



## *Protect-Preserve-Enjoy*

### **Little Manistee Watershed Conservation Council**

#### **Minutes of the trustee's meeting held September 1, 2018 @ The Indian Club, Irons, Michigan**

##### **EXECUTIVE ACTIONS:**

President Tim Phillips called the meeting to order at 10:05 AM.

**Attendance:** Tim Phillips, Jim Squier, Joyce Durdel, David Spruance, Armas Soorus, Greg Block, Dale Downes, Steve Bishop, Gordon Lewis

**Absent:** Joe Rogers, Evelyn Furman, Dan Sernick

**Guests:** John Trimberger (DNR fisheries biologist, ret) Joe Neumann

**Guest speaker:** Bryan Bury (fisheries division DNR — Natural Rivers Program)

Minutes from the August 4th meeting were reviewed and approved.

**Treasurer's Report:** No treasurer's report.

##### **PROJECT STATUS:**

1. Syers Dam — Permits have been issued and Shawn Kanouse has been awarded the contract.
2. Volunteer projects — Joyce Durdel discussed the results of the Water Quality Survey.

3. Faded road signs have been replaced between King's Highway and M-37. Jim Squier and Armas Soorus are to replace signs as necessary below M-37.
4. Nate Winkler will survey a stretch of river below Johnson Bridge as a potential site for a fish habitat and channelization project.
5. Marandet/Paul private site will be evaluated by Nate Winkler who will then begin the permitting process. Shawn Kanouse will begin work on 7 moderate sites on state land by mid-September.

### **WATERSHED MANAGEMENT PLAN:**

**Bryan Bury** of the DNR's Natural River program made a presentation about the structure of the Natural Rivers Program. After an introduction of the gathered individuals, Bryan began by stating that there was currently no drive" at the DNR for designating the Little Manistee a Natural River. He then proceeded to define the program and the process whereby such a designation is granted.

**Purpose:** The purpose of the program is "to protect river systems with high natural resource values from unwise development."

Sixteen rivers in Michigan have received the designation between 1972 and 2016.

Program deals with both private and publicly held lands to protect not just the fishing but the fishing experience including the aesthetics of such an experience.

The purpose of the rules governing the Natural Rivers Act are to:

- 1) promote the public health, safety, and general welfare, to prevent economic and ecological damages due to misuse, unwise development patterns, overcrowding, and overuse within the natural river district, and to preserve the values of the natural river district for the benefit of present and future generations.
- 2) protect, preserve, and enhance the natural river district values for the free flowing conditions, water conservation, fish, aquatic, and wildlife resources, ecological, water quality, floodplain, scenic and aesthetic qualities, boating, historical, and recreational values and uses of a designated natural river district and adjoining land.
- 3) To provide for residential and other permitted development that will complement the natural characteristics of the natural river system.

**Process:**

- 1) **Proposed designation.** Natural River designation must be initiated by the DNR.
- 2) The DNR will **draft a management plan.** That plan will be a separate entity from the Watershed Management Plan currently being written for LMWCC and subsequent DEQ and EPA approval
- 3) Upon approval of the management plan, public notification and open hearings will be held to review the proposed zoning rules. **Official Designation** of Natural River can then be applied. This is a legal status granted by the DNR.
- 4) The DNR will then complete a document of **Administrative Rules** governing usage and development along the river corridor. The rules apply to 400 feet on either side of the river's highwater mark.

Bryan stressed that a Natural River designation **is not** a non-developmental zone.

Zoning regulations are based on a priority system:

State rules > Local ordinances > state lands managed according to the Natural Rivers Administrative Rules and the DNR Management Plan.

There are separate rule for utilities and public provided facilities.

Some of the rules governing private land use are:

- 1) Exempt uses which require no permit; Principle uses require permits; Dimensional Standards govern setbacks
- 2) Abandoned properties may maintain conforming use for 1 year and then must revert to existing rules
- 3) Riparian access structure, i.e. docks, stairs, etc. are governed.
- 4) Land divisions are subject to the rules.
- 5) Septic tank setbacks are controlled.
- 6) Bluff setbacks are regulated.
- 7) Variances for grand-fathered properties and structures are granted under the rules.

Bryan stressed that the rules and regulations are "Place-based" meaning that they will be established to meet the specific needs of the Little Manistee River. He then listed the pros and cons of the Natural River designation:

**Pros**

Significant standards are put in place  
Standards exist in perpetuity  
The rules have authority  
There is consistency in establishing  
the rules and regulations  
The program has a history of success

**Cons**

They represent government intrusion  
Lack of staff to enforce the rules may  
lead to failed expectations  
Not all issues are addressed

Meeting began breaking up at 12:10n PM as many trustees had other commitments

Next meeting: October 6, 2018 10 AM @ Elk Township Hall.

Respectfully submitted by David L. Spruance September 4, 2018