

DEPARTMENT OF NATURAL RESOURCES

PARKS AND RECREATION DIVISION

**PURE MICHIGAN TRAIL, WATER TRAIL, AND TRAIL TOWN
DESIGNATION**

(By authority conferred on the director of the department of natural resources by section 72112 of 2014 PA 210, MCL 324.72112)

R 324.1451 Definitions.

Rule 1. (1) As used in these rules:

(a) "Access site" means public or private land where it is legal for the public to access, launch, and land a boat into and from its adjoining waters. An access site has at least some legal parking along a public roadway. Access sites may be rest areas and may include amenities.

(b) "Act" means Part 721 of 1994 PA 451, MCL 324.72101 to 324.72118.

(c) "Easily accessible" means within 2 miles of the trail unless otherwise designated in these rules.

(d) "Formally adopted" means adopted by resolution of the governing body overseeing the trail or the city, village, or township seeking a Pure Michigan designation.

(e) "Lodging" means a place to sleep, including but not limited to, a designated campsite, hut, shelter, or other licensed overnight accommodation.

(f) "Rest areas" means places where it is permissible to leave the water and may have amenities such as restrooms, trash receptacles, and picnic tables. Rest areas may be access points.

(g) "Staging area" means public or private land where it is legal for the public to assemble and access a right-of-way adapted to foot, horseback, motorized, or other nonmotorized travel and provides some legal parking along a public roadway.

(h) "Trailhead" means public or private land where it is legal for the public to access a right-of-way adapted to foot, horseback, motorized, or other nonmotorized travel and provides some legal parking along a public roadway.

(2) A term defined in Act has the same meaning when used in these rules.

History: 2018 AACS.

Editor's Note: An obvious error in R 324.1451 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in *Michigan Register*, 2018 MR 9. The memorandum requesting the correction was published in *Michigan Register*, 2018 MR 9.

R 324.1452 Nomination process.

Rule 2. (1) To nominate a trail, water trail, or trail town for a Pure Michigan designation, an individual, local unit of government, authority, or non-profit shall

complete an electronic form available on the department's website and include all of the following:

(a) A description of how the nominated trail, water trail, or trail town meets the requirements identified in section 72103 or 72104 of the Act and these rules.

(b) A description of the natural resources, cultural resources, historic resources, attractions to non-resident users, or any other factors that make the trail, water trail, or trail town an iconic example of its type.

(c) A description of whether the trail, water trail, or trail town meets standards determined and approved by the department.

(d) For a trail town nomination, evidence of sufficient funds to erect and maintain an official Pure Michigan Trail Town sign and logo.

(e) If the nominated trail has not been completed, evidence of sufficient funds and governmental support to complete the trail within 1 year after receiving a Pure Michigan Trail designation.

(2) The department shall review the nomination. If the nomination meets the criteria identified in section 72103 or 72104 of the Act and these rules, the department shall forward the nomination to the Michigan Economic Development Corporation for a Pure Michigan license.

(3) Upon receipt of a Pure Michigan license, the department shall proceed with the process as provided in the Act.

History: 2018 AACCS.

Editor's Note: An obvious error in R 324.1452 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in *Michigan Register*, 2018 MR 9. The memorandum requesting the correction was published in *Michigan Register*, 2018 MR 9.

R 324.1453 Requirements for designation; trail; water trail.

Rule 3. (1) The department shall consider a trail or water trail for a Pure Michigan designation if the trail or water trail meets the requirements established in section 72103 of the Act, and the following requirements:

(a) The trail or water trail is open for use by the public and publicly available access sites, staging areas, trailheads, and rest areas are appropriately spaced for the type of trail.

(b) The trail or water trail is identified on a website with a map that can be printed and is appropriately signed to make the user aware of all of the following:

(i) The location and length of the trail or water trail.

(ii) Hazards and level of difficulty of the trail or water trail.

(iii) Amenities related to the trail or water trail, including easily accessible access sites, staging areas, trailheads, rest areas, lodging, eating facilities, and other recreational opportunities.

(c) The trail or water trail is appropriately signed, including pictures as appropriate, to do all of the following:

(i) Make users aware of their location on the trail or water trail.

(ii) Make users aware of easily accessible access sites, staging areas, trailheads, rest areas, trail amenities, lodging facilities, and eating facilities as well as hazards, towns, and emergency contacts.

(iii) Encourage safety and respect for the environment.

(d) Unless the trail or water trail is primarily a looped trail or water trail or otherwise intended for the user to return to his or her vehicle in 1 day or less, lodging facilities appropriate to the type of trail or water trail users are available for at least the following:

(i) Every 12 miles for trails primarily used by walkers.

(ii) Every 12 miles for trails located upon water.

(iii) Every 15 miles for trails primarily used by cross country skiers.

(iv) Every 40 miles for trails primarily used by bikers.

(v) Every 40 miles for trails primarily used by equestrians.

(vi) Every 100 miles for trails primarily used by snowmobile or ORV riders.

