



Michigan Department of Natural Resources
APPLICATION/PERMIT TO USE STATE LAND
INSTRUCTIONS

Hereinafter, the Michigan Department of Natural Resources shall be referred to as "Department," and the Permit Applicant shall be referred to as "Permittee."

1. **Application and Review Fee** Each application to use state land must be accompanied by a non-refundable Application and Review Fee as specified in the *State Surface Land Use Fee Schedule* (IC1141). The fee must be submitted in the **minimum** amount specified; however the Department may determine that an additional Review Fee may be applicable after review and will advise the Applicant.
2. **Monitoring Fee** In addition to the Application and Review Fee, there may be a monitoring fee required to cover the Department's costs of monitoring any approved use of state land.
3. **Use Fee** There may be a fee associated for any approved use of state land.
4. **Proposed Use/Type of Use** Applicant shall clearly and concisely state the proposed use of the state-owned land by completing the *Application/Permit to Use State Land* (PR1138 or PR1138-1), and attach supplemental information, as needed.
5. **Proposed Use Information**
 - a. Provide complete date and time information for your proposed use.
 - b. Identify the state lands, trails or Department facility requested for the proposed use.
 - c. Attach location map(s).
 - d. Provide estimated number of participants/users.
 - e. Provide estimated number of recreational units (motor homes, camping trailers, shelters, or tents).
 - f. "Recreational unit" means a tent or vehicular-type structure, designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power, or is mounted on or drawn by another vehicle which is self-powered.
 - g. Detail alternative locations which were considered for your proposed use and state why they are not usable.
6. **Environmental Assessment** The Department will advise if an environmental assessment is needed to provide information necessary to complete your application.
7. **Insurance** Applicant shall furnish to the Department, **prior to issuance of written permission**, a policy of liability insurance which provides as follows:
 - a. Names of insured, the applicant, its officers, employees, and agents;
 - b. Coverage against all known and unknown hazards arising from the acts and omissions of the applicant, its officers, employees, and agents;
 - c. Coverage for applicant's contractually assumed obligation to indemnify and hold harmless the State of Michigan, its departments, officers, employees and agents;
 - d. A term of coverage for not less than the term of use;
 - e. Liability insurance coverage with respect to personal injury, death, and property damage in the limits described in the Insurance Requirements for Users of State Land, (pages 2 and 3), and
 - f. That the policy will not be cancelled, or its provisions modified or deleted, unless and until the insurer first sends thirty (30) days' written notice to the Department representative named on Permit.
8. **Performance Bond** A cash or surety bond shall be provided by the applicant prior to issuance of the permit, as a guarantee of faithful performance of the conditions of the permit. As soon as security for the performance of the terms and conditions of the permit or the settlement of claims incident thereto is no longer necessary, deposits in lieu of surety or cash bond will be returned to the applicant/permittee.
9. **Camping Outside a Designated Campground** If camping involves five (5) or more sites (thirty-two or more individuals or five (5) or more recreational units), a Temporary Campground Permit must be obtained from the local county health department. Copies of the permit must be provided to the Department before use.
10. **Permittee** shall have a permit copy available for inspection when operating on state-owned land.
11. **Permission** for use shall expire on the date indicated, unless sooner terminated.
12. **Payment** in the amount specified shall be made prior to use of land indicated, or in installments as indicated.
13. **Permittee** shall comply with all applicable (including, but not limited to, all environmental) laws, regulations and codes and will obtain any necessary permits in connection with its use of the premises.



INSURANCE REQUIREMENTS FOR USERS OF STATE LAND

The following list represents the broad spectrum of use activities for which Land Administering Divisions (LAD) issue Use Permits, Leases, Concession Agreements, and other forms of written permission.

STATE OF MICHIGAN SPONSORSHIP

If the use activity or event is sponsored/hosted by the LAD or its management unit, then liability insurance may not be necessary. Staff should contact the LAD Lansing office for further guidance.

ALL OTHER TYPES OF USE

The following guidance shall apply to use activities or events sponsored or conducted by groups or individuals other than the State of Michigan. Some of the activities listed do not require a Use Permit, Lease, Concession Agreement or other written permission. If the unit manager or LAD determines that a Use Permit should be issued, insurance coverage may be required. The use activities and event types listed below have been categorized into "risk factor groups." The groupings have a dollar figure attached which represents the amount of liability insurance the Department requires for activities listed within that grouping. Other types of insurance may also be required as noted.

DEFINITIONS:

- Aggregate: This represents the total monetary amount an insurance company would be obligated to pay during the entire event, no matter how many individual accidents may occur.
- Per Occurrence: This represents the amount of money an insurance company would be obligated to pay for **each** accident that occurs during the entire event, no matter how many individual accidents may occur.

When an insurance policy is required, the policy must specifically state that the State of Michigan, its departments, boards, agencies, commissions, officers, and employees are included as additional insureds. Groups that have "standard" policies must obtain a specific amendment to the policy for the use activity or event. A copy of the Proof of Insurance must be in the possession of the Permittee, Lessee or Concessionaire before and during the activities outlined in the Use Permit, Lease or Concession.

