



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



DANIEL EICHINGER  
DIRECTOR

SUBMITTED: December 17, 2018  
RESUBMITTED: January 14, 2019

MEMORANDUM TO THE DIRECTOR

Information: Natural Resources Commission

Subject: Public Act 288 (PA 288) of 2016; Forest Road Inventory Proposed  
Changes in the Northern Lower Peninsula  
Land Use Orders of the Director Amendment No. 1 of 2019

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:

Under Part 721, Michigan Trailways, of the Natural Resources and Environmental Protection Act, the Department is required to:

1. Open forest roads to motorized use by the public unless designated otherwise by the Department pursuant to the procedure for a Land Use Order of the Director; and
2. Annually post to its website the total miles of forest roads open to motorized use and a map or maps of those forest roads.

Additionally, before the Department newly restricts a road from being used to access public land, the local unit of government shall be provided a written notice that includes the reason for the restriction.

On December 14, 2017, the Director approved Land Use Order of the Director (LUOD) Amendment No. 5 of 2017, for the Northern Lower Peninsula which identified forest roads open to off-road vehicle (ORV) use and an inventory of all forest roads in this region. On December 13, 2018, the Director approved Amendment No. 7 of 2018 identifying forest roads in the Upper Peninsula and Southern Lower Peninsula opened to ORV use and total miles of forest roads in these regions. The maps with the approved state-managed forest roads open and closed to ORV use are published online.

In an effort to ensure that the Department forest road inventory contains the most accurate information possible, Department staff will conduct field checks of the inventory on a regular basis. As a result of these efforts, ongoing refinements, error corrections and proposed changes to the data will occur on an annual basis. In addition, the Department will continue to work with and accept comments from members of the public, stakeholder organizations, local units of

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government officials and tribal entities, to consider proposed changes to ORV use on forest roads annually. And finally, Department staff will also continue to review forest road use, changing circumstances, land use patterns, resource protection, and other factors to ensure that arising issues are appropriately addressed. The maps will be updated annually to reflect any modifications that result from these efforts.

The process for proposing changes to the forest road inventory commenced in 2018 for the Northern Lower Peninsula and will be incorporated with the Upper Peninsula and Southern Lower Peninsula in 2019. Proposals for changing the forest road inventory and ORV use on forest roads can be initiated by Department staff or as a result of comments received from members of the public, stakeholder organizations, local units of government, or tribal entities. Proposed changes are vetted through a thorough review process that includes input from each of the Department resource managing divisions, notification to tribal entities and local units of government, and an opportunity for public input on the proposed changes.

As a result of implementing this process in the Northern Lower Peninsula, ground truthing revealed some road segments previously mapped did not exist on the ground or were mapped in error, roads that did not meet the definition of a forest road were included in the maps, and road segments that weren't originally mapped that should be added to the maps.

The Department proposal results in total forest road mileage changes as follows:

- After completion of the review process, the Department recommends closure of 3.4 miles of roads to ORV use for resource damage and protection reasons.
- 6,339.5 (84%) miles are to be open to ORV use in the Northern Lower Peninsula, which is a net increase of 31.5 miles open to ORVs from 2017. The percentage of roads open to ORVs did not change.

Total current miles of state forest roads in the Northern Lower Peninsula is 7591 miles, a net increase of 39 miles of road since 2017.

As required by PA 288, all 28 counties and 320 township officials in the affected area in Northern Lower Michigan were notified and made aware of potential changes in their governmental units and directed to the Department's forest roads website to see specific changes and reasons for restrictions. The Department received only one comment suggesting that it also notify all road commissions of these changes, which is not a requirement of the legislation. Tribal notification also occurred during this time.

The map with the approved state-managed forest roads that are open or closed to ORV use in the Northern Lower Peninsula will be published online by April 1, 2019. Signs will be posted on the state-managed forest roads closed to ORV use.

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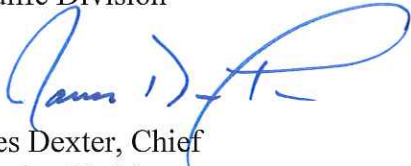
Relevant Divisions have contributed to the preparation of this order. This order is being submitted for information on January 10, 2019, at the Natural Resources Commission meeting. This item appeared on the Department's January calendar and may be eligible for approval on February 14, 2019.



