



07/25/2017



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

August 14, 2017

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: State Forest Land Exchange
Gaylord Management Unit – Mackinac County
Schmidt Exchange
Land Transaction Case #20160058

Applicant: Denise & Dennis Schmidt, Windsor, South Carolina.

PA 240 of 2012: PILT Estimate: \$13.00. The parcels involved in the exchange are north of the Mason-Arenac County line and will result in an increase of 1.26 counted acres.

Private Land Offered in Exchange: 44 subdivision lots (3.26 acres)
Location: Mackinac County, Bois Blanc Island Township:
Lots 18, 19 and 50 through 65, Block 7; AND Lots 18 through 23, Block 11;
AND Lots 25 through 32 AND Lots 64 through 68, Block 16, Huron Shores
Subdivision, according to the Plat thereof as recorded in Liber 2 of Plats,
Page(s) 2, Mackinac County Records.

Value: \$ 26,300.00

State Land Desired in Exchange: 27 subdivision lots (2 acres)
Location: Mackinac County, Bois Blanc Island Township:
Lots 40 through 49, Block 16; AND Lots 77 through 90, Block 11; AND Lots
6, 9 & 10, Block 12, Huron Shores Subdivision, according to the Plat
thereof as recorded in Liber 2 of Plats, Page(s) 2, Mackinac County
Records.

Value: \$ 21,770.00

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

Notice: This item will appear on the Department of Natural Resources (Department) September 5, 2017, calendar, and is eligible for approval on September 12, 2017.

Comments: This proposed exchange will assist in the consolidation of private and state-owned land on Bois Blanc Island.

The desired state lands were acquired by tax reversion in 1928 & 1961.

The state will convey mineral rights on the desired parcels. 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 February 16, 2017.

Engagement: Certified letters were sent to both Mackinac County and Bois Blanc Island Township regarding this exchange. Neither expressed concerns.

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



Marc Miller, Acting 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.



