

PRELIMINARY NATURAL RIVER PLAN

The Huron River system is an important physical feature of the southeastern Michigan region. Its natural qualities and aesthetic features provide many forms of enjoyable outdoor recreation for the residents of this highly populated area. The study area, from Kent Lake Dam in Livingston County to the Barton Pond area in Washtenaw County, in particular has great scenic and natural qualities offering recreational opportunities for the use and enjoyment of present and future generations.

Without a positive program to protect and enhance the many values of the Huron River system from adverse use and development, the area's aesthetics and natural qualities could be lost. Because of this concern, the Huron River Planning Group, under the sponsorship of the Huron River Watershed Council and the Department of Natural Resources, has been meeting since October 1974 to study this section of the stream and to draft a plan to regulate future use and development for the protection of the natural character of this attractive stream corridor.



A. Goal

To preserve, protect and enhance the river environment in a natural state for the use and enjoyment of present and future generations.

B. Objectives

- 1) To maintain or improve water quality consistent with the designated classification of the river and adhere to the concept of non-degradation of water quality.

- 2) Discourage development or activity which damage the ecologic, aesthetic or historic values of the river and adjacent lands.
- 3) Encourage any development which may occur to be done in an orderly manner consistent with the natural environment and aesthetic qualities of the stream.
- 4) To ensure that recreational uses which occur, be done in an orderly manner consistent with the natural environment and aesthetic qualities of the stream.

C. Proposed Designation

It is recommended that the following portions of the Huron River be designated as a country-scenic river under authority of Part 305, P.A. 451 of 1994, the Natural Rivers Act (approximate mileage—mainstream 27.5 miles; tributaries 10.5 miles):

Mainstream. From Kent Lake Dam downstream to the western edge of Section 32 of Hamburg Township, excluding Strawberry, Gallagher, Loon (sometimes called Long or Little Gallagher) and the two Whitewood Lakes; and from John Flook Dam downstream to Scio-Ann Arbor township line, excluding the incorporated village of Dexter.

- 1) Davis Creek (also called Southeast Branch of the Huron River) – Livingston County, Green Oak Township – from the outfall of Sandy Bottom Lake to its confluence with the Huron River;
- 2) Arms Creek – Washtenaw County, Webster Township – from the confluence of the two branches in Section 10 to its confluence with the Huron River; and
- 3) Mill Creek Creek – Washtenaw County, Scio Township – from Parker Road downstream to the incorporated village limits of Dexter.

The Huron River Planning Group feels that the other tributaries to the Huron River in this area do not specifically qualify or warrant state recognition and protection under terms of Part 305, P.A. 451 of 1994 for the following reasons:

- 1) Many of the tributaries have been extensively channelized, rerouted, dredged, filled or otherwise altered so that they are no longer “natural” in character and many are designated agricultural drains under Act 40, P.A. 1956 and are still under the direct control of the County Drain Commission.
- 2) They do not possess the necessary outstanding fish, wildlife, boating, scenic, aesthetic, floodplain, ecologic, historic or recreational values to be of statewide significance.
- 3) Local controls can be instituted that will protect the values of these streams without formal natural river designation.
- 4) Although not formally designated, these tributaries should probably be considered as part of the natural river system for agency reviews of applications for sewage treatment plants, dredging, filling, impoundments, etc.
- 5) Natural river designation of the mainstream would have a positive affect on funding priorities for water quality projects on the tributaries, and designation of the tributaries would have little or no additional affect on these priorities.
- 6) The tributaries to the Huron River, unlike the mainstream have little public access and limited public ownership of the water frontage to handle the additional recreational use that might occur as a result of natural river designation, nor does

the State of Michigan or the Huron-Clinton Metropolitan Authority have the funds necessary to provide this additional access in the near future.