Debbie A. Begalle, Chief  
Forest Resources Division



Russ Mason, Ph.D, Chief  
Wildlife Division



James Dexter, Chief  
Fisheries Division



Gary Hagler, Chief  
Law Enforcement Division



Ronald A. Olson, Chief  
Parks and Recreation Division



William O'Neill  
Natural Resources Deputy



# LAND USE ORDERS OF THE DIRECTOR

## **Amendment No. 1 of 2019**

By authority conferred on the Director of the Department of Natural Resources by Section 504 of the Natural Resources Environmental Protection Act, 1994 PA 451, as amended, MCL 324.504, and in accordance with R 299.921 to R 299.933, the Director of the Department of the Natural Resources orders the following:

### **9.1 State-owned lands, motorized vehicle use prohibited, exception.**

Order 9.1 (1) Unless otherwise provided in this chapter, an individual shall not operate a motorized vehicle, other than a snowmobile unless the motorized vehicle is operated on a forest road, designated route, designated trail, or designated area illustrated as open on the access map as published on the department website and dated April 1, 2019.

This amended order shall be posted on or after the 1st day of April, 2019.

Issued on this 14th day of February, 2019.



Daniel Eichinger  
Director



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING



DANIEL EICHINGER  
DIRECTOR

January 14, 2019

TO: Daniel Eichinger, Director

INFORMATION: Natural Resources Commission

Transaction: Sale of Surplus DNR-Managed Land  
Roscommon Management Unit – Ogemaw County  
Land Transaction Case #20180073

Sale: 1.11 acre

Sale Price  
(including fees): \$2,400.00

Description: Ogemaw County, Horton Township, T21N, R02E, Section 15:  
Part of the S 1/2 of the NE 1/4, more completely described in the case  
file.

PA 240 of 2018: The parcel is north of the Mason-Arenac line and will result in a  
decrease of 1.11 acres of DNR-managed lands.

Applicant(s): Gary and Patricia Eager, West Branch, 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) February 5, 2019 calendar, and is eligible for approval  
on February 12, 2019.

Acquired: By tax reversion in 1939.

Minerals: To be disposed.

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  
August 16, 2018.

Proceeds from the sale 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 land be sold to the applicant for \$2,400.00.  
(2) That the proceeds of the sale be deposited in the LEFF.  
(3) That the state retain aboriginal antiquities.



Russ Mason, Ph.D., Chief  
Wildlife Division



Deb Begalle, Chief  
Forest Resources Division



James L. Dexter, Chief  
Fisheries Division



Ronald A. Olson, Chief  
Parks and Recreation Division



William O'Neill  
Natural Resources Deputy



Mark H. Hoffman  
Chief Administrative Officer

I approve the staff recommendations.