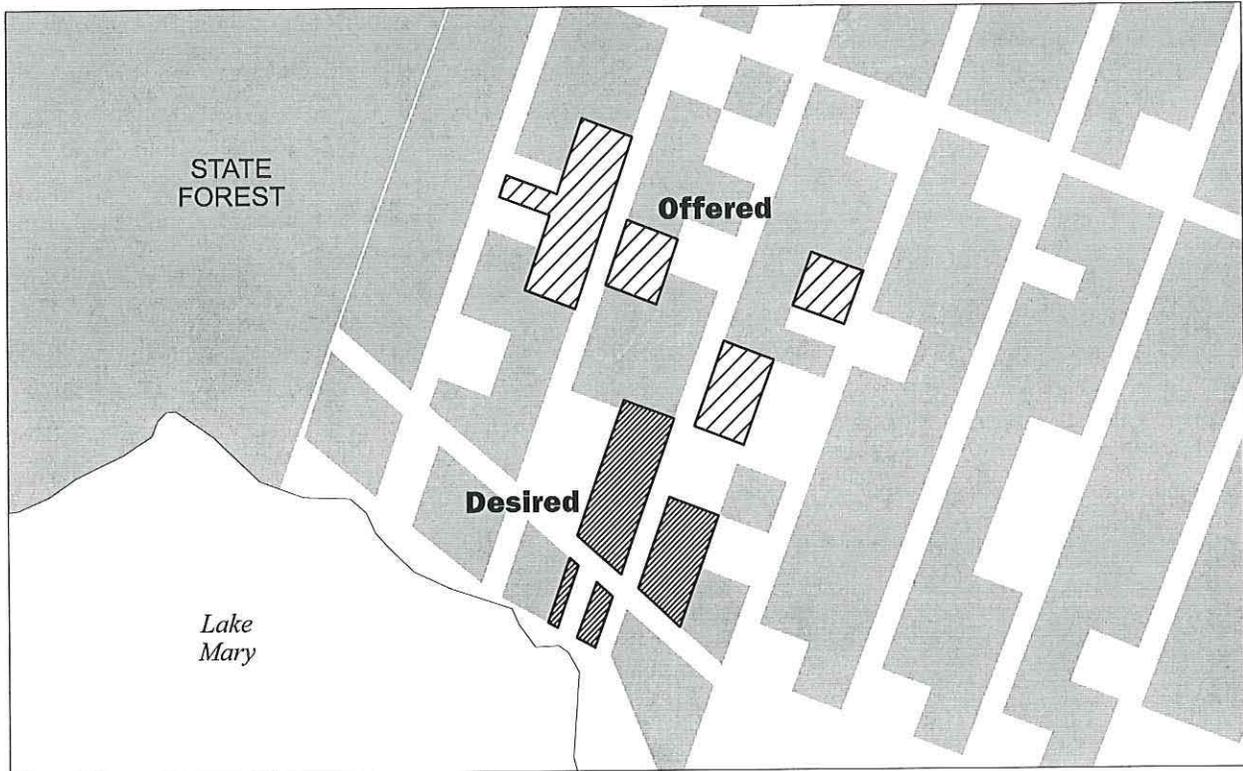
Keith Creagh
Director

9/14/17

Date Approved

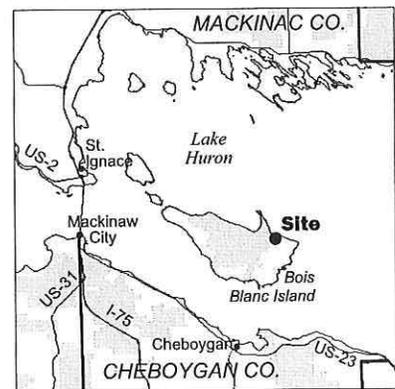
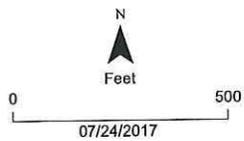
STATE FOREST LAND EXCHANGE

Gaylord Management Unit – Mackinac County
Land Transaction Case #20160058



Huron Shores Subdivision, Bois Blanc Island Township

- State land desired from DNR (27 lots)
- Land offered to DNR in exchange (44 lots)
- State land
- Private land



DNR Project Boundaries



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

August 14, 2017

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: Forest Resources Conservation Easement Acquisition
Baraga Management Unit – Houghton County
The Pilgrim River Forest – Forest Legacy Program Conservation Easement
Land Transaction Case #20160097

Purchase: Heritage Tract - 732 acres - \$439,000.00
Headwaters Tract - 371 acres - \$241,000.00

Funding Source: 75% Forest Legacy Program, Pilgrim River Forest Grant Award
25% Project Match, The Pilgrim River Watershed Project (Copper Country Chapter of Trout Unlimited & Keweenaw Land Trust)

PA 240 of 2012: PILT Estimate: No payment. Conservation Easement.
This parcel is north of the Mason-Arenac County line and will result in an increase of zero counted acres as the fee interest in the land remains with the landowner. There are 1,103 excluded acres as a part of this transaction.

Description: HERITAGE TRACT:
Houghton County, Portage Township, T54N, R34W, Section 13:
The E 1/2 of the NW 1/4 lying South of the thread of the Pilgrim River;
The N 1/2 of the SW 1/4 lying South of the thread of the Pilgrim River;
The SW 1/4 of the SW 1/4.

Houghton County, Portage Township, T54N, R34W, Section 14:
The SE 1/4 of the SE 1/4.

Houghton County, Portage Township, T54N, R34W, Section 23:
The NE 1/4;
The E 1/2 of the NW 1/4;
The NE 1/4 of the SW 1/4;
The SE 1/4.

A parcel in the SW 1/4 of the NW 1/4 described as: A parcel of land bounded on the North by the North Line of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4); on the East by the East Line of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4); on the South by the North Line of the South Half (S 1/2) of the South Half (S 1/2) of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4); and on the West by the Pilgrim River.

