



# MICHIGAN WATERFRONT ALLIANCE NEWSLETTER May 2014

[www.mwai.org](http://www.mwai.org)

**MWA Mission Statement** “This corporation is formed to protect, preserve and promote the wise use of inland waters – lakes, streams, rivers, creeks and the waters and bottomlands of the state of Michigan.

## Presidents’ Corner

By Bob Frye

Dear Individual Members and Lake Association Members.

After a Pure Michigan winter I am really looking forward to a warm Pure Michigan Summer!

We have some good news regarding Senate Bill 680. It passed out of the Senate 38-0! This bill helps refine the Road end permitting process by relieving county road commissions from doing any permitting.

I would like to thank Matt Kurta for putting on a fine MWA Power Point Presentation at the Michigan Inland Lakes convention this past May 2nd. Matt is the MWA liaison from the lobbying firm Karoub Associates.

Matt will make the same Presentation at this year 's annual MWA meeting, to be held in Lansing on Monday June 9. Not only does he explain the various legislative issues the MWA is involved in, he describes how the MWA fits in the new "Good Neighbor Policy" of the DNR. He goes on to explain the lobbying process and how the MWA can be even more effective in protecting the Riparian Rights of Michigan's Waterfront owners.

Another speaker at this year's MWA annual meeting will be Kendra Everett from Senator Casperson's office. The Senator has introduced Senate Bill 444 (A bill to amend 1994 Public Act 451, entitled "Natural resources and environmental protection act,") regarding permitting, which has passed the Senate and has been referred to the House Natural Resource Committee. Her topic will be how to better fund the fight against invasive species.

Also at the Annual meeting we will review the appellate court decision regarding dams and riparian rights: Holton v Ward.

Please make plans to attend the MWA 2014 annual meeting to be held at Karoub Associates, 121 W. Allegan Street, Lansing, MI 48933. at 2 pm on Monday June 9.

Sincerely,  
Bob Frye, President MWA  
[skibones@aol.com](mailto:skibones@aol.com)



## **MWA Legislative Update – May 2014**

### **SB 680 Update**

Senate Bill 680, introduced by Senator Mike Kowall (R-White Lake Township), prohibits county road commissions from exercising authority over seasonal docks at road ends. This legislation, supported by MWA, may see action in the near future in the Senate Local Government and Elections Committee, chaired by Senator David Robertson (R-Grand Blanc). The legislation will clarify that a “local unit of government” is defined as the city, village or township where the road end is located, taking road commissions out of the process.

SB 680 passed the Senate unanimously, and is likely to be reported out of the House Local Government Committee during the week of May 12.

Matt Kurta of Karoub Associates is working together on this legislation with Public Affairs Associates, representing the Higgins Lake Property Owners’ Association.

### **Invasive Species Update**

Governor Snyder’s proposed Fiscal Year 2014-2015 included an additional \$6 million (\$4 million annually, \$2 million in one-time funding) to help the DNR prevent, fight and manage terrestrial and aquatic invasive species. Sixty percent of the funding was intended for "boots on the ground" projects, fifteen percent to establish best practices and twenty-five percent increase education and outreach.

As introduced, the spending would add 16 Full-time Equivalent (FTE) state employee positions dedicated to invasive species – Five each for DNR, Department of Environmental Quality (DEQ) and the Michigan Department of Agriculture and Rural Development (MDARD) plus one for the Michigan Department of Transportation.

As of this writing, the Senate and House have passed their respective versions of the budget. The Senate version closely mirrors the Governor’s recommendation with a slight increase in the \$6 million. However, the House version scaled the number of FTEs down to 4, reduced the overall line-item by \$1 million, and dedicated the rest of the remaining funding to grants. While MWA appreciates the inclusion of this funding, the House-passed version is preferable as it dedicates more money to treatment. Either way, the inclusion of this funding opens the door to future discussions surrounding greater participation by the state in fighting invasive species and taking some of the load off of lakefront property owners. The budget process is likely to wrap-up in mid-May, so now is the time to contact

your legislators to thank them for appropriating state general fund dollars towards fighting invasive species and to ask them to direct as much funding as possible from this appropriation to grants.

Additionally, the Senate Natural Resources Committee is considering a bill package (Senate Bills 795-802) that increases penalties for transport and/or release of aquatic invasive species, including fines, license suspension, and seizure of equipment.

