

Regular Meeting
Minutes of the Meeting of
Michigan State Waterways Commission
April 20, 2007

U. S. Fish and Wildlife Service
East Lansing, Michigan

A regular meeting of the Michigan State Waterways Commission was called to order by Chairman Bryan Amann at 10:25 a.m. on Friday, April 20, 2007, at the U. S. Fish and Wildlife Service, East Lansing, Michigan. The following Commissioners were present:

Bryan Amann, Chairman
Denny Bailey
Bob Brown
Curtis Hertel, Sr.
Janet Mansfield
Carol B. Oakley
Todd Wyett

Resource Management Deputy Mindy Koch and other Department of Natural Resources (Department) staff were present.

State Service

Resource Management Deputy Mindy Koch recognized Ms. Diane Gillespie Cook (Assistant to the Resource Management Deputy and the Michigan State Waterways Commission) for twenty years of State service.

Update on State Budget

Parks and Recreation Division (PRD) Chief Ron Olson provided the Waterways Commissioners with summaries of the Executive Directives related to the State budget. The full text is available on the Department's home page (www.michigan.gov/dnr). Resource Management Deputy Mindy Koch provided an update and stated that, as a result of the Executive Directives, authorized travel has been greatly curtailed.

If the Department is under agreement with an entity, payments may be made; however, many Waterways projects allow for a 25% upfront payment prior to work. General advanced payments are not permitted with the new Executive Directives. The permitted payments are allowed on the latest date possible (e.g. if there is a 45-day payment window, payment is allowed on day 45). PRD Chief Olson will provide periodic updates to the Commission on Waterways projects.

The Executive Directives are in place until the end of the fiscal year (September 30, 2007).

The Waterways Commission plans to use a Committee of the Whole approach for its June 15, 2007 meeting, and will not conduct any separate Committee meetings to avoid meeting on two days. The June meeting will be held in the Lansing area.

Public Appearances

Written correspondence

The Commission received a letter, dated April 16, 2007, from Mr. Stephen Hume regarding Grayhaven Marina. Mr. Hume is interested in taking over the facility. He's been boarding it up and securing the fences for the last 3 years.

The title to the marina is an issue yet to be resolved before any proposals are considered. Chairman Bryan Amann requested consultation with the Office of the Attorney General to resolve these concerns. Commissioner Hertel indicated that the Detroit/Wayne County Port Authority has been trying to determine who owns the property and the City of Detroit has included it in a list of properties it intends to sell. Department staff will sort out the ownership issues as quickly as possible and will keep Mr. Hume informed.

Minutes

February 23, 2007

MOTION: Commissioner Oakley moved to approve the minutes of the February 23, 2007 Michigan State Waterways Commission meeting. The motion was seconded by Commissioner Brown and it carried unanimously.

Old Business:

DNR Naming Policy

Chief Deputy Dennis Fedewa requested that the Waterways Commission approve the Naming Policy. This policy has been approved by the State Parks Citizens Committee, and will soon go before the Michigan Natural Resources Trust Fund, the State Forest Advisory Committee, and the Natural Resources Commission.

MOTION: Commissioner Brown moved that the Naming Policy be approved by the Michigan State Waterways Commission. The motion was seconded by Commissioner Mansfield and it carried unanimously.

New Business

Sebewaing Variance Request

Due to low water levels (18 to 24 inches) in the marina basin, the Village of Sebewaing requested the ability to charge reduced rates for smaller vessels. No electricity or shower buildings will be available. The rates are as follows: up to 26" at \$300; 26" to

28" at \$400; 29" or up at \$500. The Facilities, Operations/Policy, and Boating Access Committee recommended approval of the request.

Mr. Larry Watterworth from Representative Terry Brown's office spoke to the Commission in support of the variance request. Mr. Reggie Ignash from Sebawaing thanked the Commission for its consideration.

MOTION: Commission Denny Bailey moved to approve this variance. The motion was seconded by Commissioner Janet Mansfield and it carried unanimously.

Alpena Variance Request

The City of Alpena requested the ability to charge reduced mooring rates (four days for the price of three) from June 1 through June 30 and August 20 through September 31. The discounts will be handled at the marina rather than through the Central Reservation System (CRS). The Facilities, Operations/Policy, and Boating Access Committee recommended approval.