D. Natural River District

The Huron River Natural River District includes an area 400 feet wide on each side of and parallel to the designated river and its designated tributaries. This district merely establishes a definable area within which local zoning may regulate future development and use. Establishment of this district on private land in no way implies a “taking” of these lands by the state or opening them up to public use. Private lands remain private and are subject to the rights of private ownership.

E. Residential Housing

Unplatted lots and new subdivisions in the Natural River District shall accommodate the building setbacks as set forth in Section G, and shall have a minimum riverfront lot width of 150 feet. Lots or property of record that are nonconforming at the time of the effective date of these regulations because of lack of size to accommodate buildings setbacks from the water’s edge shall be allowed to be built upon and variances shall be allowed for required setbacks upon such reasonable terms as set forth by the zoning board, providing that structures be so placed as to best meet the objectives of the Natural Rivers Act.

Single family dwellings are defined as a detached building designed for or occupied exclusively by one (1) family and containing housekeeping facilities, and shall be allowed within the Natural River District subject to the following requirements:

- 1) One single-family dwelling will be permitted on each lot.
- 2) Buildings and appurtenances shall conform to the minimum setback requirements as specified in Section G.

F. Industrial and Commercial Structures and Uses

- 1) New industrial uses and buildings, and expansion of existing uses and buildings will not be permitted within 400 feet of the designated river and tributaries.
- 2) In general, commercial uses and buildings; such as gas stations, motels, restaurants, retail stores, mobile home parks, etc. will not be permitted within 400 feet of the designated river and tributaries. However, a number of commercial uses requiring special exception permits may be compatible with maintaining the natural aspects of the river, such as:
 - a) Commercial crop farms or forest plantations that are landward of the native vegetation strip.
 - b) Campgrounds that are constructed, maintained and operated in accordance with State Health Department regulations (Act 17, P.A. 1970). Includes tent, travel trailer, camper and motor homes uses, buildings, cement pads, hookups, etc. in conformance with established setbacks.

- c) Sales, rental and service of recreational watercraft.
- d) Small home operated businesses such as photography studio, beauty shop, home repair, insurance or other businesses which do not alter the residential nature of the property and are in conformance with established setbacks.
- e) Small rental cabins with light housekeeping, but not motels, which are in conformance with setback requirements.

G. Building Setbacks

On the Huron River mainstream, new buildings and appurtenances will be required to setback a minimum of 125 feet from the ordinary high watermark.* The setback may be decreased 10 feet for every 10 foot rise in bank height to a minimum of 75 feet from the ordinary high watermark. Further:

- 1) New buildings and appurtenances must be setback at least 50 feet from the top of a bluff;** and
- 2) No buildings shall take place on land that is subject to flooding.***

On designated tributaries, new buildings and appurtenances will be required to setback a minimum of 50 feet from the ordinary high water mark of the tributary provided that no building shall take place on land that is subject to flooding.

H. Building Design and Screening

- 1) Property owners are encouraged to use natural materials and natural unobtrusive colors in the construction of new or remodeling of existing buildings.
- 2) Property owners of new or existing buildings visible from the river are encouraged to screen them with native vegetation. The Department of Natural Resources area forester and Soil Conservation Service will advise on planting stock, etc., on request.

**"Ordinary high watermark" means the line between upland and bottomland which persists through successive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil and the vegetation. On an inland lake which has a level established by law, it means the high-established level. Where water returns to its natural level as the result of the permanent removal or abandonment of a dam, it means the natural ordinary high watermark. (This is the definition used for administration of the Inland Lakes and Streams Act, Act 345, P.A. 1972.)

***"Bluff" means the top of a steep bank rising sharply from the water's edge.

****"Land that is subject to flooding" means that area of land adjoining the designated portions of river and tributaries which:

- 1) Will be inundated by a flood which has a one percent chance of occurring or being exceeded in any given year (intermediate regional flood), as determined by detailed hydraulic studies which are acceptable to the Michigan Water Resources Commission; or
- 2) In the absence of such detailed floodplain studies, have a history of flooding or are delineated by approximate methods such as USGS flood prone area maps or HUDs special flood hazard boundary maps.