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Houghton County, Portage Township, T54N, R34W, Section 24:
The N 1/2 of the NW 1/4;
The SW 1/4 of the NW 1/4;
The NW 1/4 of the SE 1/4.

HEADWATERS TRACT:
Houghton County, Portage Township, T54N, R34W, Section 22:
The SE 1/4 of the SW 1/4;
The W 1/2 of the SE 1/4.

Houghton County, Portage Township, T54N, R34W, Section 27:
The NE 1/4 of the NW 1/4;
The S 1/2 of the NW 1/4;
The NW 1/4 of the SW 1/4.

Houghton County, Portage Township, T54N, R34W, Section 28:
The S 1/2 of the NE 1/4.

Seller(s): Heritage Tract – The Joseph P. Hovel and Mary E. Hovel Revocable Trust, Conover, Wisconsin.
Headwaters Tract – Hovel Family Conservation Forests, LLC, Conover, Wisconsin.

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 5, 2017, calendar, and is eligible for approval on September 12, 2017.

Management Purpose: Ensure that property is sustainably managed as a working forest in perpetuity and to increase public access to forest and water resources for outdoor recreation.

Comments: The Pilgrim River Forest project will protect a quality forest and a healthy river to provide economic, ecological, and full, permanent public access benefits. The project will acquire a conservation easement on prime, well-stocked forestland on Upper Michigan's Keweenaw Peninsula, with 3.5 miles of the Pilgrim River corridor. The project adjoins the locally-owned Pilgrim Community Forest created with the USFS Community Forest Program funds. The two projects combined are strategically and centrally located in the watershed and support goals of the international Lake Superior Lakewide Action and Management Plan, the NOAA funded Pilgrim River Watershed Plan and strategic conservation plans of the state and region.

The project has game and non-game species, critical habitat for wildlife and neotropical migratory birds, and over 100 acres of shrub and forested wetlands. The project will eliminate the possibility of

development, ensure sustainable forestry, and provide recreational and educational benefits. Wildlife habitat, soil and water, scenic values, river corridor, and native brook trout fishery will all be preserved.

The Forest Legacy Program requires a 25 percent cost share for each project. The Pilgrim River Watershed Project (PRWP) is a community partnership supporting the conservation, forestry and recreation goals of the Pilgrim River Forest Legacy project. The PRWP steering group has organized fundraising efforts to support this Forest Legacy project led by the Copper Country Chapter of Trout Unlimited (CCCTU). The funds raised have been held by CCCTU in a dedicated bank account on behalf of the partnership. The Keweenaw Land Trust is a PRWP partner and has assisted with fundraising, project development and landowner relations.

Engagement: Houghton County and Portage Township were sent certified letters regarding this acquisition and Department representatives attended meetings where this acquisition was an agenda item. Both supported this acquisition.

Recommendation:

1. That the acquisition be approved, with payment to be made from the Forest Legacy Program, Pilgrim River Forest Grant Award.
2. That the 25-percent match generously provided by this project's partners, Keweenaw Land Trust and Copper Country Chapter of Trout Unlimited, be accepted with gratitude.
3. That the property be dedicated as the Pilgrim River Forest Conservation Easement Area and a part of the Baraga Management Unit.



Russ Mason, Ph.D., Chief
Wildlife Division



Marc Miller, Acting Chief
Forest Resources Division



James L. Dexter, Chief
Fisheries Division



Ronald A. Olson, Chief
Parks and Recreation Division

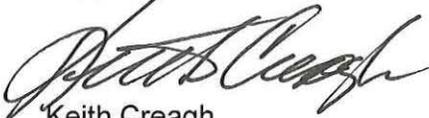


William O'Neill
Natural Resources Deputy



Mark H. Hoffman
Chief Administrative Officer

I approve the staff recommendations.