(e) The trail or water trail is designed so that increased use of the trail or water trail will not degrade the local experience, cultural resources, or the environment. Applicants shall identify the designs applied to ensure sustainability of the trail or water trail.

(f) At a minimum, for a water trail, the water body shall meet water quality use designations for Partial Body Contact standards, as established by Michigan department of environmental quality, in addition to the requirements established by section 72103(3)(c) of the Act.

(g) The trail or water trail has a formally adopted plan that does the following:

(i) Identifies the existing and planned amenities associated with the trail or water trail and how those amenities will be maintained and enhanced.

(ii) Establishes a schedule for the maintenance of the trail or water trail that identifies funding sources and the party or parties responsible for maintaining the trail or water trail and discouraging vandalism.

(iii) Includes programming and educational activity associated with the trail or water trail that allow or increase enjoyment of the trail or water trail, understanding of the natural, cultural, and historic resources related to the trail or water trail, boating skills, outdoor ethics and, for a water trail, efforts to improve the quality of the waterway and its water.

(iv) Identifies a mechanism to evaluate the economic impact of the trail or water trail at least every 5 years that includes an understanding of users and where they live, impact on area businesses, and money spent in conjunction with trail or water trail use.

(v) Includes a marketing plan for the trail or water trail.

(h) The trail or water trail has a resolution of support of the designation of the trail or water trail as a Pure Michigan Trail or Water Trail by the local unit of government, authority, or non-profit that is primarily responsible for the trail or water trail.

(i) The trail or water trail is supported, managed, and maintained by 1 or more organizations. If the trail or water trail is supported, managed, and maintained by more than 1 organization, the organizations shall enter into a written agreement with each other. The organizations shall be broadly representative of the community, including recreation, education, conservation, heritage, business, public safety, health, and government organizations and shall obtain permission from all persons or entities that have an ownership interest over any portion of the trail or water trail.

(j) The trail or water trail is part of the statewide trail network.

(2) The department may consult with the Michigan economic development corporation when considering a trail or water trail nomination for a Pure Michigan designation.

History: 2018 AACCS.

Editor's Note: An obvious error in R 324.1453 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in *Michigan Register*, 2018 MR 9. The memorandum requesting the correction was published in *Michigan Register*, 2018 MR 9.

R 324.1454 Requirements for designation; trail town.

Rule 4. To be considered for a Pure Michigan Trail Town designation, a city, village, or township shall meet the requirements established in section 72104 of the Act and the following requirements:

(a) The city, village, or township has a formally adopted plan for marketing the trail or water trail and evidence of implementation of that plan. The plan may be part of a trail or water trail marketing effort that includes this state, other trail towns, or other trail marketing efforts.

(b) The city, village, or township has a plan to evaluate the economic impact of a Pure Michigan Trail Town designation every 5 years.

History: 2018 AACCS.

Editor's Note: An obvious error in R 324.1454 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in *Michigan Register*, 2018 MR 9. The memorandum requesting the correction was published in *Michigan Register*, 2018 MR 9.

R 324.1455 Application review; notification; designation.

Rule 5. The department shall review applications for a Pure Michigan designation for consistency with the requirements established in the Act and these rules, and notify the petitioner whether the director approved the Pure Michigan designation. The department shall keep a list of the active Pure Michigan Trails, Water Trails, and Trail Towns on its website.

History: 2018 AACCS.

Editor's Note: An obvious error in R 324.1455 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in *Michigan Register*, 2018 MR 9. The memorandum requesting the correction was published in *Michigan Register*, 2018 MR 9.

R 324.1456 Generally accepted trail standards.

Rule 6. The generally accepted trail standards shall be determined and approved by the department.

History: 2018 AACCS.

Editor's Note: An obvious error in R 324.1456 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in *Michigan Register*, 2018 MR 9. The memorandum requesting the correction was published in *Michigan Register*, 2018 MR 9.

R 324.1457 Expiration, re-designation, and revocation.

Rule. 7. (1) A Pure Michigan Trail, Water Trail, or Trail Town designation shall expire every 5 years.

(2) Unless re-designated, all trademarked Pure Michigan materials shall be removed by the governing body overseeing the trail, water trail, or the city, village, or township within 60 days of expiration of the Pure Michigan designation.

(3) A nominee may seek re-designation upon a form available on the department's website.

(4) Before approving a nominee's re-designation, the department shall inspect the trail, water trail, or trail town and evaluate the success of the trail, water trail, or trail town and related marketing plans by reviewing the economic impact report.

(5) If, after inspection and evaluation, the department determines that the trail, water trail, or trail town warrants re-designation based on continued compliance with these rules, the department shall recommend to the Michigan economic development corporation the licensing of the trail, water trail, or trail town with the Pure Michigan brand.

(6) A Pure Michigan Trail, Water Trail, or Trail Town designation may be revoked by the director under the Act.

History: 2018 AACCS.

Editor's Note: An obvious error in R 324.1457 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in *Michigan Register*, 2018 MR 9. The memorandum requesting the correction was published in *Michigan Register*, 2018 MR 9.