

**NATURAL RIVERS: REVISE  
DESIGNATION PROCESS**

**House Bill 4642**

**Sponsor: Rep. Howard Walker**

**Committee: Conservation and Outdoor  
Recreation**

**Complete to 9-15-03**

**A SUMMARY OF HOUSE BILL 4642 AS INTRODUCED 5-6-03**

Under Part 305 of the Natural Resources and Environmental Protection Act (formerly the Natural Rivers Act, Public Act 231 of 1970), the Department of Natural Resources can designate a river (or a portion of a river) as a “natural river area for the purpose of preserving and enhancing its values for water conservation, its free flowing condition, and its wildlife, boating, scenic, aesthetic, floodplain, ecologic, historic, and recreational value and uses”. The natural river program provides, among other things, for a long-range comprehensive plan to be developed by the DNR for each natural river area, and allows the department to establish zoning rules if it determines that local zoning does not exist or is inadequate.

House Bill 4642 would alter the process by which a natural river area is designated. In particular, the bill would remove the authority for designating such areas from the DNR, and would allow any person to nominate a river for designation as a natural river area at a regularly scheduled meeting of the Natural Resource Commission. Ultimately, the NRC would be responsible for making the designation. The DNR would continue to have a planning and informational role.

Under the bill, following consideration of all testimony, if the NRC determined the nomination met the requirements necessary for designation, the commission would place consideration of the designation on the agenda of a future meeting and direct the DNR to proceed with consideration of a designation, gather public input, and prepare the long-range comprehensive plan. At a NRC meeting to consider the designation of a natural river area, the NRC would review the plan and receive testimony from the DNR regarding the public input it had received and from the general public. Upon consideration of the plan and testimony, the NRC (not the DNR) could designate a river as a natural river area and approve the plan for that area. The NRC would be permitted to modify the plan for a natural river area if it subsequently determined that such a modification was in the best interest of the natural river area and the state. If the plan was modified, the DNR would be required to notify the counties and townships in which the natural river was located of the modifications.

In addition to holding a public hearing as provided in current law, the DNR would be required to notify, in writing, each landowner within the proposed natural river area and provide them with an opportunity to receive regular updates on meetings related to the proposed designation of a natural river area. The DNR would also be required to notify all local units of government in which the proposed natural river area was located, and encourage them to notify affected landowners within their jurisdiction. Finally, the DNR would be required to attend a

meeting of the governing body of each township and county in which the proposed natural river area was located to receive input on the designation and plan.

[Currently, before the Department of Natural Resources designates a river as a natural river area, it must hold a public hearing in the county seat of any county in which a portion of the designated natural river area is located. Upon designating the natural river area, the DNR develops a long-range plan for the natural area setting forth the purposes of the designation, proposed uses of lands and waters, and management measures designed to accomplish the purposes. The DNR is also required to inform landowners and agencies as to the plan and its purposes in order to encourage their cooperation in the management and use of their land in a manner consistent with the plan and the purposes of the designation. These provisions would be retained as part of the new NRC-based process.]

MCL 324.30502 et al.

Analyst: M. Wolf

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.