

Meeting Minutes of the Meeting of  
Michigan State Waterways Commission  
July 18, 2009

Mackinaw City Recreation Complex  
507 W. Central Avenue

A regular meeting of the Michigan State Waterways Commission was called to order by Chairperson Bob Brown at 2:00 p.m. on Saturday, July 18, 2009, at the Mackinaw City Recreation Complex in Mackinaw City, Michigan. The following Commissioners were present:

Bob Brown  
Janet Mansfield  
Carol Oakley  
Mike Bryanton  
Curtis Hertel

Commissioner Denny Bailey was excused  
Commissioner Gary Marowske was excused

Commissioner Brown thanked our hosts, the Village of Mackinaw City and Mr. Jeff Lawson, for their hospitality. Mr. Lawson thanked the Waterways Commission for their investment in the community and wanted to thank the staff for all their hard work on the Straits State Harbor Marina that was being dedicated today at 6:00 p.m.

Public Appearances:

**Written Correspondence**

There was no written correspondence

**Appearances (Non-agenda Items)**

Former Waterways Commissioner Ray Underwood attended the meeting and spoke about Senate Bill 34 that was introduced by Senator Randy Richardville from Monroe. The Bill has passed through the Senate and is now in the House. This Bill basically defines the language to strengthen the intent of Proposition 106, which was passed by 83 percent of the voters. This Bill eliminates any possibility of another state agency from utilizing Waterways monies. Mr. Underwood also noted that private marinas are experiencing 35 – 40 percent vacancies this season.

Mr. Jim Moore, representing a large portion of the thumb area marina owners and operators, and operates a marina in Caseville, expressed concern that many of Mr. Moore's customers have gone to Sebewaing Marina as they can obtain a seasonal slip for \$300. Sebewaing Marina is making it difficult for private marinas in the Saginaw area to compete with lower prices, and Mr. Moore wanted to bring this issue to the attention of the Waterways Commission.

Mr. William Crane, owns a private marina in Caseville that primarily caters to the seasonal boater. Mr. Crane states that his prices have not been raised in 10 years, yet about 25% of his customers have also taken their business to Sebewaing Marina. Mr. Crane is interested in the percentage of seasonal versus transient boaters in the agreements at Mackinac City or Caseville.

Commissioner Oakley inquired further about Sebewaing Marina. The marina is now a grant in aid facility that was dredged last year. Most likely a reduced rate was requested because of the poor dredging situation; however, the channel is now open, and it was recommended that DNR staff will need to revisit the \$300 seasonal rate.

#### **Appearances (Agenda Items)**

There were no appearances for agenda items.

#### Minutes

#### **June 12, 2009 - Regular meeting.**

MOTION: Commissioner Brown moved to approve the minutes of the June 12, 2009 Waterways Commission meeting held in Marquette, Michigan. The motion was seconded by Commissioner Janet Mansfield and it was unanimously approved.

#### Old Business

#### **Staff Project Status Report**

Mr. Paul Petersen provided the following updates:

- Whitefish Point: Currently seeking Sport Fish Restoration grant funds for this project in Chippewa County. Working on agreement w/tribes.
- Straits State Harbor in Cheboygan County: the dedication for the new harbor will take place today at 6 p.m.
- Leland Township Marina: a grant in aid project in Leelanau County. The docks are in and the electrical service and fuel system are

complete. Anticipate a completion date of August 6. Final dredging will be completed this fall after the primary boating season.

- Metro Beach Metropark Marina: grant in aid in Macomb County – 90% of the demolition for this facility has been done, and anticipate starting the seawall next week.

Boating Access Sites:

- Selfridge State Boating Access Site in Macomb County. Federal Sport Fish Restoration grant funds will be used for this project. The project is in engineering right now and will be completed by fall. Also, currently working on seawall deterioration that has created some navigational hazards.
- Littlefield Lake Boating Access Site in Isabella County – the parking lot paving project is complete.
- Kak's Lake Boating Access Site in Luce County - parking lot paving. Completed this summer.
- Twin Lake BAS in Luce County- completed this summer. New paving on a portion of the project was very poor, and the contractor and state will be resolving the problem.
- Mitchell Boating Canal in Wexford County, now completed, is a \$1.8 million Federal Sport Fish Restoration Grant was used toward funding the project. It connects Cadillac and Mitchell Lakes through Mitchell State Park.
- Sherman Lake Boating Access Site in Kalamazoo County – Continuing to monitor the progress of using vegetation for shoreline protection.
- Eight Point Lake Boating Access Site in Clare County – project underway with completion scheduled for September 2009.
- Indian River Boating Access Site in Cheboygan County – involves construction of a new ramp with sheet pile wall. Substantially complete with site restoration work to be completed. This location is a key facility located on an inland waterway between Burt and Mullet Lakes.

Mr. Bill Boik reported:

- Crystal Lake Boating Access Site Update – On August 17, there will be a meeting to discuss a final settlement, which will enable the DNR to go ahead and build a boat launch on Crystal Lake.

