



MICHIGAN WATERFRONT ALLIANCE NEWSLETTER

June 2019

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 MWA Paid Members and Members who have yet to pay this year’s dues,

Presidents Report from Bob Frye of the MWA / DNR AIS Task force Meeting held on April 12, 2019 and June 12, 2019 in Lansing.

April 12

Attendance: Mureno Taylor (Karoub Associates), JoAnn Foreman (DNR, DEQ, and DARD Invasive Species Program Communications Coordinator), Anna Sylvester (DNR Northern Field Operations Chief) Ron Olson (DNR Parks and Recreation Chief), Sarah LaSage (Aquatic Invasive Species Program Coordinator DEQ), Jackie Blodgett (DNR Parks and Recreation Administrative Services Section Chief), Vicki McGhee (DNR Planning & Infrastructure Section Chief), Nick Trosky (DNR Law Enforcement Corporal, Great Lakes Enforcement Division) Mike Gallagher (President, Michigan Lake Stewardship Associations) Lon Nordeen (Direct Michigan Lake Stewardship Associations & Michigan Waterfront Alliance) Scott Brown (Director Michigan Waterfront Alliance) & Bob Frye (President, Michigan Waterfront Alliance)

A. MWA Agenda Items

1. Discussion of seemingly AIS weak penalties in new SB 1072 regulations. Conclusion: As a civil penalty it is much easier to get a positive outcome than if it were a criminal penalty.
2. DNR Conservation Officer Corporal Nick Trosky commented that the current language “that allows an officer to “order” compliance refers specifically to the “transport over land,” but not the “placing” of watercraft in the water and agreed to report back to the Task Force next spring his conclusions on the effectiveness of current penalties and the possible need for impoundment rules.
3. **CONSENSUS Both MWA and DNR: After 1 year, LED will recommend to AIS Task Force any changes to the law including need for higher penalties based on LED observations and actions in year 1.**
4. Discussion regarding a signed compliance document included with watercraft registration form acknowledging being informed about AIS prevention and rules. (per Minnesota & Wisconsin)
5. **MWA CONSENSUS: Reached a Task Force Point of Consensus that: “Michigan Waterways Commission explore ways to enhance Public Access Sites to enable the prevention and eradication of AIS.”**
6. **DNR Consensus: The AIS Task Force encourages the use of waterways funds to explore methods to enhance boat launches in ways that will reduce the spread of aquatic invasive species, with the understanding that applicable Waterways Fund use is “dredging, stump removal, and aquatic weed control when the activities can be shown to clear lanes to make a waterway more accessible primarily for recreational boats as opposed to general navigation.”**
7. Discussed AIS enforcement funding through increased watercraft registration fees.
8. Suggestion by Karoub Representative Mureno Taylor to add an additional line on the watercraft registration payment invoice a volunteer donation check box of a certain amount to go to the prevention and eradication of AIS.

9. DNR & MWA Consensus: Encourage creation of a voluntary invasive species donation “passport” on boater registration form.

10. Efforts (per the request of Waterways Commissioner Dennis Nickels) are continuing to document actual yearly AIS treatment costs in the state of Michigan.

11. Discussion of behavior change before and after AIS awareness efforts per Mike Gallagher and Sarah LaSage. Conclusion: Wisconsin has a scientific in-depth study currently underway and she will update the Task Force of that Study.

12. Review: “An initial document outlining definable steps and objectives towards the below consensus items will be drafted by April 15, 2019 and include a 2019 action plan and timeline.” - Parks Staff reported that the document is coming along well and may be ready for Chief Olson before his presentation at the Michigan Lakes Stewardship Annual Conference to be held on May 3 & 4.

- 1) Michigan needs to strengthen statutory legislation and enhance resources for managing and preventing the introduction and spread of aquatic invasive species.
- 2) If there are considerations of new public access sites by DNR, part of the process of due diligence will include evaluation and implementation of best management practices for the prevention of AIS.
- 3) Not only the state but public and private access point managers and marinas need to work together to reduce the introduction and spread of invasive species and implementing best management practices at all launch sites.
- 4) A method should be developed to share the costs associated with managing AIS on inland lakes to maintain recreational and environmental sustainability.
- 5) Form a public/private coalition with the Michigan Waterfront Alliance and other interested organizations to provide guidance to the DNR in facilitating the steps noted above.
- 6) That the Secretary of State be asked to add an additional line on the watercraft registration payment invoice a volunteer donation check box of a certain amount to go to the prevention and eradication of AIS. It would be somewhat in the same format as the Recreational Passport.
- 7) Reached a Task Force Point of Consensus that: “Michigan Waterways Commission explore ways to enhance Public Access Sites to enable the prevention and eradication of AIS.”

