



MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER BUREAU

## Aquatic Nuisance Control Frequently Asked Questions (FAQ's)

The Michigan Department of Environmental Quality (MDEQ), Water Bureau's [Aquatic Nuisance Control \(ANC\) program](#) regulates the chemical control of certain aquatic nuisance species, namely aquatic plants, algae, and swimmers itch, when they impair the use or enjoyment of the water. Aquatic species may include various forms of algae (planktonic, filamentous, and macroalgae such as Chara), submergent plants (i.e., those located underwater, such as coontail, pondweeds, milfoils), floating-leaf plants (e.g., lilies), and emergent plants (e.g., cattails, rushes, Phragmites).

If you are interested in controlling other aquatic nuisances, please contact the MDEQ's Environmental Assistance Center by phone at 1-800-662-9278 or by email at [Deq-ead-env-assist@michigan.gov](mailto:Deq-ead-env-assist@michigan.gov) to be directed to the appropriate program.

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## 1. Do I need a permit to control aquatic vegetation on my property?

### Chemical Control

Chemical control of nuisance aquatic species is usually regulated and requires a permit from the MDEQ's ANC program, particularly when targeting species in inland lakes, ponds, streams, wetlands, road-side ditches, etc., where there is standing water at the time of treatment. For shoreline areas along the Great Lakes or Lake St. Clair, a permit is always required for all treatments below the ordinary high-water mark, regardless of whether or not there is standing water.

A permit is not required for inland areas where the treated plants are not located in standing water at the time they are treated. In addition, the [administrative rules](#) grant authority to a landowner to chemically treat aquatic nuisances in a pond (both in and out of the water) without a paper permit ("permit-by-rule") if the pond meets **ALL** of the following criteria:

- No outlet
- No record of State or Federal endangered or threatened species, pursuant to part 365 of 1994 PA 451.
- Surface area less than 10 acres
- Bottomlands are owned by either one person, or more than one person and written permission is obtained from each property owner.

### Physical/Mechanical Control

A permit is generally not required from the MDEQ to control aquatic submerged vegetation in inland lakes by mechanical harvesting (i.e., cutting plants above the lake bottom with no soil disturbance). Inconsequential or insignificant ("de minimis") vegetation removal done by hand (e.g., hand pulling, raking or cutting a few plants) does not require a permit. Larger scale removal of plants may require a permit from the MDEQ's Land and Water Management Division (LWMD). A use permit or authorization may be necessary from the Michigan Department of Natural Resources (MDNR) to use a state operated access site for this activity. In addition, cutting vegetation, including mechanical harvesting and mowing, on Great Lakes bottomlands requires a permit from the LWMD. Disposal of harvested material within inland lakes, on Great Lakes bottomlands, or in wetlands is not allowed without prior written approval from the LWMD.

Other physical control measures, such as benthic barriers, weed rollers, or lake draw-down, may be regulated by the LWMD. Contact the Environmental Assistance Center (1-800-662-9278 or email [Deq-ead-env-assist@michigan.gov](mailto:Deq-ead-env-assist@michigan.gov)) for more information regarding LWMD permit requirements.

### Biological Control

A permit is not required from the State of Michigan for certain methods of biological control. Examples include biological control agents that are native to the region, including the milfoil weevil (*Euhrychiopsis lecontei*) and Galerucella beetles for Eurasian water milfoil and Purple loosestrife control, respectively. However, the introduction of banned species (e.g., grass carp) to control plant growth is illegal in the State of Michigan. Contact your local MDNR office for further information.

## Other Permits

Please contact your local units of government, including counties and townships, as they may have additional requirements or restrictions covering these activities. A permit from the U.S. Army Corps of Engineers is required for most activities that alter Great Lakes coastal areas. Contact the [U.S. Army Corps of Engineers](#) Detroit District at 1-888-694-8313.

### **2. Are the aquatic herbicides safe for public health and the environment?**

The aquatic herbicides that are permitted by the ANC Program are registered by the United States Environmental Protection Agency and the Michigan Department of Agriculture. They also undergo toxicological review by the MDEQ. If the pesticides are applied according to label instructions and permit requirements, these chemicals should pose no danger to public health and the environment.

### **3. What is a General Permit and Certificate of Coverage?**

A General Permit (GP) is a special broad permit for a class of aquatic nuisance control activities that the state has determined will not negatively impact human health and will have no more than minimal short-term adverse impacts on the natural resources and environment. If a water body is eligible for coverage under a GP, an applicant may choose to apply for a Certificate of Coverage (COC) in place of a standard permit. A COC is written authorization from the MDEQ to implement a project under the terms outlined in a GP. The process for obtaining a COC is usually simpler, quicker, and cheaper than the standard application process. Each year, before chemical treatment can be conducted, a COC must be obtained since the GP's are updated annually.