I. Docks

Docks may be constructed not to exceed six feet in width nor more than 20 feet in length with no more than four feet of the dock extending beyond the low watermark. Docks must be constructed in accordance with the rules of Part 301, P.A. 451 of 1994. The use of “natural” materials and camouflaging is encouraged.

J. On-Site Sanitation Systems

All habitations within the Natural River District shall be provided with sanitary waste disposal facilities conforming in type to those required by health specifications of the State of Michigan and the county health department having legal jurisdiction. The facilities provided may be for either water borne waste disposal by the septic tank-absorption tile field method or for non-water borne disposal by the use of a health department approved fly proof sanitary pit privy, or other state approved sanitary system.

New septic tanks and absorption tile fields and sanitary pit privies within the Natural River District shall be located not less than 125 feet from the ordinary high-water mark nor within land that is subject to flooding, whichever distance is greater. The absorption field shall be located in a well-drained area and the bottom of said field shall be at least four feet above the known high groundwater table. No absorption field shall be closer than 50 feet from any surface or subsurface drainage system, including sump pumps discharging into the river or its tributaries.

The bottom of an earth privy shall not be less than two feet above the known high groundwater table. Where this is not feasible, a watertight vault shall be installed.

K. Signs

Only those signs necessary for (a) identification, (b) direction, (c) resource information, and (d) regulation of use, shall be placed along the designated river and tributaries. Signs for the sale of products or services shall be prohibited, except that an existing business may advertise on lands on which it is established. Signs and outdoor advertising devices within the Natural River District must be:

- 1) Related to permitted uses;
- 2) Not illuminated; and
- 3) In conformance with the following standards:

- a) For residential uses, signs may not be larger than one square foot in area posted no more than one per 100 feet or one sign posted at upstream and downstream corner of lot, however, one temporary real estate "For Sale" sign not to exceed four square feet in area shall be allowed on a parcel of land; and
- b) For commercial uses, one sign per establishment is allowed, not to exceed four square foot in area, not on nor attached to any tree or shrub; and
- c) Signs posted by public agencies must be kept to a minimum, of rustic design, no larger than 10 square feet in a area, not attached to any tree or shrub, and placed so as to best meet the objectives of the Natural Rivers Act.

(NOTE: Signs by public agencies may need to be larger only to provide for public safety (such as warning of impending dangers in the river) or for an interpretive or historic sign, which may be out of sight of the river, but still within the 400 foot Natural River District.)

Also, the use of natural color wood posts is encouraged, and there should only be one sign per post.

L. Soil Erosion and Sediment Control Measures

All earth changing activities, other than normal landscaping or maintenance, undertaken within 500 feet of a lake or stream, must be conducted in accordance with the requirements of Part 91, P.A. 451 of 1994, its administrative rules and those procedures established by the local enforcing agency.

Development along the river involving earth moving shall provide for water disposal and/or protection of the soil surface during and after construction.

Practical combinations of the following will provide effective erosion control when skillfully used in planning and construction.

- 1) The development plan should be fitted to the soils and topography so as to create the least erosion potential. Local offices of the Soil Conservation Service can provide detailed information on the soil characteristics of a given site on the suitability of such soils for various uses.
- 2) Wherever feasible during construction, natural vegetation shall be retained and protected. Where adequate vegetation does not exist, temporary or permanent vegetation shall be established where possible.
- 3) Where land must be stripped of vegetation during construction, limit the exposed area to the smallest practical size at any one time.
- 4) Limit the duration of exposure to the shortest practical time.
- 5) Critical areas exposed during construction should be protected with temporary vegetation and/or mulching.
- 6) Permanent vegetation and improvements, such as roads, storm sewers and other features of development capable of carrying storm runoff in a safe manner, shall be installed as early as possible.