The liability insurance requirements are based on year 2000 pricing standards which will be adjusted periodically. These guidelines are intended to be used when issuing the standard Use Permit, Lease or Concession Agreement and are as follows. The risk category for the listed types of uses and others not listed may vary dependent on the size of the activity, the intensity of use and other factors. Also, not all listed activities are permissible uses on all Lands. If you are unable to determine the risk factor grouping for an unlisted activity, contact the LAD Lansing office for further guidance.

VERY LITTLE RISK <u>Use Permit MAY Not BE Required</u> (opt at LAD discretion)	NO INSURANCE REQUIRED
<i>Examples:</i> Family Reunions/Company Picnics w/o attractions* Day Camps Boy/Girl Scout picnics/banquets Environmental Classes Geocaching	<i>Examples:</i> Hunting Guides Wedding/Reception <i>(if park shelter or temporary shelter is NOT used)</i> Volunteer Groups, without power tools Dry Hydrant
VERY LITTLE RISK <u>Use Permit Required**</u>	NO INSURANCE REQUIRED
<i>Examples:</i> Snowshoe Activities	<i>Examples:</i> Tree Planting Shelter Permit

INSURANCE REQUIREMENTS FOR USERS OF STATE LAND

LOW RISK		\$250,000 AGGREGATE	
<u>WRITTEN PERMISSION REQUIRED</u>		(Total amount of coverage for the use activity or event)	
Typical limits for a \$250,000 aggregate:			
✓ Each Occurrence \$250,000		✓ Medical Payments \$5,000	
✓ Personal & Advertising Injury \$250,000			
Examples:	Family Reunions with attractions* Dog Shows Orienteering Company picnics with attractions*	Examples:	Commercial Filming/Photo Shoots Bike-a-Thon Police/Fire Department training Eco-Tourism
MEDIUM RISK		\$500,000 AGGREGATE	
<u>WRITTEN PERMISSION REQUIRED</u>		(Total amount of coverage for the use activity or event)	
Typical limits for a \$500,000 aggregate:			
✓ Each Occurrence \$500,000		✓ Products/Completed Operations Aggregate \$500,000	
✓ Personal & Advertising Injury \$250,000		✓ Medical Payments \$5,000	
Examples:	Water Sports-other than those listed Forest Product related/Road Construction Kite Flying Events Canoe Races Driftboat Guides (Fishing)	Examples:	Sports Tournaments (volleyball, soccer) Outdoor Center Leases Dog (undesignated areas) Festivals – w/o Alcohol School Cross Country Meets Field Trials(Undesignated Areas)
HIGH RISK		\$1,000,000 AGGREGATE	
<u>WRITTEN PERMISSION REQUIRED</u>		(Total amount of coverage for the use activity or event)	
Typical limits for a \$1,000,000 aggregate:			
✓ Each Occurrence \$1,000,000.		✓ Products/Completed Operations Aggregate \$1,000,000	
✓ Personal & Advertising Injury \$500,000		✓ Medical Payments \$5,000	
Examples:	Horse Drawn Hay Rides Festivals – with Alcohol Water Ski Events Walk/Run races Snowmobile Events Encampment/Reenactment	Examples:	Bow Hunting Events Canoe Livery (watercraft) X-Country Ski Events Horse-Related Events Dog Sled Races Field Trials (Designated Areas)
VERY HIGH RISK		\$2,000,000 AGGREGATE	
<u>WRITTEN PERMISSION REQUIRED</u>		(Total amount of coverage for the use activity or event)	
Typical limits for a \$2,000,000 aggregate:			
✓ Each Occurrence \$1,000,000		✓ Products/Completed Operations Aggregate \$1,000,000	
✓ Personal & Advertising Injury \$1,000,000		✓ Medical Payments \$5,000	
Examples:	Mountain Bike Races ORV Events Adventure Racing	Examples:	Tip-Up Town Activities Balloon Festivals Seismic Survey Permits Oil & Gas Facilities
EXTREMELY HIGH RISK		\$5,000,000 AGGREGATE	
<u>WRITTEN PERMISSION REQUIRED</u>		(Total amount of coverage for the entire event)	
Typical limits for a \$5,000,000 aggregate:			
✓ Each Occurrence \$1,000,000		✓ Products/Completed Operations Aggregate \$1,000,000	
✓ Personal & Advertising Injury \$1,000,000		✓ Medical Payments \$5,000	
Examples:	Hydroplane Races Diving Events Boat Races Auto Rally	Examples:	Hang Glider Activities Fireworks Displays PWC Races Paragliding Hill Climb Events Commercial Set-up of Temp Construction Equip

*Attractions may include pony rides, dunk tanks, mechanical rides, etc. ** Do not issue Shelter Permit **AND** Use Permit when park shelter or temporary shelter is used. Only one Permit is used in this situation, but the “hold harmless” clause **MUST BE** included on the Permit used.