Appendix B
Natural Resources Commission Policy and Procedures Regarding the Natural River Act of 1970

subject NATURAL RIVERS

PREAMBLE:

Michigan's rivers and streams, and their adjoining lands represent some of the State's most important natural resources. These areas are important for their recreational, scenic, historic, cultural, economic, scientific and environmental values. However, the beauty and quality of rivers is fragile and the existence of unspoiled, free-flowing stretches is diminishing. A program for identification, designation and protection of these free-flowing natural rivers is in the public interest. The responsibility for developing Michigan's statewide system of designated natural rivers has been delegated to the Department of Natural Resources under authority of the Natural Rivers Act (Act 231, Public Acts of 1970). This task involves two entities often in conflict: private ownership of river frontage and protection of publicly-owned natural resources. Because of the impact on private land rights, the program must maintain high visibility in the minds of the public, private river front landowners, and local governmental officials.

General Policy:

Selection of free-flowing rivers or river segments for inclusion in Michigan's natural river system will be based upon the specific qualities outlined in Section 3 of the Natural Rivers Act--water conservation, free-flowing condition, and fish, wildlife, boating, scenic, aesthetic, floodplain, ecologic, historic and recreational values and uses. Priorities for study and designation will be based upon the quality of the resource, the impending and anticipated threats to those qualities, and local initiative and support.

Prior to designation as a natural river, the Department will develop a long-range plan for the river and adjoining lands. The plan's objective will be the strong protection and enhancement of natural river values for the use and enjoyment of present and future generations. The plan will recognize the right and the need of the public to use and enjoy designated rivers, and if necessary, will contain a program for protection of the resource from overuse, including efforts to relieve public pressures on private lands. Zoning controls will be the chief means of controlling development and use on adjacent or affected lands. These zoning controls must be reasonable, yet sufficient to ensure a high level of protection to the natural and aesthetic qualities of the designated public resource and adjoining lands. Development of natural river plans shall include a high level of citizen and local government involvement. Local governmental officials, river front property owners and other citizens will be approached at an early stage in an earnest effort to enlist their knowledge and opinion on the river resource and its protection.

B-2

identification	effective date	number	
NATURAL RIVERS	March 9, 1978	2703	page 2 of 2

In administration of designated natural rivers, great emphasis will be placed on local control of protective zoning ordinances. Local governmental units will be strongly encouraged to adopt and enforce appropriate zoning controls. Every effort shall be made to re-enforce the idea that this is a program to protect a resource of great value to the citizens of the State, not a program to merely prevent development.

SPECIFIC POLICIES:

1. State land within the designated area shall be administered and managed in accordance with the plan, and State management of fisheries, streams, waters, wildlife and boating shall take cognizance of the plan. Emphasis will be placed on Department programs which affect designated rivers, in line with the adopted river management plans, including: design, development, relocation or screening of Departmental facilities; acquisition of critical lands to provide recreational facilities, disperse use or relieve trespass on private lands; and implementation of other land, water and resource management programs which serve to protect and enhance the qualities of the natural river area.

2. Where a proposed Departmental use or facility on a designated natural river appears to contravene the purposes and objectives of the natural river designation, the project will be modified to conform to the objectives of the designation and the Natural Rivers Act or will be cancelled. If a project is essential to the operation of other programs, but does not conform to the river management plan of a designated river, it must be submitted to the Natural Resources Commission for approval.

3. The Department shall provide technical assistance in drafting, processing and enforcement of local zoning for natural rivers protection.

4. The Department shall, upon request, provide technical advice to local river front property owners as to location and design of structures, management of private lands, planting and management of vegetation, river clean-up, and property tax benefits available under Act 116, Public Acts of 1974, as amended, or other relevant State statutes.

5. Recommended planting materials will be supplied at cost to property owners by the Department on designated natural rivers when available.

6. The Department shall conduct an on-going public information program to explain the values and importance of a natural rivers system, describe the pressures which pose a threat to rivers and to outline steps which river front property owners, local governments, State agencies and others may take to protect this State's outstanding river environments.

* * *

Supported by Commission Action March 9, 1978.

Procedure No. 2703.3.

B-3

DEPARTMENT PROCEDURES department of natural resources	effective date March 9, 1978	number 2703.3
	supersedes Number _____ Date _____	

subject NATURAL RIVERS

I. LOCAL ASSISTANCE ON DESIGNATED NATURAL RIVERS

A. To Riverfront Property Owners - Upon Request:

1. The Division of Land Resource Programs will assist riverfront property owners in selection of the best sites on an individual's property for the location of buildings and appurtenances and with design and location of docks, pathways and riverbank protection.

2. Forest Management Division, through its local area foresters, will advise riverfront property owners on planting stock to be used to stabilize riverbanks or to screen existing structures. When available at state nurseries, recommended planting materials will be supplied to property owners at cost.