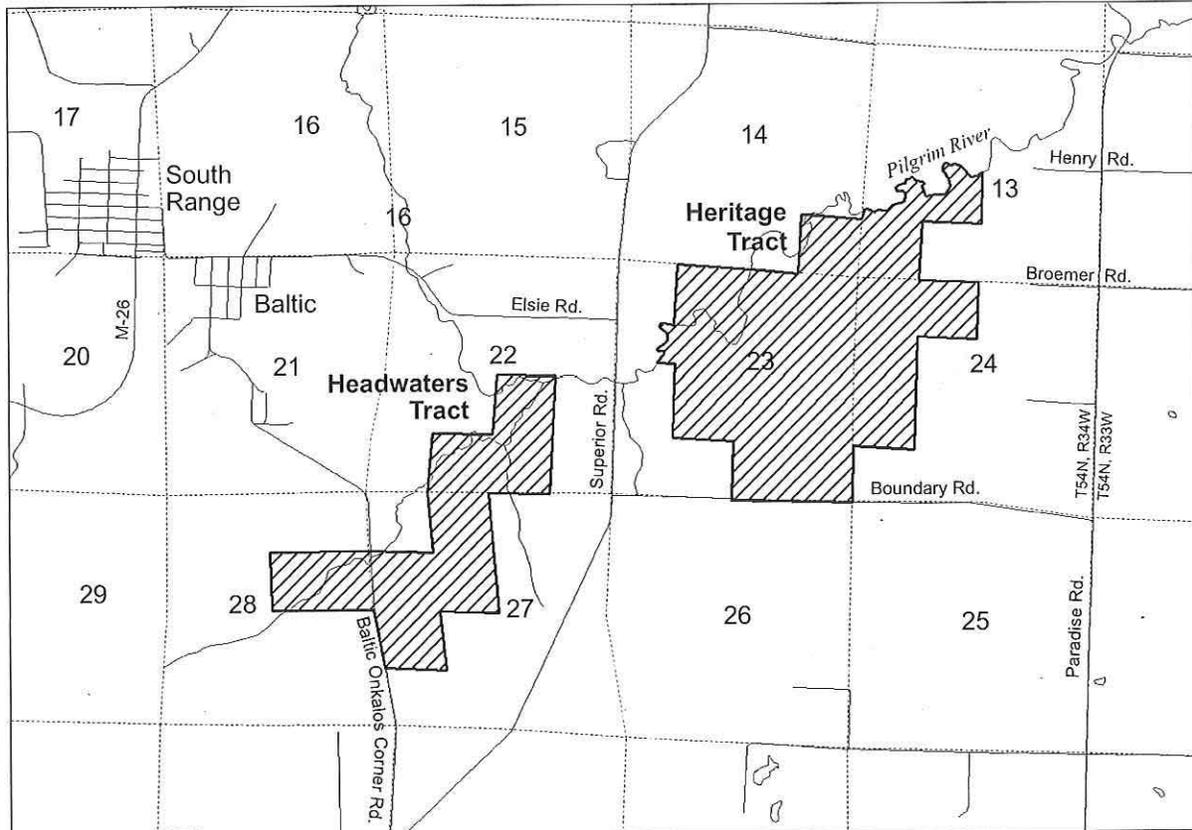
Keith Creagh
Director

9/14/17

Date Approved

FOREST RESOURCES CONSERVATION EASEMENT ACQUISITION

Baraga Management Unit – Houghton County
Land Transaction Case #20160097



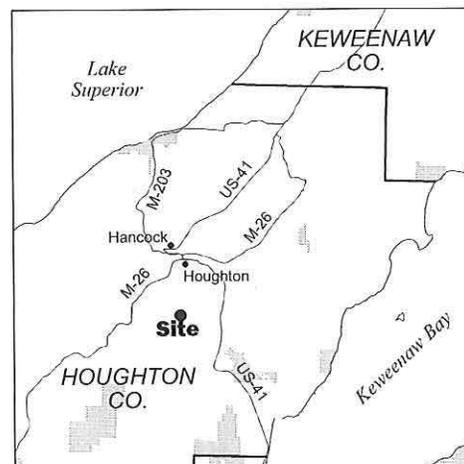
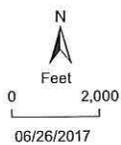
Sections 13-14, 22-24, 27-28, T54N, R34W, Portage Township