- 7) Provisions should be made to accommodate the increased runoff caused by changed soil and surface conditions during and after development.
- 8) Sediment basins to remove suspended soil particles from runoff water from land undergoing development should be constructed and maintained wherever erosive conditions indicate a need to prevent sediment damage to the river.
- 9) Diversions, grassed waterways, grade stabilization structures, and similar mechanical measures required by the site shall be installed as early in the development area as possible.

The erosion control measures contained in the Washtenaw and Livingston County Soil Conservation Districts Standards and Specifications for soil erosion and sediment control should be followed for all major earth changes.

Consultation and assistance from the Washtenaw and Livingston County Soil Conservation districts and/or the Washtenaw and Livingston County Act 347 Enforcer should be utilized wherever possible.

M. Minerals

New development, exploration or production of oil, gas, salt brine, sand and gravel or other minerals except ground water are not permitted within 300 feet of the designated river or tributaries (Sec. 10, Natural Rivers Act). On new leases on state land, Natural Resources Commission policy prohibits drilling for gas or oil within ¼ mile of any major stream.

N. Utilities

Except on existing rights-of-way, new gas or oil pipelines, or electric transmission lines shall not be permitted in the Natural River District or to cross the designated river and tributaries without prior written consent of the Natural Resources Commission. Plans for these transmission lines which include crossing the river district or the river and designated tributaries must be approved by the Natural Resources Commission (Part 305, P.A. 451 of 1994). New distribution lines shall not cross the designated portions of the river or housing setback zones unless they are placed underground, or if overhead lines are less disruptive to the environment. Plans for distribution lines which are to be placed under the river shall be approved by the Department of Natural Resources and all construction shall meet the requirements under the Sedimentation Control Act and Inland Lakes and Streams Act. Local service lines to private dwellings shall originate from the landward side of the dwelling insofar as practical. Utility companies shall not be permitted to chemically treat vegetation in the rights-of-way on utility easements within the Natural River District, but other normal maintenance is permitted.

O. Agriculture

- 1) Grazing will be permitted within the natural vegetation strip unless the Surface Water Quality determines the grazing contributes to stream degradation (Part 323, P.A. 451 of 1994). In those cases, livestock will be fenced out to protect the riverbanks. Cattle crossings and watering areas shall be constructed according to

accepted methods, after the landowner has consulted with the local Soil Conservation District, Soil Conservation Service, County Extension Service, and/or the Department of Natural Resources.

- 2) Water withdrawal for irrigation will not be affected by natural river designation, but will continue to be permitted in accordance with the riparian doctrine of reasonable use.

P. Disposal of Solid Wastes

No unsightly or offensive material, including but not limited to: trash, refuse, junk cars, junk appliances, garbage or sawdust, shall be dumped or stored within sight of the river.

Q. Stream Alteration

To protect the natural character of the river and the natural flow of its waters, no damming, dredging, filling or channelization of the stream channel will be permitted in those portions of the Huron River or tributaries designated under the Natural Rivers Act unless approved by the Department of Natural Resources under authority of Part 301, P.A. 451 of 1994.

New in-channel stream improvements for fish habitat, bank stabilization or other resource management practices which might alter the natural character of the stream must be approved by the Natural Resources Commission. Any private plans for these types of projects requires a permit under Part 301, P.A. 451 of 1994. Natural materials should be used to construct stream bank stabilization projects to control erosion. They should be camouflaged and the local Conservation Officer or district fish biologist contacted to provide technical advice for such projects.

Permission shall be obtained from the property owner when removing fallen trees and log jams from the river. If there is any extensive removal of log material from the bottom, during these operations, advice should be sought from the district fish biologist.

Water withdrawal for irrigation will be permitted in accordance with the riparian doctrine of reasonable use.