### **Gas tax**

The House of Representatives approved a \$450 million road funding package on May 14. While this package does not meet the Governor’s goal of \$2 billion in increased investment, passage is notable, as it represents the first major legislative action to change how transportation is funded in Michigan since 1997. The bipartisan package passed the House overwhelmingly, and largely encompasses the following changes:

- Shifts a portion of sales tax to roads,
- Repeals the current gas tax in favor of a percentage-based tax on the wholesale price of gas,
- Enacts diesel tax parity,

- Expands warranties on state & local road projects,
- Shifts a portion of use tax to roads,
- Allows the state to contract for road maintenance services,
- Requires limited competitive bidding for county road commission projects,
- Increases fines for overweight/oversized vehicles, and
- Reforms state registration fees, eliminating some credits & reductions

The package now goes to the Senate for further consideration.

(For review of other watershed legislative matters, see our web site - <http://www.mwai.org/> )

### **MICHIGAN chapter NORTH AMERICAN LAKE MANAGEMENT SOCIETY**

McNALMS includes members from state, federal and local agencies as well as professionals working in limnology, biology, fisheries, recreation, and engineering. The Chapter provides a unique opportunity for individuals, groups and lake advocates to come together to achieve shared lake protection and restoration objectives.

Focusing on inland lakes, McNALMS is an affiliate member of the North American Lake Management Society, an international society. Through this affiliation, McNALMS is able to draw on the expertise of scientists, engineers, policymakers, and citizens from throughout the world.

#### **McNALMS**

- Provides articles on Lake Management (water quality, aquatic plants, fish, exotic species and other topics.)
- Encourages cooperation and interaction among lake and watershed managers to address problems impacting Michigan's lakes.
- Promotes the sharing of information and experiences on scientific, financial, administrative, legal, and legislative aspects of lake and watershed management and policy and legislation influence.
- Fosters the development of lake restoration and protection programs at local, state, and national levels.
- Provides education through our web site, newsletters, and an Annual Fall Conference.
- Provides a forum for citizens and managers to share ideas and promote common objectives

**Dues are \$25 for an Individual Member, \$50 for a Lake Board /Association/Non-profit membership,  
\$100 for a Corporation membership**

**For more information and/or a membership application, visit us at [www.mcnalms.org](http://www.mcnalms.org)**

## **Michigan Lake and Stream Associations**

News and Views for Spring 2014

By Scott Brown, ML&SA Executive Director

First of all, on behalf of Michigan Lake and Stream Associations and the Michigan Waterfront Alliance, we would like to extend our appreciation to members who took time out to attend the inaugural Michigan Inland Lakes Convention that was held on May 1st-3rd at Boyne Mountain Resort. Thanks in large part to your participation, the convention was a resounding success! Nearly four hundred registered attendees as well as sixty two commercial and non-profit exhibitors gathered in Boyne Country for a two and half day celebration of one of Michigan's most valuable natural resources - our inland lakes!

A very special thanks goes out to Matt Kurta of Karoub & Associates in Lansing for his outstanding convention presentation highlighting the importance for folks living on or near the shoreline to learn to work with local and state government officials in improving the management of our inland lakes and in protecting our riparian rights.

Never underestimate your individual or collective ability to influence the opinions and votes of your local and state government representatives! A timely e-mail, phone call and/or a letter from you and your neighbors to township officials or your state representatives regarding an issue of importance to you and your community may help influence the course of history! Did you know that far less than 1% of the folks

of voting age living in Michigan ever attempt to communicate with their respective elected government officials? As few as ten well informed e-mails or phone calls from constituents focused on a particular issue can influence the outcome of the law making process!

Michigan Lake and Stream Associations and the Michigan Waterfront Alliance are presently focused on an on-going issue of great importance to folks living on inland lakes - drastically increasing the state revenue appropriation dedicated to effectively managing and controlling exotic aquatic invasive species, specifically, we seek the creation of a state funded inland lake aquatic invasive species management program that will serve to lighten the financial burden currently being shouldered entirely by lake associations and folks living on Michigan's inland lakes. Ask yourself this question - why should those living on inland lakes pay the entire cost of funding aquatic invasive species control in Michigan? Through self-imposed Special Assessment Districts, that is exactly what has been occurring in Michigan for over sixty years! You and your lakefront neighbors have generously agreed, decade after decade, to shoulder the entire cost of maintaining the health of our inland lake ecosystems in the face of a massive invasion of exotic aquatic plants, while your fellow citizens within the region who directly benefit from healthy lakes and good fishing, are not required to contribute one red cent to your efforts. Simply put - this is wrong! Our Governor and state legislators need to hear from you and your neighbors now!!!

