

General Helpful Information

When you buy land in the U.P. you will find wildness, beauty, serenity, security, and recreational opportunities that invigorate you and give you a new, better perspective. There are issues, however, when buying property in a less developed, rural area. Consider the following:

1. Access
2. Utilities
 - Water
 - Septic
 - Electricity
 - Phone and Internet access
3. Environmental Regulations
4. Zoning and Plat books
5. Taxes
6. Helpful organizations and how to reach them

Access

Not every U.P. property connects to a public road. Some do not even have legal access- a recorded easement from a public road to the property. When land belonging to others has been used for more than 15 years a right of access may be created and can possibly be converted into a legal easement. Sometimes “legal” access exists but is over terrain where it is not practical to build a usable road. Additionally, many public roads are “seasonal,” which means they are not plowed in the winter. In these areas, people may have a vehicle with a plow or hire someone else to do snow removal, but the length and/or nature of the access can make that nearly impossible or expensive. If you have land in such a place you may reach it by snowmobile, cross-country skis, or snowshoes in the winter.

Utilities

In some areas, it is difficult to drill a well because of rock, and the water you get may contain impurities that will need to be removed. This will make your system more expensive. Rural areas often have no sewer systems. Sewage treatment requires a septic system or one of the new aerobic or wetland systems. In some areas these systems work

very well; in others, they require additional features that cost more and/or do not work as well. Some areas will not percolate “perc” and septic systems are not possible.

Your land may have electric and phone lines, or they may be close enough to extend at a reasonable cost. If not, you will need a generator or other alternative sources if you want electric power. Regarding cellular and internet services, phone service coverage has gotten much better across the U.P. in the past years though there are still large swaths that lack it. For areas without cell service, many satellite phone options exist and with recent technologies, the options for obtaining internet access have become more numerous. Some people make decisions on how much they value privacy and trade extra privacy for some of these creature comforts or utilize alternative systems.

The U.P. has excellent medical facilities but they might not be close to the property you choose. The distance to a good airport with scheduled service is also a consideration, as is the convenience of a good grocery store, restaurants, and a reliable hardware store. Some areas have it all. Others do not, and the trick there is not to be uncomfortable, but to be comfortable without conveniences. A broker can help you sort through alternatives, find an area with features and benefits that meet your needs, and a place within that area that will become dear to your heart.

Water

Getting water for your home in much of the U.P. can include expenses and systems common here but unusual elsewhere. Your well may have good water or water that needs various kinds of treatment or pressure enhancement.

Septic systems

Septic systems work well in sand, and not so well or not at all in heavier soils. Clay and areas with a high water table or seasonal runoff or flooding are generally not suitable for a septic system. The county health department issues permits for septic systems, can advise you on your area, and will, for a modest fee, conduct a "perc test" on your property in advance of closing to assure you that they will issue a septic permit when the time comes.

Telephone & Internet

Landlines have become increasingly rare with many people choosing to utilize cell phones instead of landlines. General cell service has gotten better in the past decade but is

still imperfect and depends on what carrier is utilized. Starlink has also become a popular choice for very rural locations where other options are extremely limited or preventatively expensive.

Environmental Regulations

A call or visit to three governmental offices should disclose most regulatory issues involving land. These organizations have a wealth of information that can be useful. Contact the Michigan Department of Environmental, Great Lakes, and Energy (EGLE), the County Health Department in the county where the land is located, and the Township/County Zoning Administrator. Ask:

-EGLE: "Would you please check if there are any designated special areas (rivers, erosion areas, endangered species, critical dunes, wetlands, known pollution problems), or anything else I should know before I buy this property?" EGLE maintains a database that flags such problems in each square mile.

-County Health Department: "Would you expect perc or well problems on the property in which I am interested." They will have facts on nearby wells and perc tests.

-Township Supervisor or Zoning Administrator: "What does the zoning allow? Do you know of anything I should know before I buy this property?" These officials are closest to the land, live in the community, and should know of any obvious problems.

Endangered Species

Piping plovers, eagles, barred owls, Kirtland warblers, wolves, moose, and lady slippers are just a few of the endangered species found and protected in the U.P. under this act. Endangered species can be found scattered across the landscape here, that they still live here is a reason for celebration. We need to be good stewards of the land. The Michigan DNR is responsible for endangered species issues.

Floodplains

Building in high-risk flood areas is restricted for the safety of the owner and to ensure that the natural flood flows of rivers are allowed to dissipate as quickly as possible. Permits are required from The Water Resources Division (WRD) of Michigan's

Department of Environmental, Great Lakes, and Energy (EGLE) and local building and zoning organizations.

Great Lakes Submerged Lands

In general, the public has the right to use the surface waters of the State of Michigan, so long as their access to the water is legal. Regardless of the location of the surveyor's "meander line" along the shore, which is always located back from the water at the discretion of the surveyor, and regardless of the level relative to the ordinary high water mark, the riparian (waterfront) owner owns and controls his property to the water's edge. On rivers, streams, and some inland lakes an owner may also own bottomlands. On the Great Lakes, Michigan Common Law provides that if you have gained lawful access to the water, you may walk along the shore provided you remain in the water. On the Great Lakes, permits are required for filling, dredging, and constructing permanent structures such as piers, pilings, etc. lying below the Ordinary High Water Mark (OHWM) and on all upland channels extending landward of the OHWM of the Great Lakes. Contact the Water Resources Division (WRD) of EGLE, the US Army Corps of Engineers Detroit District Engineer's Office, and local and county regulators with any questions and to obtain the proper permitting.

