



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



M. SCOTT BOWEN
DIRECTOR

August 20, 2024

VIA E-MAIL

Chestonia Township Board
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Dear Chestonia Township Board Members:

The Department of Natural Resources (DNR) has reviewed the proposed Chestonia Township Ordinance to be considered by the Chestonia Township Board on August 22, 2024. The proposed ordinance would open county roads in the Jordan Valley, that are within Chestonia Township, to Off-Road Vehicle (ORV) use. We appreciate the opportunity to review this proposal and submit comments for consideration at your board meeting.

As the steward of the majority of land adjacent to the subject roads, DNR staff from multiple divisions that work in the Jordan Valley management area gave thoughtful consideration to this proposal. Upon review, we do not believe that opening Jordan Valley Road or any associated connecting roads that are currently closed to ORV use is prudent and we recommend that these roads remain closed to ORVs. Our concerns include potential natural resource damage, adverse impacts to the natural character of the area, conflict with established uses, law enforcement, human safety, and maintenance challenges as outlined below.

Natural resource damage associated with ORVs leaving the road

- Considering the topography, water features, and sensitive soils of adjacent lands in the Jordan Valley, significant erosion problems and other damages are likely to occur on adjacent DNR-managed State land if ORV use is opened to county roads.
- DNR staff have observed inappropriate use and natural resource damage caused by ORVs around many old sand trap areas and anticipate a similar problem in the Jordan Valley if it is opened to this use.
- The Jordan River is very close to county roads in some locations and ORV use would likely result in users riding off trail and into the river, causing extensive natural resource damage.

Change to the natural character of the area

- DNR staff believe that opening country roads adjacent to the Jordan River to ORV use is inconsistent with the Jordan River's Natural River designation. The Jordan River is Michigan's first designated Natural River, gaining protection in 1972. Natural River designation protects both the river and lands adjacent to the river. Per the Jordan River Natural River Management Plan, the primary purpose of Natural River designation is to protect the wild-scenic qualities of the river while permitting certain appropriate uses consistent with the designation. ORV use on county roads near the Jordan River will likely result in not only natural resource damage but also adversely affect the experience of anglers, hunters, and other recreational users in the Natural Rivers corridor because of increased noise, dust, traffic, resource damage, and potential user conflicts.

- In addition to the Jordan River Natural River Management Plan, the DNR's Jordan Valley Management Plan was written in the mid-1970s in collaboration with local communities. The original management emphasis, which still exists today, is "To manage and control use in order to maintain and enhance the environmental integrity of the Jordan River Valley, with special emphasis on quiet recreational use." Management of this areas focuses on the intent of preserving the land for multi-use outdoor recreation in a near-natural setting
- Jordan Valley Road runs through an undisturbed tract of land, something that is rarely found in the northern lower peninsula. This is one of a small number of areas, such as the Pigeon River Country, which allow recreational users a respite from most motorized use. Rather than open this new area, we recommend ORV use be directed towards numerous other State Forest roads in the immediate vicinity of the Jordan Valley which are open to ORV use.

Conflict with established use and other users

- The use of ORVs in the Jordan Valley will likely result in conflicts with other recreational users such as hunters and trail users. There is heavy hunting pressure with the Jordan River management area at different points throughout the year, with hunters coming specifically to hunt large tracts of well-managed timber in a relatively undisturbed and quiet setting. This area is valued by hunters and trappers, as well as mushroom foragers, campers, hikers, and bird watchers for its management emphasis on quiet recreational use.

Law enforcement and human safety

- It is known that a percentage of ORV users will not stay on trails, ignore signs prohibiting ORV access, and ride through wetlands and waterways causing excessive natural resource damage. Antrim County does not conduct ORV enforcement, leaving the DNR as the only law enforcement entity available to address illegal ORV use for protection of environmentally sensitive areas within the Jordan Valley. Furthermore, enforcement of this type of illegal activity is generally very difficult due to the mobility of ORVs, remoteness of enforcement areas, and the vast number of areas that need to be patrolled on a continual basis.
- The Jordan Valley is bordered by US 131, M-66 and State Forest roads that are not open for use by ORVs. There are currently very few legal ingress and egress points. Opening the area will increase the illegal operation of ORVs on closed State Forest roads and along highways. As mentioned previously, enforcement of illegal ORV use in these widespread areas is solely dependent on the DNR.
- The lack of routes for ORVs to access the area legally will result in the need for trailering in recreational vehicles to the Jordan Valley. There currently is a lack of adequate and safe parking on DNR-managed state land along county roads within the Jordan Valley to accommodate ORVs and their trailers.
- There is a designated snowmobile trail on the county roads proposed to be opened for ORV use. The use of ORVs such as side-by-sides on the groomed trail during snowmobile season is a significant safety concern due to existing blind curves and the narrowness of the designated snowmobile trail.

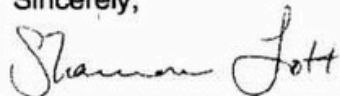
Maintenance

- The Jordan Valley Trail shares the county road system and is part of the state designated snowmobile trail system. As such, it requires more maintenance and upkeep by the Antrim County Road Commission than is typical for a seasonal county road and there is limited funding from the DNR's snowmobile program to assist. Allowing ORV operation on county roads within the Jordan Valley will increase maintenance needs that cannot be subsidized by the DNR and will likely lead to additional Antrim County Road Commission responsibility.

Instead of opening Jordan Valley Road or any associated connecting roads to ORV use, we recommend that these roads remain closed to ORVs. ORV users should be encouraged to use the vast majority of county and forest roads that are currently legally open to ORV operation in the Northern Lower Peninsula through Public Act 240 (county roads) and Public Act 288 (state forest roads). Throughout this area, there are only a few hundred miles of roads closed to ORV use, and these areas are closed primarily to prevent potential conflict with other users and natural resource damage. Additionally, there are current local initiatives to designate an ORV route and/or trail in the local vicinity outside of the Jordan Valley in both Antrim and Charlevoix counties. For example, at least one approval has already been granted from the Michigan Department of Transportation to utilize a short segment of M-32 for access to other already open State Forest and county roads north of the Jordan Valley.

Thank you for your consideration of our comments on the proposed ordinance. DNR staff welcome any questions regarding our comments or continued dialogue on this matter after the hearing. Please contact Mr. Brian Bury, DNR Fisheries Division Natural Rivers Administrator, at buryb@michigan.gov and your questions and/or comments will be shared with the appropriate DNR staff member(s) for response.

Sincerely,



Shannon Lott
Natural Resources Deputy
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cc: Ms. Andrea Albert, DNR
Mr. Brian Bury, DNR
Mr. Scott Heintzleman, DNR
Ms. Heather Hettinger, DNR
Mr. Richard Hill, DNR
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Mr. Lucas Merrick, DNR
Ms. Jessica Mistak, DNR
Ms. Paige Perry, DNR
Mr. William Webster, DNR
Mr. Jeremy Wood, DNR