



Aquatic Nuisance Control Program Permitting Requirements

**Aquatic Nuisance Control,
Water Resources Division
MDEQ**

January 2014

Aquatic Nuisance Control Program

- State Law governing program: Part 33, Aquatic Nuisance Control, of Natural Resources and Environmental Protection Act, PA 451, 1994, as amended (NREPA)
- When is a permit required? Application of chemicals to:
 - Waters of the state, or
 - Exposed bottomlands of the Great Lakes, or Lake St. Clair, below the ordinary high water mark
 - Exemption for certain small, isolated waterbodies.

ANC Permitting

Permits Issued as Either Certificate of Coverage or Individual Permit

- COC for certain categories of treatment under a General Permit (GP). There are 3 GPs.
- Individual Permits (includes “Standard” Permits, explained further on)

ANC General Permits

Categories* of treatment under a
General Permit include:

- Certain ponds
- Certain Great Lakes marinas and canals
- Certain invasive emergent species

*Each category has a published list of approved sites, or plants, associated with the General Permit (found under [General Permit Requirements](#) on our website).

ANC Individual Permits

Treatment under an Individual Permit

- Standard language (aka “Standard Permit”)
 - Includes all general conditions for many concerns
 - Used for the typical treatments
 - Shoreline areas of developed properties
 - Offshore, or undeveloped areas, where there is non-native species
- Individual language (aka “Individual Permit”)
 - unique situations
 - exception to the “rule” (aka “Standard Permit”)

ANC Individual Permits

Treatment under an Individual Permit

- Whole-lake fluridone (Sonar)
 - Spring treatment of Eurasian watermilfoil
 - Treat entire lake with no more than 6 ppb fluridone
 - Can re-treat within 14-21 days to keep up the 6 ppb
 - Requires lake management plan, residue monitoring, and 4 years of vegetation surveys
- Evaluation treatments

Field assessments to evaluate new chemicals, formulations, application rates, techniques, target species control efficacy

ANC Permitting Process

How does it work?

- MDEQ conducts review.
- A decision is required within 30/15 business days for permits/COCs, respectively
- MDEQ permit indicates herbicides, rates/amounts, location(s), special conditions
- New permit/COC can be issued from 1 to 4 years, but if not indicated on the application statutory requirement is 3 year minimum.

ANC Permit Denial

Must deny, in full or in part, for these situations.

- Use of pesticide is inconsistent with its label.
- Pesticide is not registered by EPA and MDARD.
- The proposal is likely to result in economic loss, recreational damage, health hazard, unacceptable negative impacts to natural resources, or failure to control the nuisance.

ANC Permit Denial

Shall deny if

The applicant has committed 2 or more violations within 1 calendar year

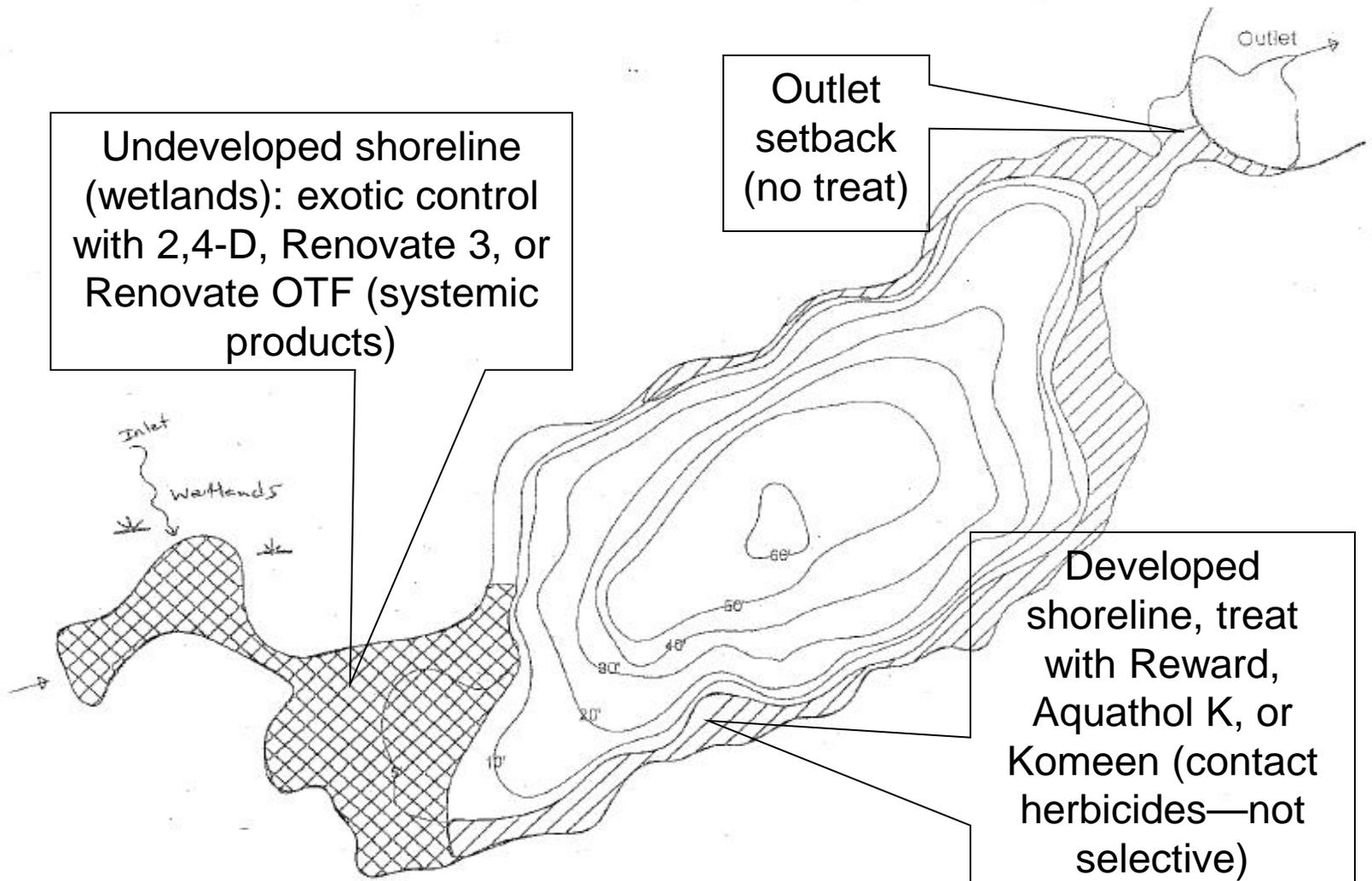
Note: a violation means conviction in a court of law or revocation of a permit.