Great Lakes Shoreline

Environmental areas, flood risk areas, and high erosion areas that may be damaged by various land use activities along the Great Lakes shoreline generally require permits from the Water Resource Division (WRD) of EGLE as follows:

- Designated Environmental Areas require permits for dredging, filling, grading, and alteration of natural drainage, alteration of vegetation used by fish and wildlife, and placement of permanent structures.

- Designated Flood Risk Areas require a permit for permanent structures on a parcel of land of which any portion is designated.

- Designated High-Risk Erosion Areas require a permit for the erection, installation, or moving of a permanent structure on a parcel of land of which any portion is designated.

- Setbacks from the water, or the "green line" where beach grasses begin to grow, or the tree line where the forest begins, are required under most zoning ordinances.

Inland Lakes and Streams

A permit is required from EGLE to affect bottomlands by dredging or filling; constructing or altering structures; creating, enlarging, or diminishing an inland lake or stream, or interfering with the natural flow of water. Setbacks from the water are required for structures under most zoning ordinances.

Natural Rivers

Several outstanding rivers including the Fox and the Two Hearted River (and most of their tributaries) are in a designated Natural River District. All lands within 400 feet of the river are protected and permits are required for any building construction, platting of lots, cutting of vegetation, land alteration, or bridge construction. Township/county zoning administrators control permits in such areas with approved Natural River zoning. The state zoning administrator controls permits in State-zoned areas of Natural Rivers. Contact the Michigan DNR at DNR-NaturalRivers@michigan.gov for more information on this topic.

Sand Dunes

In designated and mapped critical dune areas, all proposed new uses that significantly alter contours, including roads, recreational, and silvicultural (forest management) activities, require permits from EGLE.

Soil Erosion and Sedimentation Control

Permits are required for all earth changes that disturb one or more acres of land or are within 500 feet of a lake or stream. The regulatory bodies may include the county, EGLE, the DNR, charter townships, cities, and villages.

Wetlands

A "wetland" is sometimes not obvious and may not be identified by standing water or a high water table but by soils, vegetation, or other factors. EGLE determines if lands are "wetlands". If so, they cannot be disturbed by filling, dredging, developing (including building structures or roads), or draining. Permits are obtained from EGLE, the US Army Corps of Engineers, and various other local regulators.

Zoning

Zoning regulates land use. Most U.P. property is zoned. Detailed information on the zoning classification of any specific parcel of land is available from the Zoning Administrator of the township or county where the property is located. Zoning usually includes building setbacks from the edges of the parcel of land and any rivers or lakes. Regardless of the zoning, we all have a responsibility to be good stewards of the land while we have it for those who follow in the future.

Plat books

Plat books showing the ownership of land and details such as lakes and streams, roads, and governmental boundaries are available from every county. The best place to ask is at the County Clerk or Register of Deeds. Plat books are not published annually, so the information can be outdated. They can be useful but not to be relied upon.

Taxes

Commercial Forest Act

The Commercial Forest Act is relatively unknown and unused below the bridge, but it has had a significant effect on life in the U.P. Half the land in the U.P. is in public ownership. The majority of the rest is owned in large tracts by timber and mining companies. The Act offers reduced tax rates of \$1.35/acre for owners of 40 acres or more when a property is registered correctly and used solely as commercial forestland. In return, public access to this land is required for the purposes of hunting, fishing, and recreation. This Act is what has allowed so much of the U.P. to be accessible to the public for outdoor recreation. Copies of the Act are available from the Michigan DNR. You will see "CFR" in the plat book on tracts that have been so designated.

Helpful Organizations and How to Reach Them

Many local, state, and Federal organizations oversee various environmental laws and regulations and provide resources to the landowner. Some of the most important in the U.P. are listed below.

- EGLE: Michigan Department of Environment, Great Lakes, and Energy (wetlands, endangered species, critical dunes, underground storage tanks).
Marquette district office: 1504 West Washington Street, Marquette, MI 49855

- DNR: Michigan Department of Natural Resources (Forest management plans and technical on-site assistance, wildlife practices, hunting, fishing, recreation, Natural Rivers, endangered species). 1990 U.S. 41 So., Marquette, MI 49855.
Phone:(906)-228-6561

- US Army Corps of Engineers (Deals with dredging and other permitting to do with water frontage) The Marquette office is located at 115 S. Lakeshore Blvd. Suite C Marquette, MI 49855. Phone:(906)228-2833. The Detroit District office is located at 477 Michigan Ave. Detroit, MI 48226. Phone:(313) 226-6413.

- County/township zoning. (Regulates land use and setbacks).

- County health department. (Regulates wells, septic, & radon).

- County Conservation District: (Forestry and conservation plans; on-site technical assistance and property evaluations; Forest Stewardship plans) Marquette phone: (906)226-8871. Alger phone (906)387-2222.