R. Land Alteration

Cutting, filling for building, including appurtenances, on the floodplain and filling for buildings on the upland within 400 feet of the river's edge where the highest ground water table is within six feet of the surface shall be prohibited. Dredging or filling for the construction of fish or wildlife ponds within 500 feet of the river requires a permit under Part 91, P.A. 451 of 1994. However, no lake shall be constructed within the 400-foot Natural River District.

S. Natural Vegetation Strip on Adjacent Shorelines

Trees, shrubs and other vegetation types native to the area shall be maintained and enhanced on each side of the river to retain the river's natural values. The presence of the

natural vegetation strip is to help in stabilizing the river bank, prevent erosion, provide shading which will help maintain cool water temperatures, absorb nutrients from surface water runoff, provide screening of man made elements, enhance fisheries and wildlife habitat and maintain the aesthetic natural quality of the river.

1) Vegetation Strip

Public Land. On all publicly owned land, a one hundred (100) foot minimum restricted cutting strip shall apply on each side of the mainstream and designated tributaries.

Private Land. On all privately owned land a fifty (50) foot minimum restricted cutting strip shall apply on each side of the mainstream and designated tributaries.

Distances of the natural vegetation strip are measured from the ordinary high water mark.

- 2) Restricted Cutting and Removal of Vegetation. Restricted cutting of dead, diseased, unsafe, fallen trees and removal of noxious weeds and shrubs may take place. The selected removal of trees for commercial timber harvest, access or woodlot improvement shall be allowed upon specific approval of the Department of Natural Resources or its representative.
- 3) Agriculture. Grazing will be permitted within the natural vegetation strip unless the Surface Water Quality determines the grazing contributes to stream degradation (Part 31, P.A 451 of 1994). In those cases, livestock will be fenced out to protect the riverbanks. Cattle crossings and watering areas shall be constructed according to accepted methods, after the landowner has consulted with the local Soil Conservation District, Soil Conservation Service, County Extension Service, and/or the Department of Natural Resources.
- 4) Selected Cutting for Visual Access. Trees and shrubs may be selectively cut for a filtered view of the river upon arrival of the Department of Natural Resources or its representative. Filtered view of the river means maintenance or establishment of woody vegetation of sufficient density to screen new developments from the river, provide for streambank stabilization and erosion control, serve as an aid to infiltration of surface runoff and provide cover to shade the water. It need not be so dense as to completely block the river view. It means no clear cutting.
- 5) Planting of Native Vegetation. Planting of native plant species is encouraged in the vegetation strip to enhance or protect the river's edge. The Department of Natural Resources or its representative may be consulted on selection of native plant species.

T. Recreation

- 1) Campgrounds and Picnic Areas. On public land, no new structures associated with a campground or picnic area, except those necessary to protect the riverbank,

will be permitted within 300 feet of the designated mainstream or tributaries. Such structures shall be designed and constructed in such a manner as to further the purposes of the Natural River Act.

2) Fishing and Hunting.

- a) Fishing and hunting will be permitted in the Natural River District in accord with current state and local laws and regulations.
- b) IT IS EMPHASIZED THAT NATURAL RIVER DESIGNATION, OR ESTABLISHMENT OF A ZONING DISTRICT ALONG THE RIVER, DOES NOT OPEN PRIVATE LANDS TO THE PUBLIC. Because of the close proximity of the river to highly populated areas, trespassing and violation of privacy will be discouraged through the joint cooperation of property owners and law enforcement officials.
- c) Fisheries and wildlife management practices, if necessary, will be done in conformance with the character of the area and objectives of the natural river designation.

3) Lakes. No lake shall be built within the 400-foot Natural River District.

4) Boating and Canoeing.

- a) Non-motorized boating and canoeing is permitted.
- b) Use of motorized watercraft will be permitted in accordance with local controls promulgated under authority of Part 801, Marine Safety, of 1994 PA 451.
- c) Rafting of more than two vessels is not permitted.