Daniel Eichinger  
Director

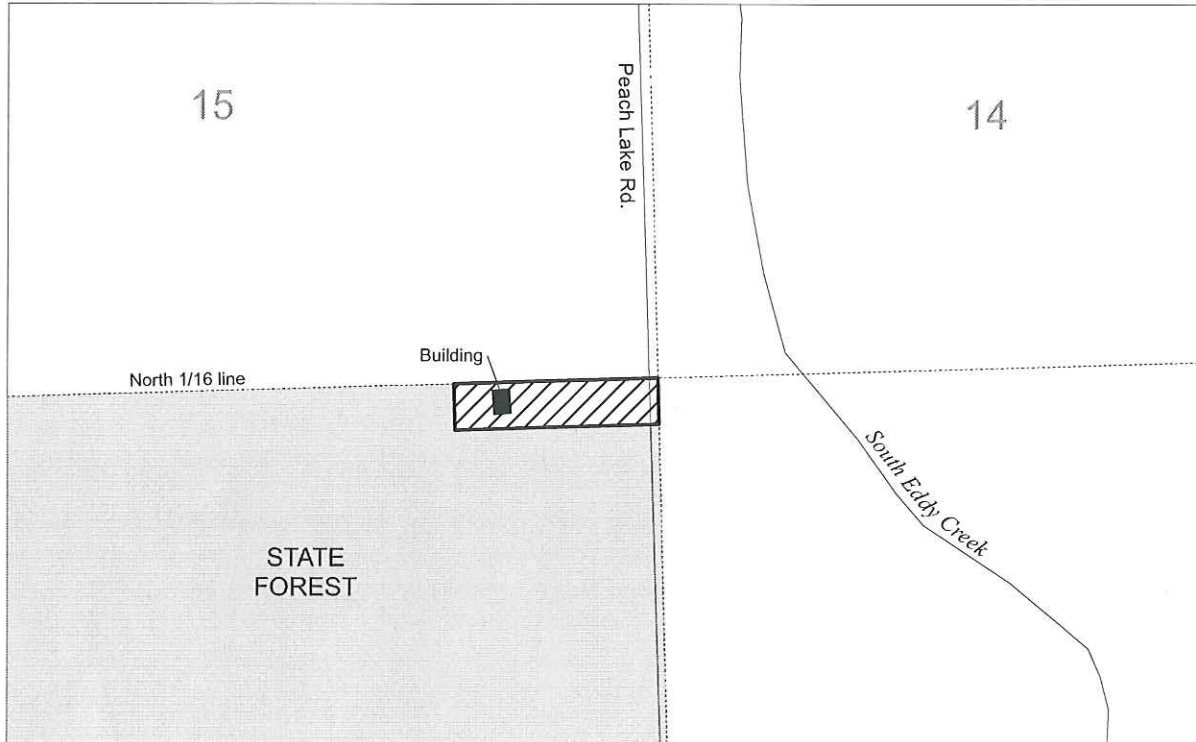


Date Approved




# SALE OF SURPLUS DNR-MANAGED LAND

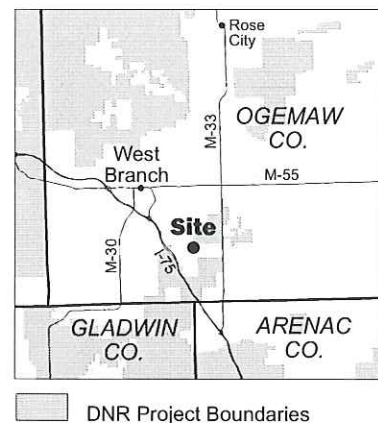
Roscommon Management Unit – Ogemaw County

Land Transaction Case #20180073



Section 15, T21N, R02E, Horton Township

-  Surplus DNR land to be sold (1.11 acres)
-  State land
-  Private land



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DANIEL EICHINGER  
DIRECTOR

January 14, 2019

TO: Daniel Eichinger, Director

INFORMATION: Natural Resources Commission

Transaction: State Forest Land Exchange  
Traverse City Management Unit – Leelanau County  
Leelanau Conservancy Exchange  
Land Transaction Case #20170034

Applicant: Leelanau Conservancy, Leland, Michigan

PA 240 of 2018: PILT Estimate: \$990.00. The parcels involved in the exchange are north of the Mason-Arenac county line and will result in an increase of 11.57 acres of DNR-managed lands.

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**Private Land Offered in Exchange:**

Acreage: 257.77 acres

Location: Leelanau County, Solon Township, T28N, R12W, Section 05:  
The SW 1/4 of the SE 1/4, and part of the SE 1/4 of the SW 1/4, more particularly described in the case file.  
Section 08: The E 1/2 of the East 1/2 of the NW 1/4; and part of the N 1/2 of the SW 1/4, more particularly described in the case file.  
Section 16: The NE 1/4 of the NE 1/4.  
Section 20: The NE 1/4 of the NE 1/4.  
Section 21: Part of the SW 1/4 of the NW 1/4, more particularly described in the case file.