To view the current ANC GPs, please click [here](#).

Some GPs have pre-qualified waterbody lists. If your waterbody is not found on the candidate waterbody list, an applicant must go through the standard application process. Each year ANC staff review newly permitted waterbodies to determine if they fit the criteria to be covered under a GP. If they do fit the criteria, they may be added to the candidate waterbody list the following year.

### **4. How do I know which chemical to use and how much?**

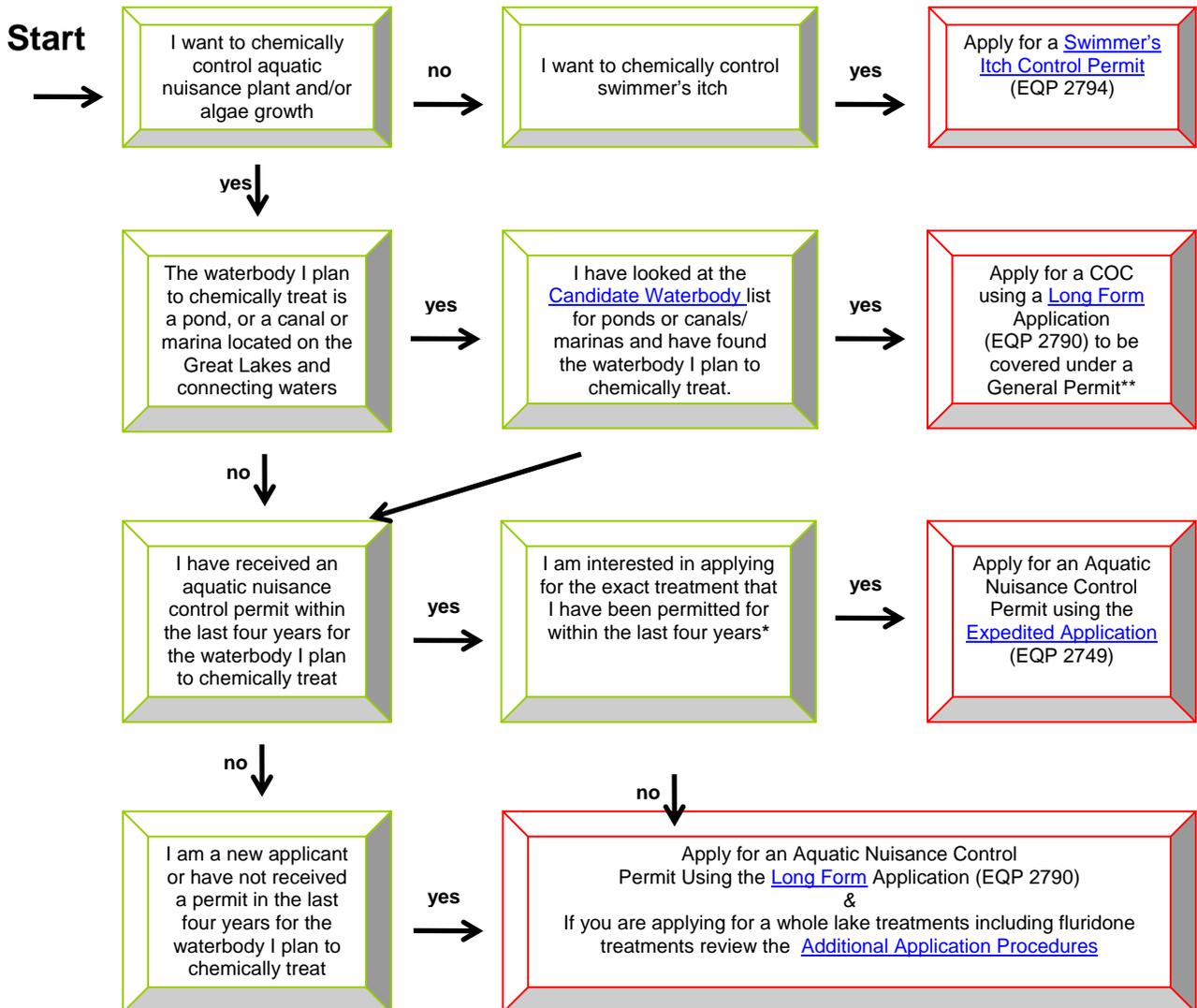
The species of targeted aquatic vegetation must to be correctly identified before an effective chemical can be selected. Documents including [Common Aquatic Plants of Michigan](#) are available on the ANC homepage to help with plant identification. Once you have identified the plant(s) you wish to treat, review the document, "What are the Chemical Control Options?" (available [here](#)), to assist in appropriate chemical selection. To determine the chemical amount(s) necessary for effective control, first determine the treatment area size (acres) and/or the average water depth (feet). Then, using the correct application rate (found on the product label), calculate the appropriate amount of chemicals needed by multiplying the treatment area or volume by the application rate.