5) Use of Firearms. It is not the intent of this plan to place additional limitations on hunting, but because of the river's unique character, numerous horseshoe bends and oxbows and the possibility of property damage or injury, the strict enforcement of the state laws pertaining to the safe use of firearms on the river and on public roads and bridges in the Natural River District will be strengthened and encouraged through the cooperative efforts of property owners, liveries and law enforcement officials.

6) Litter. In view of the special status of the Huron River, its unique character and beauty and in consideration of the rights of private property owners to avoid trespass by others, the enforcement of anti-litter laws shall be strengthened and the Department of Natural Resources and the Huron-Clinton Metropolitan Authority shall initiate and be responsible for river clean-up bees and special incentive programs for clear-up, with the cooperation, coordination and assistance of local governmental units and canoe liveries.

U. Public Access

The use of non-motorized modes of transportation as a means of reaching and enjoying the Huron River is strongly encouraged. Developed trails for non-motorized traffic within the Natural River District should be planned and constructed in a manner which preserves the natural character of the district to the greatest extent possible.

New public automobile roads and highways and river crossings will not be permitted within the Natural River District. Plans for relocation, major improvement or upgrading of existing roadways must be approved by the local zoning board and the Natural Resources Commission (Part 305, P.A. 451 of 1994). Normal maintenance such as grading and erosion control are permitted subject to all provisions of Part 301 and Part 91, P.A. of 1994. However, the use of broken concrete or other unsightly material for erosion control is prohibited.

Public access sites within the Natural River District, primarily those on Department of Natural Resources and Huron-Clinton Metropolitan Authority lands, are sufficient in distribution and number, and additional new access sites are not recommended at this time. Replacement of existing sites, if necessary, shall be done in conformance with this plan.

All existing sites have some erosion problems and the appropriate agency should take steps to minimize resource damage. In addition, the following specific recommendations are made:

- The present Department of Natural Resources picnic site on the west bank of the Huron River in Section 12, T1S, R4E (downstream of the John Flook Dam) should be encouraged as a canoe access site, and improved only to the extent necessary to provide adequate canoe launching and protection of the river bank. Wooden steps, a canoe slide and erosion control measures are recommended as appropriate investments.
- Huron-Clinton Metropolitan Authority has recently developed a canoe access site and canoe camp on Rickett Road. Huron-Clinton Metropolitan Authority should study the feasibility of better signing this area to inform canoeists of this area for canoe access.

A number of de facto (undesignated, but in general use) picnic, fishing and boat launching sites exist along the river. Use at these sites is increasing to a great extent, often causing a dangerous situation and resource damage. The following are recommended:

- The Mast Road Bridge crossing in Dexter presently has an erosion problem. With the road being expanded to four lanes, both safety and erosion problems will increase. It is recommended that the bridge and roadway be posted "NO PARKING".
- Both the east and west roads of Old-23 are used for access to the river. The safety problem here is not acute as at some other areas, but the Department of Natural Resources and Huron-Clinton Metropolitan Authority, working together, should monitor this use and investigate the possibility of providing

parking areas at either the nearby commuter parking lot or on existing Huron-Clinton Metropolitan Authority land.

- Both Evergreen and McCabe are narrow, gravel roads where they cross the Huron River. Vehicle parking for access has caused both a safety and erosion problem in the past. These should be posted “NO PARKING” to discourage canoe and boat launching.
- The bridges and approaching roadways at both Winan’s Lake Road and M-36 are extremely narrow. The areas are well used by canoeists, fishermen and boaters, and traffic on the roads is heavy. Parked cars almost block traffic at times, and cause a dangerous situation. Because of the safety factor, these existing areas should not be used for ingress and egress of canoes to the Huron River. Alternative canoe access is available at the public access site on Rickett Road. The Department of Natural Resources and Huron-Clinton Metropolitan Authority should monitor this use in the future, to determine if a designated access site is needed in this vicinity.

