

	OFFICE OF THE GREAT LAKES POLICY AND PROCEDURE		DEPARTMENT OF ENVIRONMENTAL QUALITY
Original Effective Date: April 2, 2014 Revised Date: Reformatted Date:	Subject: Guidance for Delisting Michigan's Great Lakes Areas of Concern		Category: <input type="checkbox"/> Internal/Administrative <input type="checkbox"/> External/Non-Interpretive <input checked="" type="checkbox"/> External/Interpretive
	Program Name: Michigan Areas of Concern Program		
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A Department of Environmental Quality (DEQ) Policy and Procedure cannot establish regulatory requirements for parties outside of the DEQ. This document provides direction to DEQ staff regarding the implementation of rules and laws administered by the DEQ. It is merely explanatory; does not affect the rights of, or procedures and practices available to, the public; and does not have the force and effect of law.

INTRODUCTION, PURPOSE, OR ISSUE: Annex 2 of the 1987 Great Lakes Water Quality Agreement between the United States and Canada requires the parties to identify Areas of Concern. An Area of Concern (AOC) is identified as “a geographic area that fails to meet the General or Specific Objectives of the Agreement where such failure has caused or is likely to cause impairment of beneficial use of the area’s ability to support aquatic life.” The Agreement also lays out 14 specific beneficial use impairments for consideration. They are:

- i. Restrictions of fish and wildlife consumption;
- ii. Tainting of fish and wildlife flavor;
- iii. Degradation of fish and wildlife populations;
- iv. Fish tumors or other deformities;
- v. Bird or animal deformities or reproductive problems;
- vi. Degradation of benthos;
- vii. Restrictions on dredging activities;
- viii. Eutrophication or undesirable algae;
- ix. Restrictions on drinking water consumption, or taste and odor problems;
- x. Beach closings;
- xi. Degradation of aesthetics;
- xii. Added costs to agriculture and industry;
- xiii. Degradation of phytoplankton and zooplankton populations; and
- xiv. Loss of fish and wildlife habitat.

Fourteen AOCs have been identified within Michigan. Local Public Advisory Councils have been established for each of the AOCs. The Michigan Department of Environmental Quality developed this *Guidance* to: (1) provide guidance to AOC communities about the State’s process for delisting AOCs; and (2) identify specific quantitative or qualitative criteria which the State will use to determine when beneficial use impairments can be formally redesignated as unimpaired.

STAKEHOLDER INVOLVEMENT: This *Guidance* was drafted in 2005 and early drafts were shared on multiple occasions with the Statewide Public Advisory Council, a public advisory group consisting of one representative from each of the 14 local Public Advisory Councils. The draft document was also shared with each of the local Public Advisory Councils. Prior to being finalized, the *Guidance* was offered to the Great Lakes National Program Office of the United States Environmental Protection Agency for their review and comment.

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APPENDIX:

Appendix A – Stakeholders List

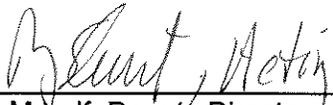
ATTACHMENT:

Guidance for Delisting Michigan's Great Lakes Areas of Concern

The document is available from the DEQ Web site. The current link is:

http://www.michigan.gov/documents/deq/wb-aoc-delistguide_247421_7.pdf?20140219151911

Approved: _____


Lynelle Marolf, Deputy Director

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APPENDIX A

Stakeholders List

Statewide Public Advisory Council
Clinton River Public Advisory Council
Deer Lake Public Advisory Council
Detroit River Public Advisory Council
Kalamazoo River Watershed Council
Manistique River Public Advisory Council
Menominee River Area of Concern Citizens Advisory Committee
Muskegon Lake Public Advisory Council
River Raisin Public Advisory Council
Rouge RAP Advisory Council
Partnership for the Saginaw Bay Watershed
St. Clair River Binational Public Advisory Council
St. Marys River Binational Public Advisory Council
Torch Lake Public Advisory Council
White Lake Public Advisory Council
United States Environmental Protection Agency