### **All about Asian Carp (from Michigan DNR)**

- Asian carp are a type of fish native to Asia that have been introduced or could be introduced in the United States. Asian carp are regarded as highly invasive species in the U.S. capable of causing economic, ecological or human health harm. They include the following species:
  - bighead carp (*Hypophthalmichthys nobilis*), - black carp (*Mylopharyngodon piceus*), - grass carp (*Ctenopharyngodon idella*), - silver carp (*Hypophthalmichthys molitrix*), and - large-scale silver carp (*Hypophthalmichthys harmandi*).
- The term "Asian carp" has been used in the media to include those species that pose an immediate and potentially grave biological concern to the fisheries community in the mid-west. While the Michigan Department of Natural Resources (DNR) believes all five species of Asian carp listed above pose a significant threat to the biological community and recreational opportunities, in the Great Lakes region it is especially concerned with the bighead and silver carp (Clapp et al. 2010).
- Bighead and silver carp migrate up streams or rivers to breed; eggs and larvae drift downstream to develop. These fish are fast growing and can weigh up to 100 pounds. They are also highly prolific, producing up to one million eggs.
- Bighead and silver carp are filter feeders, straining tiny plants (phytoplankton) and animals (zooplankton) out of the water. By eating plankton, the carp compete with native filter feeding fish, such as lake whitefish, as well as the young life stages of many fish species such as walleye and yellow perch. This competition for food can potentially disrupt the entire food web in a water body.
- Bighead and silver carp were imported into the southeastern U.S. in the 1970s to remove algae and suspended matter out of catfish farm ponds and wastewater treatment ponds. While the exact manner of released into the wild is still debated, it is widely believed during large flood events in the mid-1990s, some of the farm ponds overflowed their banks and Asian carp were released into local waterways in the Mississippi River Basin.

### **The Concern to Michigan**

- Bighead and silver carp are spreading throughout streams, rivers and lakes in the Mississippi River and Great Lakes region. Where established their populations have been increasing with the fastest expansions occurring in the Missouri and Illinois Rivers. They are well-suited to the climate of the Great Lakes region, which is similar to that of their native range in Asia. If introduced to the Great Lakes these fish are expected to flourish in the near shore areas and large river tributaries.
- Researchers predict bighead and silver carp, due to their large size and high reproductive rates, pose a significant threat to disrupt the food chain that supports the native fish of the Great Lakes, such as walleye, yellow perch and lake whitefish. Such a disruption may result in diminished recreational and commercial fishing opportunities in the region.

- Additionally, silver carp pose a direct threat to human health due to their propensity to leap high out of the water when disturbed by vibrations like those commonly caused by recreational watercraft. Boaters can and have been injured when hit by leaping fish weighing up to 40 pounds. This has the potential to threaten Michigan's recreational economy because fear of injury could diminish the desire to recreate in areas inhabited by these fish.

### **Actions to Prevent the Spread**

- The Chicago Sanitary and Ship Canal connects the Mississippi River to the Great Lakes via the Illinois and Des Plaines Rivers. To prevent Asian carp from entering the Great Lakes, the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, the State of Illinois, the International Joint Commission, the Great Lakes Fishery Commission and the U.S. Fish and Wildlife Service have worked to install and maintain two permanent electrical barriers on the Chicago Sanitary and Ship Canal to keep Asian carp from reaching Lake Michigan. An electrical barrier strategy was selected, rather than a permanent barrier, to allow for movement of barges through the waterway.
- The electrical barrier system on the Chicago Sanitary and Ship Canal is not a fail-safe system, whereas a permanent barrier or biological separation of the Great Lakes and Mississippi River Basins would prevent bighead and silver carp from entering Lake Michigan via the ship canal pathway. Although an electrical barrier acts to repel the fish, it doesn't kill them.
- At issue also are several other geographical locations above the electrical barriers whereby Asian carp could reach Lake Michigan if they succeeded in moving past the electrical barriers.
- In December 2009 during maintenance of the electrical barriers that required the barriers to be turned off, a segment of the Ship Canal was treated with an organic compound (rotenone) used to eliminate all species of fish in the area and prevent movement of fish through the area while the maintenance occurred. During this event, one Asian carp was found in the vicinity of the electrical barrier.
- Environmental DNA (eDNA) has been employed upstream of the barrier in an effort to detect any silver or bighead carp that may have gotten through. Unfortunately eDNA evidence indicates some bighead and silver carp have likely moved past the barrier towards Lake Michigan.
- Silver carp eDNA has been detected above the barrier in the Calumet River and Calumet Harbor near Lake Michigan and heavy surveillance is continuing to occur in Southern Lake Michigan and its large tributaries.
- In 2011, silver carp and bighead carp eDNA was detected in Lake Erie. It is unclear how these fish could have gotten into Lake Erie but efforts are currently underway to verify and assess the situation.
- The presence of eDNA doesn't indicate a breeding population has been established but only that at least one fish is present in the area sampled. Research suggests 10 to 15 fish in the correct spawning habitat are needed to establish a new population.