The Huron River Planning Group recognizes the increase in canoe traffic and use that is occurring in the state, and particularly on the Huron River. To protect the natural values and characteristics of the designated portions of the Huron River, the group recommends the following:

- New canoe liveries operating in the designated portions of the river should be discouraged. In considering rezoning, special exception or variance requests, either within or outside of the 400 foot Natural River District, local units of government should examine closely the effects such use will have on the natural qualities of the Huron River system, the need for additional local governmental services, and the safety and enjoyment of riparian landowners and other river users.
- Department of Natural Resources and Huron-Clinton Metropolitan Authority should specify the number of canoes allowed to be rented by their respective concessioners, and this number should reflect the total use patterns on the designated sections of the river.
- The Department of Natural Resources, in cooperation with the Huron River Watershed Council, should contact the livery operators using the designated portions of the river, to outline the public access problems, and to ask them to voluntarily manage their operations to help alleviate these problems.
- The Huron River Planning Group strongly supports the concept of river use rules to control the activities and number of watercraft on the Huron River, but recognizes that statutory authority for such controls has not been formally clarified.

V. Motorized Vehicles

Operation of all motorized vehicles other than on designated public roads, will be prohibited on publicly owned lands within the Natural River District.

Prohibition of such use shall be posted. Use of ORVs on publicly owned lands contiguous to the Natural River District shall be in conformance with guidelines and

regulations of the agency administering such lands, and with the state and federal noise level standards strictly enforced. (Muffler requirement of MIC – Section 7, Act 300, P.A. 1949, etc.)

Although use of ORVs by a landowner of his guest(s) on his property cannot be prohibited, it is strongly recommended that such vehicles not be operated within the natural vegetation strip as specified in Section Q of this management plan.

W. Historical and Archaeological Sites

The identification, preservation and interpretation of historical and archaeological sites along the designated portions of the Huron River and tributaries, by public agencies and local historical societies, is strongly encouraged.

W. Wastewater Treatment Facilities

It is strongly recommended that the Water Resources Commission give top priority to upgrading wastewater treatment facilities, and eliminating any other sources of pollution on the entire Huron River.

X. Administration

1) Land Use Guidelines.

- a) Zoning by local government units shall be the chief means of protecting the Huron River and its designated tributaries as a natural river under the natural river plan.

1. Zoning shall be applied within the 400-foot Natural River District on both the designated mainstream and tributaries. Upon adoption of a local zoning ordinance, certified copies of maps and/or documents describing the Natural River District shall be filed with the local tax assessing officer and County Equalization Department. In establishing true cash value of property within the Natural River District, the assessing officer shall recognize the effect of use limits established by the ordinance (Part 305, P.A. 451 of 1994).

The Huron River Planning Group also urges local government units to adopt building setbacks, vegetation management and septic system controls for other streams under their jurisdiction not within the natural rivers designation.

Any property owner with undeveloped river frontage on the designated portions of the Huron River or its designated tributaries may sign an open space development rights easement with the state under Act 116, P.A. 1974 to obtain potential tax relief.

2. Appeals: Under certain circumstances, strict adherence to this plan may create unreasonable hardships for the frontage owner. Such cases may be appealed to the appropriate local board for a variance. Applications for a variance shall be based on a site plan.* The county health department, Soil Conservation Service, appropriate staff and field personnel of the Department of Natural Resources and other experts should be consulted to recommend to the appeals board a course of action which will have the least degrading impact on the character of the natural river. Final determination of the variance shall be made by the local appeals board.
3. Nonconforming uses: As stated in Section 13 of the Natural Rivers Part 305, P.A. 451 of 1994, “the lawful use of any building or structure and of any land or premise as existing and lawful at the time of enactment of a zoning ordinance or rule or an amendment thereof may be continued although such use does not conform with the provisions of the ordinance, rule or amendment. The ordinance or rule shall provide for the completion, restoration, extension or substitution of nonconforming uses upon such reasonable terms as may be set forth in the zoning ordinance or rule.”

b) Land Acquisition

1. The state may purchase or trade lands with owner consent on the designated river and tributaries to maintain or improve the river and its environment. Efforts should be made by the Department of Natural Resources and the Huron-Clinton Metropolitan Authority to purchase lands on or trade other lands for lands along the river as key areas are identified and as funds become available (Part 305, P.A. 451 of 1994).
2. Some landowners in the Natural River District may be interested in offering scenic or other easements or inserting restrictions in their deeds which serve to protect the river environment and which coincide with their property interests. The opportunity to obtain such easements or restrictions should be pursued.

