

HOUSE BILL No. 6568

December 4, 2002, Introduced by Rep. Bradstreet and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 30501, 30502, and 30506 (MCL 324.30501,
324.30502, and 324.30506), as added by 1995 PA 59.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 30501. As used in this part:

2 (A) "COMMISSION" MEANS THE COMMISSION OF NATURAL RESOURCES.

3 (B) "DEPARTMENT" MEANS THE DEPARTMENT OF NATURAL RESOURCES.

4 (C) ~~-(a)-~~ "Free flowing" means existing or flowing in natu-
5 ral condition without impoundment, diversion, straightening, rip-
6 rapping, or other modification.

7 (D) "LOCAL UNIT OF GOVERNMENT" MEANS A CITY, VILLAGE, TOWN-
8 SHIP, OR COUNTY.

9 (E) "MUNICIPALITY" MEANS A CITY OR VILLAGE.

1 (F) ~~(b)~~ "Natural river" means a river that has been
2 designated by the department for inclusion in the wild, scenic,
3 and recreational rivers system.

4 (G) ~~(c)~~ "River" means a flowing body of water or a portion
5 or tributary of a flowing body of water, including streams,
6 creeks, or impoundments and small lakes thereon.

7 (H) ~~(d)~~ "System" means all of those rivers or portions of
8 rivers designated under this part.

9 Sec. 30502. (1) ~~The department, in the interest of the~~
10 ~~people of the state and future generations, may designate a~~ ANY
11 PERSON MAY NOMINATE A RIVER FOR DESIGNATION AS A NATURAL RIVER
12 AREA AT A REGULARLY SCHEDULED MEETING OF THE COMMISSION.

13 (2) A river ~~or portion of a river~~ MAY BE DESIGNATED as a
14 natural river area for the purpose of preserving and enhancing
15 its values for water conservation, its free flowing condition,
16 and its fish, wildlife, boating, scenic, aesthetic, floodplain,
17 ecologic, historic, and recreational values and uses. The
18 NATURAL RIVER area shall include adjoining or related lands as
19 appropriate to the purposes of the designation. ~~The~~

20 (3) FOLLOWING CONSIDERATION OF ALL TESTIMONY ON THE NOMINA-
21 TION RECEIVED BY THE COMMISSION, IF THE COMMISSION DETERMINES
22 THAT THE NOMINATION MEETS THE PURPOSE FOR DESIGNATION AS A NATU-
23 RAL RIVER AREA UNDER SUBSECTION (2), THE COMMISSION SHALL DO ALL
24 OF THE FOLLOWING:

25 (A) NOTIFY THE DEPARTMENT TO PROCEED WITH CONSIDERATION OF A
26 DESIGNATION AS A NATURAL RIVER AREA AND TO GATHER PUBLIC INPUT AS
27 PROVIDED IN SECTION 30506.

1 (B) NOTIFY ALL LOCAL UNITS OF GOVERNMENT IN WHICH THE
2 PROPOSED NATURAL RIVER AREA IS LOCATED. THE COMMISSION SHALL
3 ENCOURAGE THE LOCAL UNITS OF GOVERNMENT TO NOTIFY AFFECTED LAND-
4 OWNERS WITHIN THEIR JURISDICTION.

5 (C) PLACE ON THE AGENDA OF A FUTURE MEETING OF THE COMMIS-
6 SION THE CONSIDERATION OF THE NOMINATION.

7 (4) AT A MEETING OF THE COMMISSION, THE COMMISSION SHALL
8 RECEIVE TESTIMONY FROM THE DEPARTMENT ON THE PUBLIC INPUT PRO-
9 VIDED UNDER SECTION 30506 AND FROM OTHER INTERESTED PARTIES.
10 UPON CONSIDERATION OF THIS TESTIMONY, THE COMMISSION MAY DESIG-
11 NATE THE RIVER AS A NATURAL RIVER AREA.

12 (5) FOLLOWING DESIGNATION BY THE COMMISSION AS A NATURAL
13 RIVER AREA, THE department shall prepare and adopt a long-range
14 comprehensive plan for ~~a designated~~ THE natural river area that
15 sets forth the purposes of the designation, proposed uses of
16 lands and waters, and management measures designed to accomplish
17 the purposes. State land within the designated area shall be
18 administered and managed in accordance with the plan, and state
19 management of fisheries, streams, waters, wildlife, and boating
20 shall take cognizance of the plan. The department shall publi-
21 cize and inform private and public landowners or agencies as to
22 the plan and its purposes, so as to encourage their cooperation
23 in the management and use of their land in a manner consistent
24 with the plan and the purposes of the designation. The depart-
25 ment shall cooperate with federal agencies administering any fed-
26 eral program concerning natural river areas, and with any

1 watershed council established under part 311, when such
2 cooperation furthers the interest of the state.

3 Sec. 30506. Before designating a river as a natural river
4 area UNDER SECTION 30502, the department shall ~~conduct~~ DO BOTH
5 OF THE FOLLOWING:

6 (A) CONDUCT public hearings in the county seat of any county
7 in which a portion of the ~~designated~~ PROPOSED natural river
8 area is located. Notices of the hearings shall be advertised at
9 least twice, not less than 30 days before the hearing, in a news-
10 paper having general circulation in each such county and in at
11 least 1 newspaper having general circulation in the state and 1
12 newspaper published in the Upper Peninsula.

13 (B) NOTIFY IN WRITING EACH LANDOWNER WITHIN THE PROPOSED
14 NATURAL RIVER AREA AND PROVIDE EACH LANDOWNER AN OPPORTUNITY TO
15 RECEIVE REGULAR UPDATES ON MEETINGS RELATED TO THE PROPOSED DES-
16 IGNATION AS A NATURAL RIVER AREA.