Conservation easements to be acquired by DNR

Heritage Tract: 732 acres

Headwaters Tract: 371 acres

Private land



DNR Project Boundaries



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



KEITH CREAGH
DIRECTOR

August 14, 2017

TO: Keith Creagh, Director

INFORMATION: Natural Resources Commission

Transaction: State Trail Acquisition
Little Lake-Chatham Snowmobile Trail – Alger County
The Richmond Tract
Land Transaction Case #20160118

Purchase: 3.08 acres more or less - \$25,000.00

Funding Source: Permanent Snowmobile Easement Subaccount and ORV Fund

PA 240 of 2012: PILT Estimate: \$193.09
This parcel is north of the Mason-Arenac County line and will result in an increase of 3.08 excluded acres.

Description: Alger County, Village of Chatham, Rock River Township T46N, R21W, Section 28; described at the following Alger County Records:

- Liber 74 on Page 63 with the exception of the parcels as described in Liber 102 on Page 531, and Liber 153 on Page 248.
- Liber 161 on Page 194.
- Liber 161 on Page 196.

Seller: Richmond and Hawley, Inc., Limestone, Michigan.

Special Conditions: The Department, under provisions of state law, Sections 20126 and 20107a of the Natural Resources and Environmental Protection Act, Act 451 of 1994, while not liable with respect to possible contamination when using the property for a transportation corridor, or public right of way, shall undertake due care obligations as necessary.

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 5, 2017, calendar, and is eligible for approval on September 12, 2017.

Management Purpose: The land will be managed by the UP Region of the Trails Section as part of the Little Lake-Chatham Snowmobile Trail.

Comments: The offered property fills a 740-foot gap in state ownership along the Little Lake-Chatham Snowmobile Trail, a major east-west recreational corridor across the Upper Peninsula (UP). The site also provides a suitable location for a trailhead for multiple trail users.

August 14, 2017

This acquisition will contribute to achieving Department and division goals and strategies by helping to secure continuous access to a major east-west recreational corridor across the UP.

The seller will convey mineral rights if owned.

Engagement: Department staff members have met twice with representatives of Rock River Township and the Village of Chatham to discuss the trailhead concept, future plans to designate the route for ORVs, and provide continuous access for trail users. The Township and Village are both in unanimous support of the acquisition.

Recommendation: (1) That the recreational trail acquisition be approved, with one-third of the payment to be from the Permanent Snowmobile Easement Subaccount, and the remainder from the ORV Fund.

(2) That the land be dedicated as part of the Little Lake-Chatham Snowmobile Trail and administered by Parks and Recreation Division.



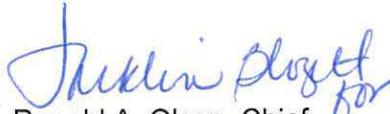
Russ Mason, Ph.D., Chief
Wildlife Division