MOTION: Commissioner Mansfield moved to approve this variance. Commissioner Wyett seconded the motion. Mr. Eric Cline, Assistant City Manager from the City of Alpena, addressed the Commission in support of this variance. After further discussion the motion carried unanimously.

Leland Harbor of Refuge

Mr. Bill Boik stated that the U.S. Army Corps of Engineers (USACOE) issued a permit and then suspended it because the proposed project extends into the harbor of refuge. The USACOE can approve the project as is, but would then go to Congress to deauthorize the harbor. The Department is waiting for an answer as to how far into the harbor the project may encroach without being deauthorized.

Mr. Russell Dzuba, the Harbormaster for Leland, would like to offer more slips at the harbor. Staff from Leland met with the USACOE in an attempt to work this out. Mr. Dzuba plans to contact legislators from the area to request their assistance as he does not want to miss this construction season.

Old Business (Continued)

Project Status Report

Mr. Bill Boik provided an update on current projects as follows:

Marinas/Harbors:

- Mackinaw City Municipal Marina in Cheboygan County (a grant-in-aid facility) has concluded its decking replacement project.
- Charlevoix Municipal Marina in Charlevoix County is working on a project including new floating docks, bulkhead construction, a new harbormaster building, utility improvements, and parking lot construction. The City has had some administrative difficulties resulting in a change in administration and

consultants. The electrical work will not be finished this year, but docks will be available.

- The project plan for St. Clair Boat Harbor in St. Clair County should be completed by Memorial Day. The project includes dock removal and replacement, dredging, storage building construction, sidewalks, and parking lot redevelopment. This is a federal assistance project.
- Mackinac Island State Harbor in Mackinac County is undergoing a project to repair ice damage. This occurs annually as damage happens during ice breakup. The new project at Mackinac Island passed the Administrative Board Tuesday, April 17, 2007.

Boating Access Sites (BAS)

- Sterling State Park BAS in Monroe County has a large dredging project (\$1,000,000) occurring now. The facility will be open soon.
- The project for the Forks BAS in Cheboygan County is in engineering right now, with plans to build this fall. A public meeting occurred on March 23, 2007. The planned BAS is between Cheboygan and Alanson Locks and has a lot of public support.
- Department staff met with Melrose Township officials and the Walloon Lake Association on March 28, 2007, regarding an alternative Walloon Lake BAS in Melrose Township (Charlevoix County). The existing one-lane launch does not have a sufficient maneuver area. If the road was changed to one-way it would facilitate enlarging the maneuver area. The township is very much in favor of utilizing the existing ramp and adding a crosswalk. Individuals using this site are currently parallel parking on the street. The Department would have a minimum parking requirement if this site is used. If the alternative boat launch site is found to meet requirements, Resource Management Deputy Mindy Koch stated, "Just a reminder, the site that the Department of Natural Resources owns, and frankly is not managing at this point, is part of our State Forest system. Any switch to an active boat launch would require a jurisdictional transfer to State Parks, which actually if done, has to be public noticed, so there is that opportunity if we make that switch that there could be public comment. We have been very clear that we will open that site up to be a public site and initiate management of that site no matter what happens any place else, but that our intent would not be to put a boat launch in as you would put in for motorized boat use, but may have a rustic boat launch for walk-in kayak and canoe." The Commission feels compelled to make a decision by June. DNR staff will attend a meeting with Melrose Township on May 8, 2007.
- Idlewild Lake in Lake County is undergoing a project to establish a carry-down launch.