- c) State Resources. Overall responsibility for implementing and coordinating the natural river plan is assigned to the Region III Office of the Department of Natural Resources. The Natural Resources Natural Rivers Task Force will act in an advisory capacity. Enforcement of water quality standards and water use regulations will be the responsibility of the Water Resources Commission and other divisions of the Department of Natural Resources.

*"Site Plan" means a surface view showing elevations or contours of the ground, including existing earth fills; generalized vegetative cover; size, location and spatial

arrangement of all proposed and existing structures and uses on the site; location and elevations of streets, access roads, water supply and sanitary facilities.

- d) Other Public Lands. Cooperative agreements between the Director of the Department of Natural Resources and the chief administrative officer of other public agencies administering lands within the Natural River District will govern the use and management of those lands in accordance with the provisions of this plan.
- 2) Other laws and programs reinforcing natural river management objectives should be utilized to the extent necessary to protect the river in implementing the management plan for the river and tributaries (see Appendix A).
 - 3) It is recommended that property owners and other citizens further protect and enhance the values of the Huron River environment by adopting the attitudes and actions described in Appendix B.

Y. Management of Areas Beyond the Natural River Zone

Land use and water resources are closely related. What happens on the lands beyond the Natural River District but within the drainage area of the river affects the river. Local units of government adjacent to the district, through their powers to influence the location, timing and nature of development, can have a positive effect on water resources.

It is recommended that local governmental units zone adjacent to the Natural River District to maintain the integrity of the Huron River and designated tributaries as a country-scenic river.

- 1) By limiting residential development to low density single-family structures or medium density cluster developments. Medium density cluster developments are recommended because it is easier to provide services and control.
- 2) By providing districts where industry which may produce noise, smoke, fumes, odors, etc., will not affect the natural characteristics of the river area.
- 3) By providing districts for commerce where heavy traffic, parking, automobile exhaust and noise will not create environmental intrusions.

Further, it is recommended that local units of government incorporate water resource protection and/or management measures into their plans, programs and decisions involving land use. Such measures are of particular importance when dealing with lands in the stream corridor as defined below.

A stream corridor essentially consists of lands contiguous to the stream, the alteration or development of which could potentially cause direct impacts on the stream and its environment. It is a composite of:

- 1) Soil types with severe limitations for development.
- 2) Vegetation along creek banks.
- 3) Wetlands.
- 4) Slopes.

5) Flood profiles when known.

Sensitive areas involving one or more of the above factors may occur within the drainage area of the river but outside of the Natural River District itself. Modification or development within such areas may adversely affect water resource benefits within the district or create problems requiring costly public investment to rectify.

It is recommended that local units of government consider such measures as regulating changes in surface water runoff from specific locations through use of the site plan review process; and protecting sensitive areas outside of the Natural River District through use of conditional use permit procedures. Local units of government should seek the assistance of, and work with, local agencies involved with water resources, such as the Huron River Watershed Council and other agencies noted below.

On private lands adjacent to and within one-quarter mile of the Natural River District, it is recommended that the local Soil Conservation Districts, local Soil Erosion and Sedimentation Control agencies, Cooperative Extension Service and the Department of Natural Resources cooperate with landowners to ensure that timber harvest, agricultural practices, housing, road building or other land use activities are compatible with the country-scenic designation of the river and with maintaining the water quality of the river.