3. The Division of Land Resource Programs will provide technical assistance to riverfront property owners on programs of other agencies which provide information and assistance in the areas of water or septic systems location and design, soils information and management, pond development and management, and cooperative fencing.

4. The Division of Land Resource Programs and Fisheries Division will provide technical advice on erosion problems and streambank stabilization, including reference to programs of other agencies.

5. The Division of Land Resource Programs will assume responsibility for coordination of periodic river clean-ups.

6. The Division of Land Resource Programs will assist riverfront property owners, local governmental units, and other interested citizens in organization of watershed councils, property owners' associations, or other river protective groups.

7. The Division of Land Resource Programs will provide assistance to riverfront property owners in applying for property tax benefits available under the Farmland and Open Space Preservation Act (Act No. 116 of the Public Acts of 1974, as amended) and other relevant state statutes.

B. To Local Units of Government - Upon Request:

1. The Division of Land Resource Programs will provide technical assistance in development and processing of local zoning and other controls designed to protect and enhance the natural qualities of the river and adjoining lands.

2. The Division of Land Resource Programs will provide assistance to local governments in administration of its zoning ordinance relating to the Natural Rivers Program by reviewing special exception or variance requests, and by providing available data.

3. Upon specific written request of a local governmental unit along a designated natural river, the Division of Land Resource Programs will delineate the "ordinary high water mark"

4. The Water Management Division will give high priority to floodplain delineation studies for river stretches designated under Act No. 231 of the Public Acts of 1970 (Natural River Act) where heavy development activity in the floodplain is expected in the future and where recommendations for local zoning deal with setbacks in relation to lands subject to flooding.

5. When an adopted river management plan identifies the need for administrative rules for watercraft under authority of Act No. 303 of the Public Acts of 1967, Law Enforcement Division will cooperate with the appropriate local units of government in the promulgation of such rules as soon as possible following river designation.

II. STATE LANDS AND PROGRAMS MANAGEMENT ON DESIGNATED NATURAL RIVERS

A. The river management plan for each proposed natural river will address state lands and programs, including the following:

1. Management and administration of state land.
2. Fisheries management.
3. Wildlife management.
4. Camping facilities - number, location, proximity to the water's edge.

identification	effective date	number	
Natural Rivers	March 9, 1978	2703.3	page 3 of 4

5. Access sites, number, location, vegetative screening.
6. Need for facilities to relieve pressures on private lands.
7. Signing for access, of facilities, respect for private lands.
8. Water quality management.
9. Water management - impoundments, dredging, filling.
10. Watercraft control and uses.

B. A Departmental sign plan will be developed for each designated river. This plan will be submitted to the Department Sign Committee for approval, and will be implemented as soon as possible following designation of a river. Signs will be designated and located in such a manner as to enhance the purposes of the designation, but without detracting from the natural qualities of the stream environment, and to accomplish the following:

1. Advise the public of the intent of the natural rivers designation.
2. Indicate that adjacent lands are not all public, and emphasize respect for private property.
3. Advise the public of special management regulations.
4. Advise the public of available public facilities to discourage trespass on private lands.
5. Advise the public of watercraft controls and uses in effect.

C. A fisheries management plan will be made a part of the natural rivers plan to address problems and needs for the maintenance and enhancement of the fisheries values found in the rivers.

D. Management recommendations for streambank stabilization and habitat improvement plans will be developed by Fisheries Division for designated natural rivers. Fisheries Division will make every effort to place priority on these plans within its fisheries program.

E. Streambank stabilization and habitat improvement structures will be constructed of materials which will harmonize with the natural characteristics of the stream environment on a designated natural river.

F. Baseline water quality will be determined, both chemically and biologically, at the time of natural river designation.

G. River stretches designated under Act No. 231 of the Public Acts of 1970 will be governed by the "nondegradation" rule of the Water Resources Commission's water quality standards.

Identification	effective date	number	
Natural Rivers	March 9, 1978	2703.3	page 4 of 4

H. A program for water quality monitoring shall be carried out on designated natural rivers.

I. Where land acquisition is needed to implement the recommendations presented in an adopted river management plan, these needs will receive priority consideration by appropriate divisions.

J. Recommendations in an adopted river management plan for new campgrounds or removal or relocation of existing nonconforming facilities will be implemented as soon as possible.

K. Needed screening plantings between a designated river and existing Departmental facilities will be initiated as soon as planting stock becomes available.

L. Management of state lands, vegetation, recreational use and repair of resource damage along designated natural rivers will be done in line with the adopted river management plan.

M. The Department will implement a solid waste management and litter control program for the natural river area as soon as possible following designation.

Policy No. 2703.