The U.S. Coast Guard Marine Safety Grant is a new funding source through the Department's Law Enforcement Division. In FY 2006 the amount received was \$1,400,000 and it was used for the following projects (dredging at Sterling State Park and parking projects elsewhere):

- Sterling State Park BAS in Monroe County
- West Houghton Lake BAS in Roscommon County
- M-37 BAS in Lake County
- Pine Street BAS in Newago County
- Ocqueoc River Mouth BAS in Presque Isle County

For FY 2007 the proposed projects (all paving) have not been approved yet, but include:

- The Forks BAS in Cheboygan County
- Bird Lake BAS in Hillsdale County
- Thumb Lake BAS in Charlevoix County
- Bear Lake BAS in Hillsdale County
- Mullett Lake Village BAS in Cheboygan County

Seventy-five percent of the funding for the project at Cheboygan Lock and Dam (Cheboygan County) will come from federal Dingell-Johnson sportfish restoration dollars. The application was recently sent out following discussion with the Department of Environmental Quality (DEQ) regarding the dredge spoils. It was determined that the dredge spoils are not contaminated so they will not have to go to a type II landfill. The project is ready to be bid out as soon as the federal government approves the Department's grant application.

The administrative hearings regarding Crystal Lake in Benzie County have been completed. The final summaries are due to the administrative law judge by June 8, with final arguments due on June 29, 2007.

The USACOE structure at Grand Marais in Alger County failed a number of years ago. The Department has put this repair project in federal earmarks.

Operations Status Report

Mr. Jason Fleming provided an update on operations as follows:

- CRS reservations are up about 1%, while still showing a trend for fewer reservations with customers staying longer.
- The exit strategy for Port Huron Water Street Marina (St. Clair County) has been proposed and sent back to the City. The Department is attempting to recoup part of its investment.
- The Portage Restaurant at Presque Isle (Presque Isle County) lease is up on December 31, 2007. The Township has the proposal (for the Department to lease the restaurant to the Township) and the Department is waiting to hear back from them.
- The City of Muskegon (Muskegon County) has been contacted regarding the farmer's market proposal for its Hartshorn Marina. This is not an allowable use for the remainder of its grant funds.

Standing Committees

The Facility, Operations/Policy, and Boating Access Committee met to discuss the variance requests that appeared on today's agenda.

Strategic Planning Update

The update on strategic planning was done via email. During July, interns or seasonal workers will interview boaters when they launch and ask for their input on facilities.

New Business (Continued):

Naubinway Variance Request

The variance request from Naubinway sought to allow seven nights mooring for five nights cost. It was approved last year. The Facilities, Operations/Policy, and Boating Access Committee recommended approval of this request.

MOTION: Commissioner Oakley moved to approve this request. The motion was seconded by Commissioner Brown and it carried unanimously.

Ionia Variance Request

The Ionia variance requested permission to close down the launch at the fair grounds on a temporary basis for two events this summer. The Facilities, Operations/Policy, and Boating Access Committee recommended approval of this request.

MOTION: Commissioner Bailey moved to approve this request. Following discussion, the motion was amended to approve the request for the June dates and deny it for the July dates, while asking that the issue be resolved prior to the next boating season. The motion was seconded by Commissioner Wyett and it carried unanimously.

Charlevoix Variance Request

The City of Charlevoix requested some changes to its marina operations due to the ongoing project. The Facilities, Operations/Policy, and Boating Access Committee recommended approval of this request. Commissioner Todd Wyett suggested modifying the request to reduce by attrition the number of seasonal slips from eight to six. The slips will be assigned for a three-year period via a lottery.

MOTION: Commissioner Bob Brown moved to approve the variance as amended. The motion was seconded by Commissioner Carol Oakley and it carried unanimously.

Fee Increase for Cheboygan and Alanson Locks

Following discussion the proposal to increase the fees at the Crooked River and Alanson Locks was amended to include an increase in the seasonal rate. The increase was necessary to ensure that revenue covers the costs of operations. It is suggested

that the seasonal rate increase from \$30 to \$45, with the daily rate moving from \$4 to \$6. The Facilities, Operations/Policy, and Boating Access Committee recommended that this resolution be approved as amended.

MOTION: Commission Bob Brown moved to increase the daily (from \$4 to \$6) and seasonal fees (from \$30 to \$45) at the Crooked River and Alanson Locks. Commissioner Carol Oakley seconded the motion and it was unanimously approved.

Other Business:

MOTION: Commissioner Brown moved to adjourn this meeting of the Michigan State Waterways Commission. The motion was seconded by Commissioner Wyett and unanimously approved.

This meeting of the Michigan State Waterways Commission was adjourned at 12:08 p.m.