B. Review by Sarah LaSage the 2019 Aquatic Invasive Boater Education Plan and Inland Lake Aquatic invasive control grants 2019, Landing Blitz participation and Grants for AIS permit applications.

If you find a dues envelope in this packet it means that we have not received your 2019 dues. Please put a check in it and send it today!

- **See insert containing a Survey regarding Costs for Inland Lake Residents to Counter and Manage Aquatic Invasive Species (AIS)**
- **Members, See insert regarding election of MWA Board Members**

All I ask, currently, is for more Individual and Lake Association members.

Sincerely,

Bob Frye, Michigan Waterfront Alliance, President



MWA Legislative Issues Update – June 2019

To the surprise of many longtime observers of state politics in Lansing, Governor Gretchen Whitmer (D-East Lansing) on May 30 signed into law Public Act 21 of 2019, which will significantly overhaul Michigan's unique auto no-fault insurance system. After decades of failed efforts to reform a system roundly criticized for excessive premiums, Governor Whitmer, House Speaker Lee Chatfield (R-Levering) and Senate Majority Leader Mike Shirkey (R-Clarklake) were able to strike a deal that won overwhelming bipartisan support in the Legislature.

What is possibly more intriguing than the scope of the deal struck by legislative leaders and the Governor is the fact that the parties were able to come together to bridge gaps and policy differences that were seemingly insurmountable only weeks before. Hopefully the trust gained by working through this tremendously challenging political and policy issue bodes well for all sides in future given the challenges inherent in divided government.

Budget work will dominate the rest of session this summer. With the House of Representatives passing its' budget recommendations this month, negotiations with the Governor and Senate will now begin in earnest. While road funding will see the most focus during these negotiations, a number of items directly of interest to MWA are also in play. The House and Senate budget recommendations for next year's Department of Environment, Great Lakes, and Energy (formerly the DEQ) both include an appropriation of \$150,000 to continue the Cooperative Lakes Management Program (CLMP) and the Volunteer Stream Monitoring Program (VSMP). Recall that with expiration of Clean Michigan Initiative (CMI) bond funding in 2018, there is no longer a dedicated funding source for either program. Last year we were able to secure bare minimum funding to keep the program going and we are now working with the Legislature to request additional funding from the General Fund in order to allow these valuable programs to survive without competing for other resources within the Department. Thank you to everyone who has taken a few minutes to call or write your legislator to let them know how important and valuable these programs are to your local lakes and streams. You are having an impact educating legislators about a program they likely are not aware of, and please keep up the great work as we head to the homestretch of budget negotiations!

We also were able to work with the MI Aquatic Managers Association (MAMA) last year to secure funding for Public Act 671 of 2018, which for the first time will provide state financial assistance to assist riparians with control and eradication of inland lake aquatic invasive plant species. PA 671 created a fund and framework for state assistance, and the Legislature included a supplemental appropriation of \$1 million last December to fund the program. While EGLE has to date allocated \$100,000 of this funding to reimburse AIS permit fees, there is much more work to be done, and MWA will be working with EGLE and DNR to identify additional opportunities and strategies to utilize the remainder of the appropriation going forward. The fact that we are now talking about how to expend a state appropriation to assist with AIS control is a major victory and step forward in assisting riparians with costs that they unfairly have borne solely for decades, and we would not be having this conversation without all of your efforts.

MWA continues to participate in the DNR AIS Task Force as well. We have worked together with the state to enact some important policy changes over the last year, but more work remains to be done.

Once again, thank you all your efforts in bringing our issues to the attention of state departments and the Legislature. MWA continues to be the leading voice for riparians in Michigan, and the larger our membership, the more effective our voice can be. Please let your fellow riparians know about all the work MWA is going for them in Lansing and urge them

to consider becoming a member if they have not already done so. As the old saying does, “The world is run by those who show up!”

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Michigan Lake Stewardship Associations

News and Updates for Summer of 2019

By Lon Nordeen, MLSA Director

Recent MLSA highlights include a very successful 2019 58th annual meeting which was attended by more than 300 lake advocates. The MLSA has a full Board and this body is making progress on updating its strategic plan, educational and outreach objectives for the future, expanding membership and enhancing The Riparian magazine. Another highlight is progress on securing MI legislative support for the sustainment of the Cooperative Lakes Measuring Program in cooperation with MWA.