If approved, your ANC permit will list the maximum amount(s) of each chemical that is appropriate for your treatment area. As part of the permit application review process, ANC staff will ensure that you will be using enough product to be effective, but not too much as to cause environmental harm. Please read and understand your permit!

## 5. How do I know which permit application form to use?

The MDEQ has created three application forms that can be used to apply for an aquatic nuisance control permit (long form, expedited, and swimmers itch). The flow chart below will help you to determine which of these forms is appropriate for the treatment you are planning to conduct. For further guidance please contact the [MDEQ](#).

### Choosing the Right Application Form



\*The permittee name, address, etc. must remain exactly the same.

\*\*If you are interested in using a chemical, an application rate, etc. not approved by the general permit, apply for a standard permit using the long form application.

## 6. What are the special requirements for a whole lake treatment for aquatic nuisance control (including fluridone treatments)?

A request for a whole lake chemical treatment must be accompanied by a Lake Management Plan (LMP) pursuant to Part 33, Aquatic Nuisance Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. An LMP includes the following items:

- Physical characterization of waterbody
- Biological characterization of waterbody
- Water quality information
- Description of nuisance conditions
- Management goals
- History of waterbody management
- Vegetation management plan
- Monitoring and evaluation

The LMP is a tool used by riparian owners, resource managers, lake managers, consultants, and commercial pesticide applicators to review all aspects of the lake in order to determine the management problems, outline possible solutions, and consider the various methods to achieve these solutions successfully. The LMP also provides sufficient scientific information for the MDEQ to determine if proposed treatments can selectively control an aquatic nuisance without causing unacceptable impacts on native aquatic vegetation, other aquatic or terrestrial resources, or human health and safety. For further details, please click [here](#).

In addition, supplementary conditions may be applied to a whole lake treatment permit. These conditions allow for monitoring of a chemical application to determine adverse impacts on native aquatic vegetation or other aquatic life. Special pre- and post- treatment monitoring procedures are already in place for fluridone treatments. These guidelines can be found on our website under [Fluridone Treatments](#).

*Please note that requests for whole lake treatments are not common. Typically these treatments are intended for control of large scale infestations of invasive species. Before you apply for a whole lake treatment, please contact the ANC Program at 517-241-7734 (phone) or [DEQ-LWM-ANC@michigan.gov](mailto:DEQ-LWM-ANC@michigan.gov) (e-mail) for additional guidance as application fees are not refundable once the review process begins.*

## 7. How can I obtain depth contour maps for my lake/pond?

The MDNR has many [lake maps](#) available to the public. If depth contour maps are not available for your lake or pond, accurate measurements can be made by using a boat and a measurement device to approximate depth contours of your treatment areas. Also check local fishing, bait, and boating retailers for any locally generated lake maps.

## 8. What is the required permit application fee for my proposed treatment?

The permit application fee structure is based on the size of the proposed treatment area (not on the waterbody size):

- Less than 1/2 acre, \$75.00
- One-half acre or more but less than 5 acres, \$200.00
- Five acres or more but less than 20 acres, \$400.00
- Twenty acres or more but less than 100 acres, \$800.00
- One hundred acres or more, \$1,500.00

The one exception to this price structure is the \$75.00 flat fee for a COC application.

**9. If my permit is denied or modified, will I get a fee refund?**

All application fees are non-refundable. However, if a permit decision is not made within our statutory guidelines, a refund of 15% will be issued. In addition, applications that are submitted with incorrect fees or are withdrawn prior to the start of the review process by the Aquatic Nuisance Control staff are eligible for refunds.

**10. Where can I purchase aquatic herbicides?**

Check the phone book or internet to find local agricultural supply stores or pesticide distributors. Many stores that carry fertilizers and landscape supplies carry aquatic herbicides.

**11. Can I apply chemicals myself or do I need to hire a certified applicator?**

In Michigan, most aquatic herbicides may be applied by individuals with proper authorization (such as permission of the property owner). However, the majority of treatments are carried out by certified applicators. Certain chemical products, such as those with the active ingredients diquat dibromide or imazapyr, are categorized as restricted use pesticides which means these products can only be applied by certified applicators. If you decide to treat on your own, be sure to follow all directions as indicated on the product label to protect yourself, others and the environment.