Value: \$ 230,000.00

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**State Land Desired in Exchange:**

Acreage: 246.20 acres

Location: Leelanau County, Solon Township, T28N, R12W  
Section 09: The NE 1/4 of the SE 1/4; the NE 1/4 of the SW 1/4; the NW 1/4 of the SE 1/4; and the SE 1/4 of the NW 1/4  
Section 10: Lot 3 (E 1/2 of the SW 1/4) and Lot 4

Value: \$ 197,000.00

- Authority: Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.
- Notice: This item will appear on the Department of Natural Resources (Department) February 5, 2019 calendar and is eligible for approval on February 12, 2019.
- Comments: The proposed land exchange will consolidate ownership for both parties, reducing the amount of private property line administration, as well as improving access to the area.
- The desired state-owned land will be subject to a reservation unto the People of the State of Michigan the right to access the property to allow for hunting, fishing and trapping.
- The desired state lands were acquired by tax reversion in 1939 and 1941, and by a State Game Fund purchase in 1944.
- The state will convey mineral rights on the desired land. The applicant will convey mineral rights to the extent they are owned. The applicant owns 100% of the mineral rights on 177.59 acres and 50% of the mineral rights on the 36 acres in Section 21. The applicant does not the mineral rights on the 44.18 acres located in the SW 1/4 of Section 08.
- The proposed land exchange was reviewed and recommended for approval by the Land Exchange Review Committee on February 15, 2018.
- Engagement: Solon Township and Leelanau County will be notified as required by PA 240 of 2018.
- Recommendation(s):
1. That the exchange be approved, with the state reserving aboriginal antiquities on the desired land.
  2. That the offered land be dedicated as part of the Traverse City 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



William O'Neill  
Natural Resources Deputy



Mark H. Hoffman  
Chief Administrative Officer

I approve the staff recommendations.