Michigan Lake Stewardship Associations is a non-profit, state-wide organization dedicated to the preservation, protection and wise management of Michigan’s vast treasure of inland lakes. We achieve our mission by supporting riparian associations as well as the collective and individual educational, stewardship and conservation initiatives of our members which include lake associations, concerned citizens, commercial and non-profit businesses as well as our public and private collaborative partners. The corporation, formerly known as Michigan Lake and Stream Associations, was created in 1961 and now includes over 300 individual members, and more than 250 lake associations whose aggregate statewide membership exceeds 100,000

Michigan Lake Stewardship Associations (MLSA) is a 501(c)3 non-profit corporation made up of organizations, corporations, associations, and individuals who share our goal of preserving and protecting Michigan’s vast heritage of freshwater resources. The primary goal of MLSA is to assist lake associations as well as individual riparian property owners in water resource friendly techniques and methods of protecting their investment in waterfront property.

Michigan Lake Stewardship Associations is a collaborative partnership-oriented organization. In 1991 MLSA supported the establishment of the Michigan Waterfront Alliance since the MWA could be legally more focused on influencing MI legislation through lobbying. Several MWA Board members also serve on the MLSA Board. MLSA also serves as the Program Administrator for the MiCorps Cooperative Lakes Monitoring Program and is an active partner in the Michigan Inland Lakes Partnership and the Michigan Natural Shoreline Partnership. Membership in Michigan Lake Stewardship Associations, is open to any individual, lake, or watershed association, organization, or corporation who shares our interest in preserving the high quality of Michigan’s inland lakes for future generations

What has your MWA Board been doing for you??

- Advocacy to support water protection through active participation in the MI legislative process through advocacy with elected officials, state agencies, departments and other groups
- This mission is accomplished by communications and support for court cases having to do with water protection issues in Michigan
- This membership corporation is closely aligned with the Michigan Lake Stewardship Associations (MLSA) formerly Michigan Lake and Streams Association and has the ability to influence legislation through lobbying (not allowed by the MLSA, a 501C3 organization).
- In 2017 MWA delivered hundreds of letters from lake associations representing 18,000 members to DNR and MI legislature expressing concern over the health of MI inland lakes and asking to reevaluate the DNR goal to expand public boat access sites on lakes over 100 acres due to concern for the spread of AIS
- Efforts resulted in creation of a Task Force in late 2017 with MWA-MI DNR to evaluate ways to improve water protections process and procedures
- Cooperation and progress noted during task force meetings 2017-2019

- May 2018 MWA President presented water new concepts to MI Waterways Commission
- MWA supported 2018-19 lobby to save Cooperative Lakes Management Program (CLMP)
- Reviewing legal issues associated with the continuing spread of aquatic invasive species on MI inland lakes, especially those with public launch sites

What can you do to support MWA and help protect MI inland Lakes??

- Join MWA and encourage other lake association members to join
- Contribute funds to MWA to support our lobbying, outreach and legal activities
- Connect with your elected officials at the township, village, city, county and state levels
- Write letters/e-mails/call/meet with your elected officials and voice you concern about the condition of MI inland lakes, spread of aquatic invasive species (AIS), PFAS and other risks which are harming our lakes and potentially impacting recreation and property values



Membership Application
(Dues for 2019 are due January 2019)

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:

Last Name	First Name	() _____ - _____	() _____ - _____	
		Day Phone	Evening Phone	
Street Address	City	State	Zip Code	Email Address
County	Township	Lake or Stream Association if established		

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

Individual (\$50)	_____
Lake Assoc. (\$100)	_____
Corp. (\$200)	_____
Legal Assist. Fund	_____
Total Enclosed \$	_____

June 19

SUMMARY MWA MEETING(S)



MICHIGAN WATERFRONT ALLIANCE, INC. BOARD MEETING

March 15, 2019 – Karoub, Lansing
Minutes (approved)

1. Meeting called to order at 3:30 pm. Present were Frye, S. Brown, Wm Cary, Beckwith, Nordeen(phone), Cornell. Also present were M. Kurta of Karoub & Dane Carey.
2. Minutes of previous meeting were corrected and approved.

3. Treasurer’s & Membership Report were not reviewed.
4. President’s Report-reviewed Task Force meeting that he and S. Brown & Lon had attended. It was felt that great progress was made at this meeting. Frye introduced Dane Carey and provided some important background. Reviewed new boating law and Secretary of State inserting card with registration packet indicating \$100 civil penalty.
5. M. Kurta reviewed with the Board the current legislative issues.
6. S. Brown reviewed the Starry Stonewart conference as being productive and well attended.