Marc Miller, Acting 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

9/14/17

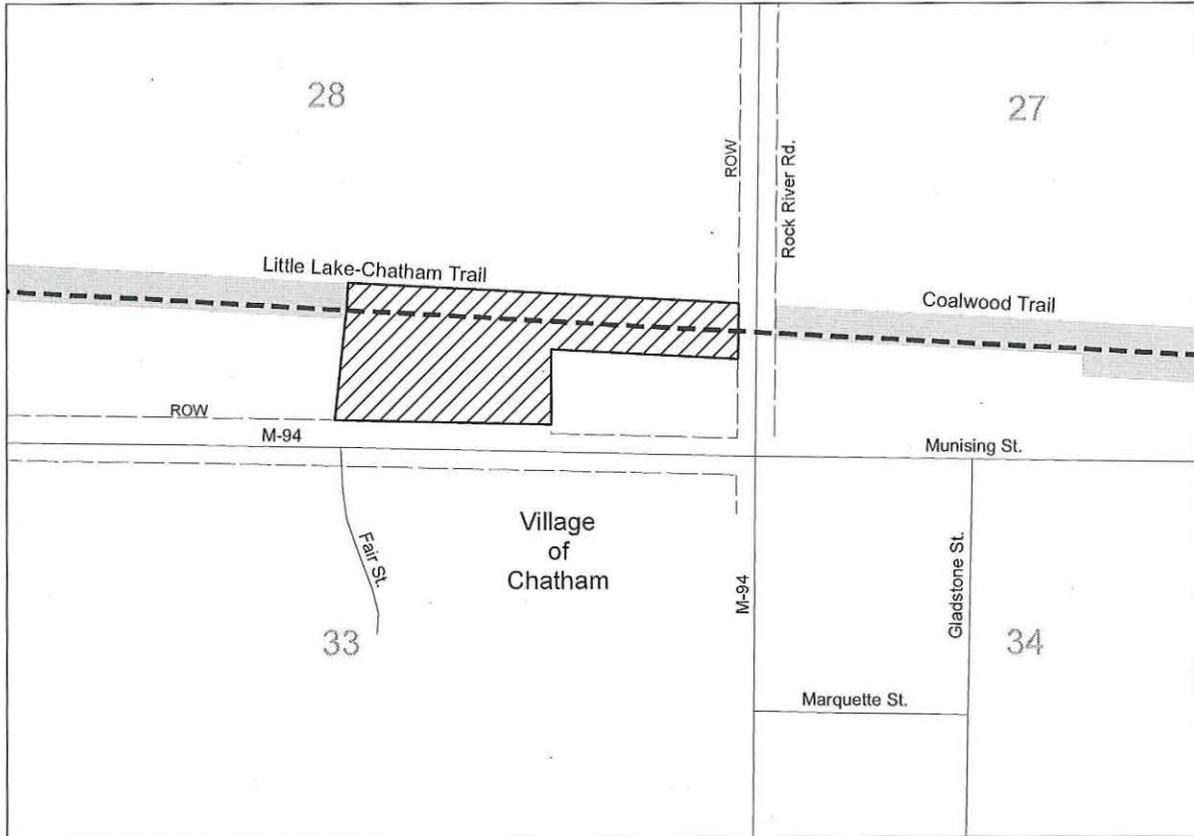
Date Approved

STATE TRAIL ACQUISITION

Little Lake-Chatham Snowmobile Trail – Alger County

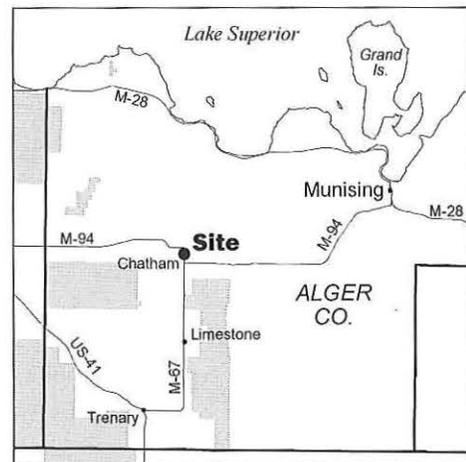
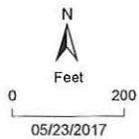
The Richmond Tract

Land Transaction Case #20160118



Section 28, T46N, R21W, Rock River Township

- Land to be acquired by DNR (3.08 acres +/-)
- State land
- Private land



DNR Project Boundaries