



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

SUBMITTED: November 14, 2022

MEMORANDUM TO THE DIRECTOR

Information: Nature Resources Commission

Subject: Prairie River Stream Temperature Redesignation of Management Area 20781
FOR INFORMATION ONLY

Authority:

The Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.32706, Executive Orders 45 and 54 of 2009, and Executive Orders 1 and 2 of 2011, authorize the Department to change stream temperature designations in the Water Withdrawal Assessment Tool.

Discussion and Background:

In response to concerns over increased use and potential diversion of water, the Michigan Legislature in 2008 enacted Part 327 - Great Lakes Preservation, Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA) to prevent large capacity water withdrawals from decreasing stream flows to the extent that they would functionally impair a stream's ability to support characteristic fish populations. The statute specified the stream's ability to support characteristic fish populations as the critical component of acceptable use. An integrated assessment model, the Water Withdrawal Assessment Tool (WWAT), was developed to determine whether a given withdrawal would cause an adverse impact on a nearby stream or river.

Section 32706 states: "If a person disagrees with the designation of a particular stream or river as a cold river system, a cold-transitional river system, a cool river system, or a warm river system for use in the assessment tool or otherwise under this part, the person may petition for a redesignation of that stream or river. The petition shall be submitted to the commission for its review and determination." Pursuant to Executive Orders 45 and 54 of 2009 and Executive Orders 1 and 2 of 2011, the authority for administering this section of law has been transferred from the Natural Resources Commission to the Department of Natural Resources (Department).

The Water Use Advisory Council (WUAC) was established in December of 2012 to advise the Quality of Life agencies (Department of Agriculture and Rural Development, Department of Environment, Great Lakes, and Energy (EGLE), and Department of Natural Resources) on the State's Water Use Program and issues related to implementation of Part 327. The WUAC recommended that the Department establish procedures and criteria to modify stream temperature classifications. The Stream Classification and Redesignation Policy and Procedure (02.02.024) was approved by the Fisheries Division in 2021.

Prairie River Stream Temperature Redesignation of Management Area 20781

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Page 2

November 14, 2022

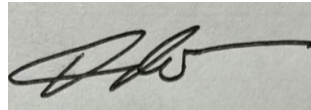
Prairie river (Branch County) is part of the St. Joseph River Watershed and is currently classified as warm in water management area 20781. Fisheries Division staff has monitored the river extensively since 2011 and recommended a reclassification based on stream temperature data and the presence of cold water species such as naturally reproducing brown trout. Information regarding these monitoring efforts can be found in the [Prairie River Report](#). Following the Stream Classification and Redesignation Policy and Procedure ([02.02.024](#)), the Prairie River received a thorough analysis in the Stream Check Tool that resulted in a recommendation to reclassify Management Area 20781 from warm to a cold-transitional stream type. EGLE confirmed this recommendation on June 1, 2022.

Recommendation:

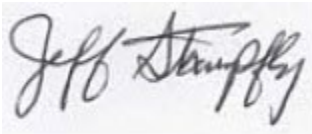
Relevant Divisions have contributed to the preparation of this recommendation. This stream temperature reclassification is being submitted for information and consideration. This item appeared on the Department's November 29, 2022, calendar and may be eligible for approval on January 12, 2023.



Jared Duquette, Chief
Wildlife Division



David Shaw, Chief
Law Enforcement Division



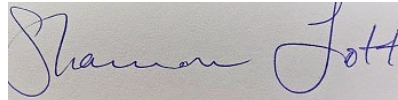
Jeff Stampfly, Chief
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Shannon Lott
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