ANC Permit Denials

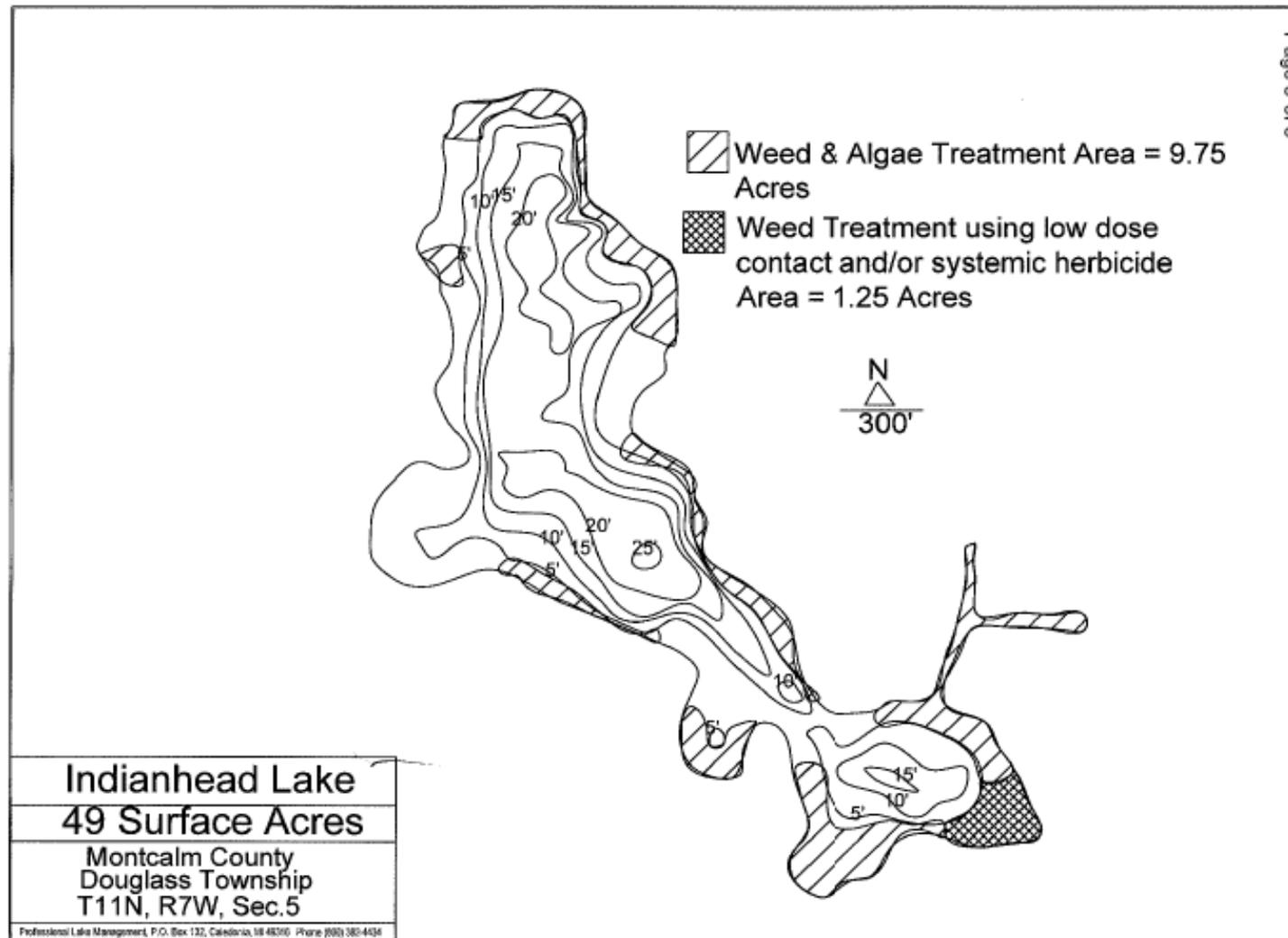
Examples of reasons for full/partial denials:

- Farms with irrigation intakes
- Treatment upstream of potable water intakes
- Endangered species
- Conservation easements

Example Treatment Map



Example Treatment Map



Treatment Reports

- Treatment reports are due November 30th
- Must include:
 - dates of treatment,
 - chemical types, rates, and amounts used,
 - location of treatments,
 - and any adverse impacts

ANC Contact Information

Phone: 517-284-5593

Email: DEQ-WRD-ANC@michigan.gov

Website: www.michigan.gov/anc