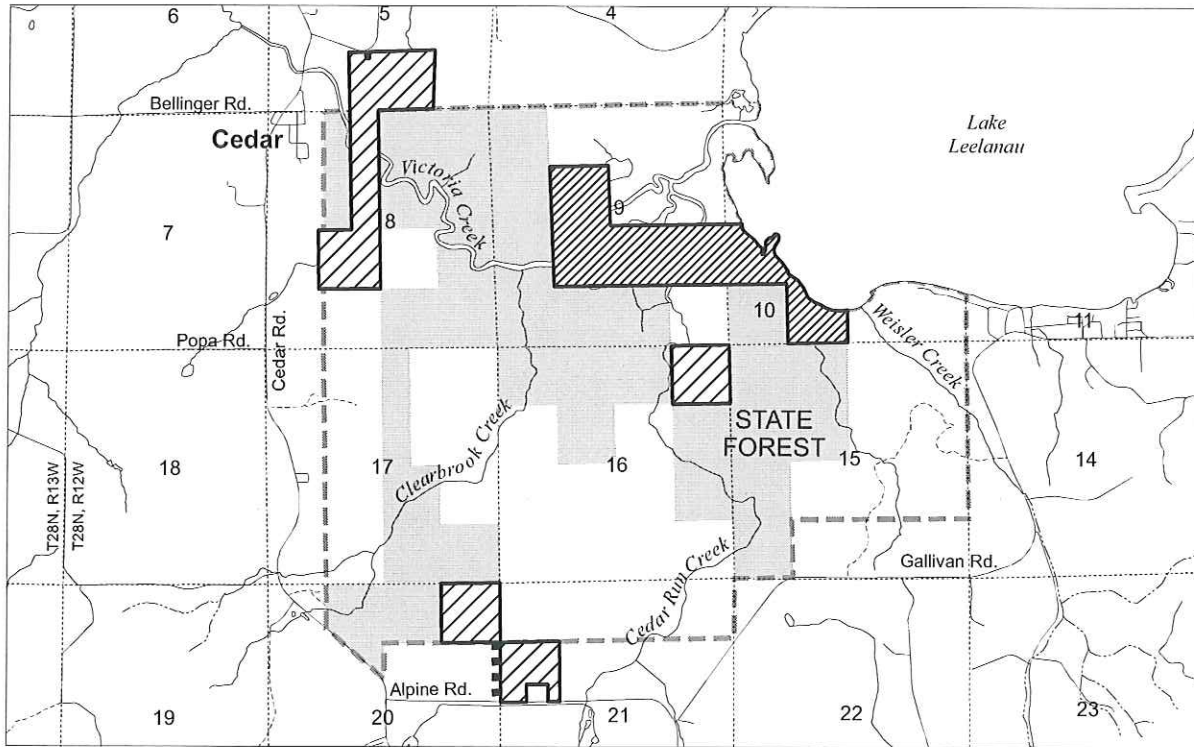
Daniel Eichinger  
Director

2/14/19

Date Approved

# STATE FOREST LAND EXCHANGE

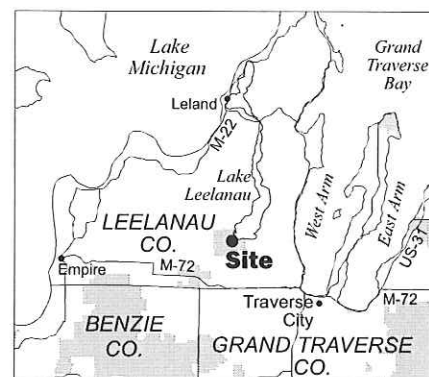
Traverse City Management Unit – Leelanau County  
Land Transaction Case #20170034



Sections 5, 8-10, 16, 20-21, T28N, R12W, Solon Township

- State land desired from DNR (246.20 acres)
- Land offered to DNR in exchange (257.77 acres)
- State land
- Private land
- Easement offered to DNR for access from county road (not drawn to scale on map)
- DNR Project Boundary

N  
Feet  
0 2,000  
01/07/2019



DNR Project Boundaries





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LANSING



DANIEL EICHINGER  
DIRECTOR

January 14, 2019

TO: Daniel Eichinger, Director

INFORMATION: Natural Resources Commission

Transaction: State Forest Land Exchange  
Gaylord Management Unit – Otsego County  
Nowicki Exchange  
Land Transaction Case #20170137

Applicant: Kenneth P. Nowicki, Gaylord, Michigan.

PA 240 of 2018: PILT Estimate: \$161.00. The parcels involved in the exchange are north of the Mason-Arenac county line and will result in a decrease of 1 acre of DNR-managed lands.

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**Private Land Offered in Exchange:**

Acreage: 40 acres

Location: Otsego County, Chester Township, T30N, R02W, Section 26:  
The NW 1/4 of the SE 1/4

Value: \$ 44,000.00

Payment at Closing  
(including fees): \$ 24,200.00

Total Compensation  
to be Provided by  
Applicant: \$ 68,200.00

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**State Land Desired in Exchange:**

Acreage: 41 acres

Location: Otsego County, Otsego Lake Township, T29N, R03W, Section 14:  
All that part of the NW 1/4 lying east of the centerline of Chub Lake Drive.

Value: \$ 66,000.00

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

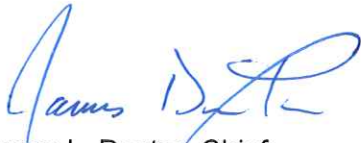
- Notice: This item will appear on the Department of Natural Resources (Department) February 5, 2019 calendar, and is eligible for approval on February 12, 2019.
- Comments: The desired state-owned land is part of an isolated 160-acre block of state ownership with limited recreational potential. The offered parcel is adjacent to state-owned land on three sides and will consolidate ownership in an area where recreation is evident.
- The desired state land was acquired by tax reversion in 1939.
- The state will retain mineral rights on the desired parcel due to an active mineral lease. The applicant will retain mineral rights on the offered parcel.
- The proposed land exchange was reviewed and recommended for approval by the Land Exchange Review Committee on October 19, 2017. This approval was tentative, based on additional information being provided by the applicant regarding the existing mineral lease. Deputy O'Neill gave a final recommendation for approval on July 18, 2018.
- Engagement: Certified letters were mailed to Otsego County and Chester and Otsego Lake Townships on October 30, 2017. No concerns were expressed regarding this transaction.
- 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 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



William O'Neill  
Natural Resources Deputy



Mark H. Hoffman  
Chief Administrative Officer

I approve the staff recommendations.