**12. If I decide to hire a contractor, where can I find a list of licensed pesticide applicators?**

If you are interested in hiring a licensed pesticide applicator, visit the Michigan Department of Agriculture webpage at <http://www.michigan.gov/mdapest> or call for general information at 1-800-292-3939. Look for a company with individuals certified in Category 5, Aquatics, for lake and pond treatments, and Category 6, Right-of-Way, for exposed Great Lakes bottomlands. You might also seek referrals from other lake associations or riparian owners.

**13. Once my application is received how long will it take for my permit to be issued?**

Every treatment proposal is unique, and each proposal will be reviewed individually, so the timeframe inevitably varies based on the scope of the proposal, site conditions, etc. However, state law does require that the MDEQ make a decision within a certain timeframe, or else you will be due a 15% refund. For standard permits, a decision must be made within 30 working days of the Water Bureau's receipt of a complete application, or by May 1, whichever is later. For COCs under a GP, a decision is required within 15 working days of receipt of a complete application, or by May 1, whichever is later.

**14. How can I check the status of my permit application or determine if there has been a permit application submitted for a specific waterbody?**

The ANC program provides an online service that allows you to follow your permit application through the review process. This service can also be used by the public to determine if a permit has been requested for a specific waterbody. Please visit <http://www.deq.state.mi.us/ancpa/> to check the status of applications.

## **15. I have already received a permit, but I need to modify it. What are my options?**

Permits can be revised in order to minimize impacts on natural resources, public health and safety, and to improve aquatic nuisance control as long as the revision does not involve a change in the scope of the project. In order for a permit to be amended, the MDEQ must receive a written request signed by the permittee. A permit amendment request must include the following:

- The proposed changes to the permit (including the original permit number)
- An explanation of the necessity for the proposed changes
- Maps that clearly delineate any proposed changes to the area of impact (if necessary)
- Additional information that would help the department reach a decision on a permit amendment
- If the additional treatment area would result in a higher application fee category, a check for the difference made payable to the State of Michigan

The MDEQ had developed an optional [Permit Amendment Request Form](#) that can be used to request permit revisions. Although the form is not required, it may help to ensure all information has been included in the request for quicker processing.

The permit amendment request and any supporting information should be sent to the following land address, email address, or fax number. If the treatment acreage crosses into a higher fee category, a check is required for the difference and the check and form should be sent together by mail.

AQUATIC NUISANCE CONTROL AND REMEDIAL ACTION UNIT  
ATTN: (ENTER ORIGINAL PERMIT WRITER NAME)  
WATER BUREAU  
MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY  
P.O. BOX 30657  
LANSING, MICHIGAN 48909-8157  
517-335-4381 (FAX)  
DEQ-LWM-ANC@michigan.gov

A permit amendment request that is outside the scope of the original project must be submitted as a new permit application using the long form application.

## **16. What happens if I violate my permit?**

Permit violations are subject to both civil action and criminal enforcement. Penalties can be as high as a \$15,000 fine and up to two years of imprisonment. Permittees should review their permit carefully and comply with all requirements.

## **17. Who do I contact for permits for lake dredging, placement of permanent structures (docks, seawalls, fill), and/or beach sanding in the lake?**

Contact the MDEQ's Environmental Assistance Center by phone at 1-800-662-9278 or by email at [Deq-ead-env-assist@michigan.gov](mailto:Deq-ead-env-assist@michigan.gov) to be directed to the appropriate program.

**18. I am interested in learning more about improving the water quality in my lake. Who should I contact?**

The Michigan Department of Environmental Quality, in partnership with the Michigan Lake and Stream Associations, Inc., developed the [Cooperative Lakes Monitoring Program](#) as a cost-effective method for citizens to monitor water quality and to document changes in lake quality over time.

Additional information may be obtained from local universities, environmental consultants, non-profit organizations, local units of government, other state agencies, and the federal government.

**19. I think I found Hydrilla, Brazilian elodea, or another invasive aquatic plant in my lake. What should I do?**

Hydrilla and Brazilian elodea are aggressive invasive plant species capable of spreading rapidly and quickly overwhelming a lake. Each is a major problem in many southern states, but neither has been found in Michigan. If you think you have potentially found a new invasive aquatic plant, please contact the ANC Program (information below in #20).

For hydrilla, you could also contact the Hydrilla Task Force: Mr. Roger Eberhardt, DEQ Office of the Great Lakes, at (517) 335-4227 or [EBERHARDTR@michigan.gov](mailto:EBERHARDTR@michigan.gov). For more information on Hydrilla visit: <http://www.miseagrant.umich.edu/ans/hydrilla.htm>

**20. I still have questions concerning aquatic nuisance control. What is the Aquatic Nuisance Control program's contact information?**

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<http://www.michigan.gov/deginlandlakes>