

APPENDIX E

RESOLUTION OF THE NATURAL RESOURCES COMMISSION REGARDING
APPROVAL OF THE TRI-COUNTY RIVER PLANNING COMMITTEE'S PROPOSED
MANAGEMENT PLAN FOR THE PROTECTION OF THE FLAT RIVER

WHEREAS local citizens and governmental officials formed the Tri-County River Planning Committee in response to the Commission's resolution of April 9, 1976, and

WHEREAS the Tri-County River Planning Committee prepared a tentative plan for the protection of the Flat River, and

WHEREAS the tentative plan generally meets the resolution and suggested guidelines, with the following exceptions:

1. The tentative plan did not include resolutions of support from local units of government assuring compliance to the plan nor a timetable for effectuation of local zoning to protect the river.
2. It is recommended that to be consistent with other state and federal programs dealing with the floodplain, that reference to the 50-year floodplain line be changed to 100-year floodplain in number 2 and 4 of the suggested management controls.
3. It is recommended that a few wording changes be made in number 5 of suggested controls, to read as follows:

"A strip 25 feet wide on each side of the parallel to the Flat River and tributaries shall be maintained in trees, vegetation and shrubs in its natural state except that dead, diseased, unsafe or fallen trees as well as noxious plants may be removed. Trees, vegetation and shrubs may be selectively pruned or removed for landscaping purposes, harvest of merchantable timber, or to provide a view of the river, as long as a root system remains intact to provide for streambank stabilization and erosion control, serve as an aid to infiltration of surface runoff and provide cover to shade the water." and

WHEREAS the Tri-County River Planning Committee requests the Natural Resources Commission to act on these tentative management controls in order that they may be presented to each township board for approval prior to initiating local zoning.

THEREFORE, be it resolved that the Natural Resources Commission tentatively approves this plan, with the changes suggested above.

BE IT FURTHER RESOLVED that the Tri-County River Planning Committee present this plan to local units of government to gain their acceptance and their assurance that they will enact and conscientiously administer zoning ordinances which will implement this local governmental plan for protection of the natural values along the Flat River and its tributaries.

BE IT FURTHER RESOLVED that local units of government along the Flat River submit to the Natural Resources Commission by April 1, 1977 resolutions indicating

acceptance of and assuring compliance with the suggested management controls as amended in this resolution.

BE IT FURTHER RESOLVED that the local units of government along the Flat River promulgate and have in effect, on or before December 15, 1977, a zoning ordinance which will implement this management plan.

BE IT FURTHER RESOLVED that the Division of Land Resource Programs of the Department of Natural Resources will give technical assistance in the preparation of such zoning if requested by the local units of government along the Flat River.

BE IT FURTHER RESOLVED that the Natural Resources Commission, by this approach, does not abdicate its legislative responsibilities for protection of the lands and waters of the state in general or for the outstanding natural and cultural values of the Flat River system.

BE IT FURTHER RESOLVED that the Natural Resources Commission does not relinquish the responsibility of designating the Flat River under Act 231, P.A. 1970 in the future, if local ordinances or their administration are not adequate to protect the values of the Flat River system noted in the April 9, 1976 resolution of the Commission.

Formally adopted December 10, 1976.

RESOLUTION OF THE NATURAL RESOURCES COMMISSION REGARDING
PROTECTION OF THE NATURAL VALUES OF THE FLAT RIVER

WHEREAS the Flat River system in Montcalm, Ionia and Kent counties is characterized by outstanding scenic, ecologic, floodplain and recreational values and an excellent smallmouth bass fishery; and

WHEREAS the Flat River system possesses outstanding historic values, including two of the four remaining original covered bridges of Michigan; and

WHEREAS these values should be protected for the use and enjoyment of present and future generations; and

WHEREAS the Flat River system is located near the urban population center of Grand Rapids, and itself within easy reach of urbanization, and where uncontrolled development might cause irreparable damage to these values; and

WHEREAS Act 231 of the Public Acts of 1970 charges the Department of Natural Resources with responsibility for protection of these outstanding values of designated rivers of the state; and

WHEREAS local citizens and governmental officials appeared before the Natural Resources Commission on February 12, 1976 to ask the Commission to discontinue its study of the Flat River for possible designation under Act 231, P.A. 1970 and allow them to protect the river solely through local ordinances, without Department of Natural Resources assistance or intervention; and

WHEREAS Mr. Thomas Hebert, Chairman of the Flat River Planning Committee, stated before the Commission that "all the townships have expressed a willingness to work together toward the adoption of reasonable ordinances" to protect the river; and

WHEREAS ten townships and the Montcalm County Board of Commissioners, by resolution, have stated that the use of land and the maintaining of the high water quality of the Flat River can be carried out by local controls, and they will demonstrate a concern for good land use in the future; and

WHEREAS the Montcalm County Board of Commissioners further recommended that the involved township boards meet with designated township citizens to work out a master plan which will preserve the Flat River through local zoning; and

WHEREAS it is the intent of the Department of Natural Resources to work closely with local units of government in protection of the lands and waters of the state; and

WHEREAS the Natural Resources Commission recognizes the sincerity of the intent of the local units of government to enact protective zoning ordinances along the Flat River.

THEREFORE, BE IT RESOLVED that the Natural Resources Commission encourages local units of government, working together, to prepare a management plan for the Flat

river system and adjoining lands to maintain the existing high water quality, prevent erosion and provide for sedimentation control, enhance fisheries and wildlife habitat, preserve historic values, protect the floodplain, respect and enhance the aesthetics of the lands, improve ecological values, and maintain the quality and control of legal recreational uses.

BE IT FURTHER RESOLVED that the local governmental plan include a method of implementation and a reasonable timetable for effectuation, and contain resolutions from local units of government assuring compliance.

BE IT FURTHER RESOLVED that a report be submitted by local units of government to the Natural Resources Commission by July 15, 1976 to outline the progress that is being made towards development of the management plan, with the goal of completion of the plan by October 15, 1976.

BE IT FURTHER RESOLVED that the suggested guidelines attached to this resolution be used by local of government in development of the management plan.

BE IT FURTHER RESOLVED that the Natural Resources Commission, by this approach, does not abdicate its legislative responsibilities for protection of the lands and waters of the state in general or for the outstanding natural and cultural values of the Flat River system.

BE IT FURTHER RESOLVED that the Natural Resources Commission does not relinquish the responsibility of designating the Flat River under Act 231, P.A. 1970 in the future, if local ordinances or their administration are not adequate to protect these values of the Flat River system.

Formally adopted April 9, 1976.