Daniel Eichinger  
Director

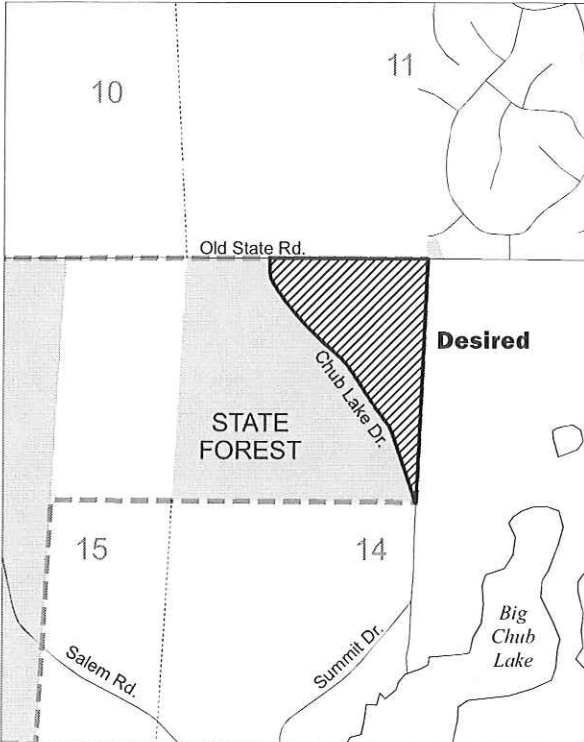


Date Approved

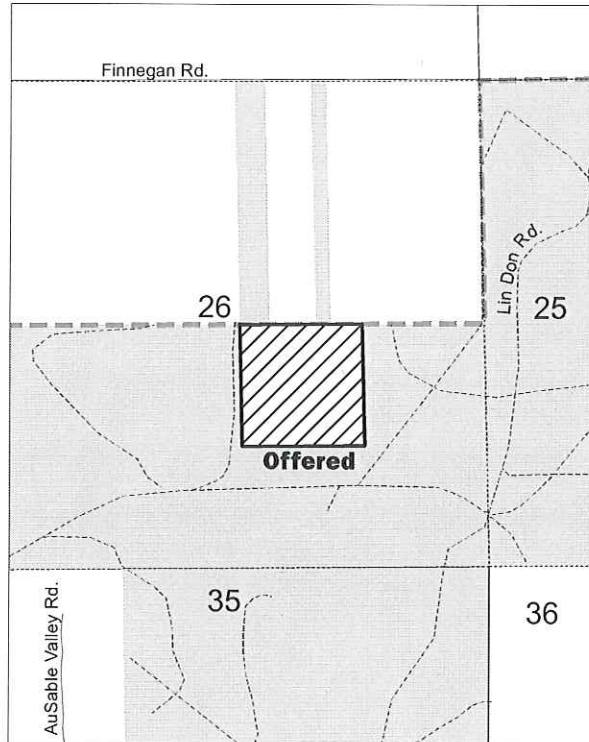
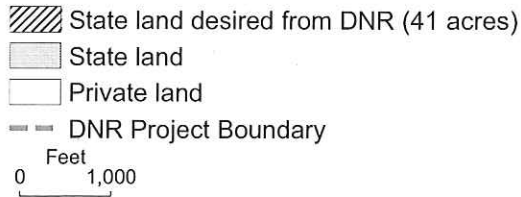
# STATE FOREST LAND EXCHANGE

Gaylord Management Unit – Otsego County

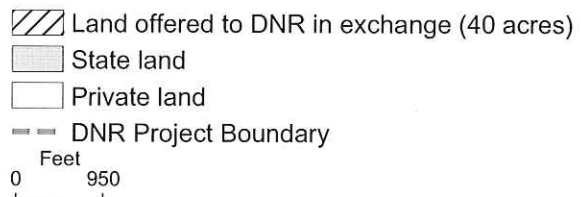
Land Transaction Case #20170137



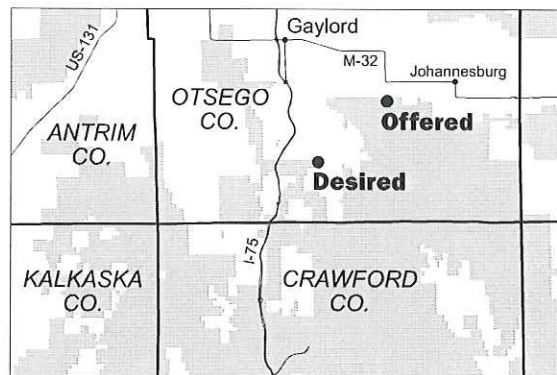
Section 14, T29N, R03W, Otsego Lake Township



Section 26, T30N, R02W, Chester Township



N  
10/22/2018



DNR Project Boundaries

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