7. S. Brown reported on McNalms-Retiring of Wandell & B. Clawson being new President.
8. L. Nordeen reported that MLSA was busy preparing for their annual conference at Crystal Mountain.
9. Frye & Carey reviewed Appeal Court case (Fraser Township and Virginia Park Assoc) Discussion resulted in an approved motion to allocate up to \$2000 for amicus brief preparation.
10. Frye Proposed D. Carey for our Board of Directors. It was moved and supported with Wm Carey abstaining.
11. The 2019 MWA ballot for the Board members would contain Frye, Wm Carey, Beckwith, Nordeen and D. Carey, as being the slate approved for election by the MWA Board.
12. The dates for MWA Annual meeting and Annual Board meeting were suggested as being in September of 2019, at the office of Karoub.
13. Next meeting tentatively scheduled for June 6, 2019 at Karoub.
14. Meeting adjourned at 4:26 pm

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June 2019

Take a copy of the MWA membership form on page #5 and share with your friends and neighbors.

Amicus Brief Update

“On January 10th, 2019, the Michigan Court of Appeals entered an opinion in the matter of Virginia Park Subdivision v Hair et al. The case is of great importance to riparian jurisprudence in the State of Michigan. In Virginia Park, the Court of Appeals determined that the riparian lands adjacent to a private lakeside park were not owned by the first tier lot owners whose lands were separated from the water only by the narrow strip of park land. The holding in Virginia Park represents a sharp departure from earlier holdings of the Michigan Supreme Court, including the landmark case of Baum v Charlevoix. Because of the importance of the ruling in Virginia Park, and the potential negative impact the ruling could have for thousands of riparians throughout Michigan , the Michigan Waterfront Alliance (MWA) directed its legal counsel, **Attorney Dane Carey** of Traverse City and **Attorney William Carey** of Higgins Lake, to petition the Supreme Court to file an amicus (friend of the court) brief in support of the riparians in Virginia Park. The amicus brief is set forth in full below. On May 10th, 2019, the Michigan Supreme Court granted the amicus petition of MWA and allowed the filing of the amicus brief in the matter now pending with that court. Look for future status reports on the Virginia Park case in the MWA newsletters and email alerts. “

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For more information, contact Editor Dick Brown

How Much Does It Cost MI Inland Lake Residents to Counter and Manage Invasive Species?

Please review the questions below and provide answers to MWA so we can work to better answer the questions the Chairman of the Michigan Waterways Commission asked us: "What do we believe is the cost to Michigan inland lakes associations, groups and residents to treat and attempt to hold in check the negative impact of all forms of aquatic invasive species using all forms of management?" **Possible enhanced State funding and cost sharing of AIS expenses may well be reflected by this survey.**

Aquatic Invasive Species (AIS) Survey

Your Name: _____

Name of Lake Association or Group: _____

Email address: _____ Phone _____

What is the name of your lake? _____

How many acres is your lake? _____

Does your lake have a DNR created public access? _____ How many? _____

What county of Michigan is your lake located in? _____

In what year did your lake first expend funds for AIS control/eradication? _____

How much money did your lake association/group spend on AIS management last year? _____

How is payment for your AIS control and eradication effort funded? (Please check all that apply) *

____ Special Assessment District (SAD) Controlled by your Township, City, or Village

____ Special Assessment District (SAD) Controlled by a Lake Improvement Board(Formed by Statute)

____ Voluntary Contributions provided by riparians on your lake

____ Other Funding Source:: _____

What type of AIS control does your lake association/group perform each year? (Please check all that apply)

____ AIS Monitoring

____ Chemical Treatment

____ Mechanical Machine Harvesting

____ Diver Assisted Suction Harvesting

____ Biological Control (e.g. beetles, aeration, etc.)

____ None

Other: _____

What types of AIS do you monitor and/or manage on your lake? (Please check all that apply)

____ Eurasian Watermilfoil

____ Starry Stonewort

____ Zebra Mussels

____ Curly-Leaf Pondweed

____ Carolina Fanwort (Cabomba)

____ Hydrilla

____ European Frogbit

____ None

Other: _____

Does your lake participate in CLMP (Cooperative Lakes Monitoring Program)? _____

Does your lake track and record data separate from CLMP? _____

Other: _____

Please add any other comments about AIS control on your lake:

Please send your completed survey to:
Michigan Waterfront Alliance – Survey
PO Box 369
Fenton MI 48430-0369



Michigan Waterfront Alliance
PO Box 369
Fenton, MI 48430