### **Michigan's Response**

- In December 2009, after federal and Illinois officials failed to identify a plan of immediate and effective action, Michigan Attorney General Mike Cox asked the U.S. Supreme Court to immediately order federal, state and local officials responsible for Chicago-area locks and waterways to temporarily close them to stop Asian carp from entering the Great Lakes. He stated that, "The actions of Illinois and federal authorities have not been enough to assure us the Lakes are safe." Cox continued "That's why the waterways must be shut down until we are assured that Michigan will be protected." Several other Great Lakes states subsequently joined in this action however the U.S. Supreme Court refused to hear the case.
- Michigan DNR has developed an Asian Carp Management Plan. This plan outlines surveillance measures to be conducted annually in Southern Lake Michigan and the large Southwest Michigan tributary rivers. The plan also spells out the procedures to be followed if Asian carp are detected in the state's waters.
- State and local officials as well as several of Michigan's elected representatives in Washington D.C. have continued to call upon the federal government to implement a permanent solution to the Asian carp threat posed by the Chicago Sanitary and Ship Canal.



### Membership Application

(Dues for 2014 are due January 2014)

**The annual dues for individual membership In Michigan Waterfront Alliance are \$50. Lake Association Membership is \$100. Commercial, Individual & Legal Donations Are Appreciated.**  
Please Print:

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Make Checks payable to: **Michigan Waterfront Alliance**  
Mail to: **MWA, P.O. Box 369**  
**Fenton, MI 48430**

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May 2014

### SUMMARY MWA MEETING(S)



#### MICHIGAN WATERFRONT ALLIANCE, INC. BOARD MEETING

**April 2, 2014 –10:00 am – Karoub, Lansing**

Minutes (unapproved)

1. Meeting called to order at 10:12 am. Present were Frye, R. Brown, S. Brown, R. Carey, Highfield, Sharp, Beckwith & Murphy. Excused were W. Carey & Sharp. Also present were M. Kurta of Karoub Association.
2. Minutes of Dec. 11<sup>th</sup> were approved.
3. Treasurer's Report was presented for review and accepted.
4. R. Frye noted the charge for lobbyist registration was a fine. Karoub will handle going forward. He thanked Karoub Associates for progress made on a couple of issues. He also felt MWA should review the ability to pay membership on line.
5. S. Brown voiced his concerns over Eagle Lake and DNR continuing to pursue further sites after being successfully stopped in one area. Position varies from

Director Creigh comments in our earlier meeting.

6. S. Brown reported the Inland Lake Conference was progress well. He mentioned that MWA should create an updated handout for use at the conference and Lake shows
7. T. Murphy explained how MLSA would handle a Matching Student Grant program with McNALMS. Matt will investigate the possibility of us having a position on the Michigan Waterways Commission, suggesting either T. Murphy or N. Beckwith. Matt will also work on development a policy for our participation in the DNR Good Neighbor Policy.
8. S. Brown reported that MLSA members & revenues are steady. Also mentioned the MWA Annual meeting is scheduled for 4:00pm on Friday, May 2, 2014 at the Michigan Inland Lakes Conference.
9. R. Brown reported on the MWA membership status. It was noted that MWA Board approved the slate of candidates for election to the MWA Board. Members were sent their ballots in the February Newsletter.

- 10. Future meeting set for early June 2014, with fall meeting set for September 3<sup>rd</sup>.,at Karoub at 10:00am
- 11. Meeting adjourned at 1:30 pm

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May 2014

**Take a copy of the MWA membership form on page #6 and share with your friends and neighbors.**

**JOIN MWA TODAY !**

**YOUR SUPPORT ALLOWS THE ACCOMPLISHMENTS YOU READ ABOUT, PLUS THE NECESSARY EFFORTS AND COMMUNICATION ACROSS OUR STATE**

**MICHIGAN WATERFRONT ALLIANCE**  
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**MICHIGAN WATERFRONT  
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IS YOUR LAKE PROTECTED.  
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Make a difference!  
It's an investment that pays off!**

Lobbyists are NOT FREE, but individual membership in MWA is VERY CHEAP; it costs just \$50 a year, your lake Association

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