## **Staff Operations Status Report**

Mr. Harold Herta provided an update on operations as follows:

- Alanson Lock – The lock has been operating. The DNR expects to have an agreement in place before equipment is installed by the Corps. The lock was closed for about one week for temporary repairs but is now up and running. Federal Recovery Program funds were secured by the Corps and will be used for this project; therefore, waterways funds should not be needed except for the improved electric service. Boater safety is of primary importance.
- A slip night comparison of all our marinas in the Central Reservation System (CRS) system shows that it is down 14.5 percent from last year, and this information is related to actual use between Memorial Day and the 4<sup>th</sup> of July.
- CRS continues to experience problems since the upgrade in March. The problem lies with the field registration portion. There is not a problem with reservations on-line or over the telephone. We are making incremental progress, and additional band width will be installed next week to address the slowness issue. We are also fine tuning other aspects of the system.
- Federal Grant funds are still available to do some improvements to the Michigan Recreational Boating Information System (MRBIS). We are seeking approval to do another publication of the Michigan Harbors Guide, and update it with new pictures of Mackinac Island and Straits State Harbors, as well as other pertinent information.

## **Standing Committee reports**

There were no Standing Committee reports.

## **Overview of Dedication Agenda for Straits State Harbor:**

At the dedication later today, Mr. Olson will introduce elected officials and other officials, Director Rebecca Humphries, and others involved with the project. Chairman Brown will welcome everyone and introduce commission members. There will be a brief ribbon cutting ceremony at 6:00 p.m. for the dedication of the new Straits State Harbor Marina.

## New Business

### **Legislative update:**

Recreation Passport Bill is being delayed until after the budget deliberations for fiscal year 2010 are resolved. The Bills likely will be considered in October 2009.

Mr. Harold Herta related that Senate Bill 34 more fully defines the use of Waterways funds that compliments Proposition 1, which constitutionally protects the fund. We have done an analysis on the Bill and we do support it, as the new language reduces the opportunity for confusion as to what are the appropriate expenditures for Waterways dollars.

Commissioner Oakley inquired about the possibility of combining the Department of Environmental Quality (DEQ) and the Department of Natural Resources (DNR). Only the two budgets for 2010 have been combined but the rest has yet to be determined.

Commissioner Oakley also stated that it might be a suitable time to add the name "waterways" to the current "Parks and Recreation" designation that it currently possesses, in view of the fact that the DNR and DEQ could be combined as one Department in the near future. Commission Bryanton says we are the Great Lakes State and this additional language seems appropriate. Commissioner Hertel also agrees that the timing for this change seems appropriate, and would like staff to prepare a resolution on behalf of the Waterways Commission to the Governor stating that if an Executive Order is prepared (regarding the combining of the two Departments), that we recommend this new "waterways" language be inserted into the Executive Order. Mr. Olson reiterated that the word "recreation" that is currently used, is all encompassing and a broad reaching definition, and suggested that if this is a collective effort of the Waterways Commission to make that suggestion officially, he could present it to Director Humphries to get her feed back first. In the meantime, the staff will uncover more background and information on the original phrasing, and have further discussion at the next Waterways Commission meeting on September 25.

**Marine Safety Program Overview:**

The waterways enforcement program of the DNR was reviewed by DNR Law Enforcement Chief, Gary Hagler. Marine safety is funded by two sources, the State marine fund that receives money from boat registrations, and Federal U.S. Coast Guard recreational boating safety grant.

The State Marine Funding provides for marine safety law enforcement patrols; search and rescue; livery inspections; boating safety and training; and investigations for special event permits, local waterfront controls, and buoy permits.

The Law Enforcement Division has approximately 167 conservation officers statewide with marine safety/patrol responsibilities in all 83 counties. The conservation officers work close together with the U.S. Coast Guard, local sheriffs' departments, and the Michigan State Police.

In 1995, law enforcement action and training/education was increased for personal watercraft due to an increase of accidents, injuries, and deaths.

The Law Enforcement Division is also facing budget challenges similar to others in Michigan, as marine revenues are falling, inflation has increased, lack of other funding, and the existing fleet is aging. The priority this year is to focus on marine safety, as purchase of replacement equipment will be delayed.

In 2009, approximately 60,000 hours were used to patrol four Great Lakes, 11,000 inland lake and 36,000 miles of rivers and streams.

Currently, seeking grants to supplement their funding, such as their partnership with the National Safe Boating Council "Wear It Michigan" campaign that provided \$100,000 to purchase and give away life jackets. In all the deaths that occur on waterways, about 90% are due to people not wearing a life jacket.

A new emerging issue is that due to financial cut backs to local enforcement, some local law enforcement divisions are using only supplemental funding from the state to perform water enforcement activities.

Mr. Olson stated that the topic of dwindling funds for enforcement may be a topic for discussion at the summit meeting with the Michigan Boating Industry Association to be held in the fall.

Commissioner Hertel stated that the Wayne County Sheriff's marine division fleet has been completely rebuilt using homeland security dollars that include all new vessels and state of the art equipment.

#### CONSENT AGENDA

#### **Resolution #07-2009-01 – Policy Regarding Land Acquisitions for Boating Facilities:**

Commissioner Bryanton moved, and Commissioner Mansfield seconded, to approve the resolution and was approved unanimously.

Commissioner Brown moved to adjourn this meeting of the Michigan State Waterways Commission. Commissioner Bryanton seconded the motion with unanimous approval.

This meeting of the July 18, 2009 Michigan State Waterways Commission was adjourned at 3:30 p.m.