

**Minutes of the
Michigan State Waterways Commission
December 7, 2012
Approved March 22, 2013**

The regular meeting of the Michigan State Waterways Commission (Commission) was called to order by Chairperson Gary Marowske at 9:00 a.m. on Friday, December 7, 2012, at the Country Inn & Suites, 6511 Centurion Drive, Lansing, Michigan 48917. The following Commissioners were present:

Commissioner Gary Marowske, Chairperson
Commissioner Van Snider, Vice-Chairperson
Commissioner Al Declercq, Secretary
Commissioner James Hansen
Commissioner Dennis Grinold
Commissioner Dennis Nickels
Commissioner Ward Walstrom
Special Consultant R.J. Peterson

The Department of Natural Resources (DNR), Parks and Recreation Division (PRD), Liaisons were present.

Chair Marowske introduced himself and referenced a recent news article, regarding kayaks and canoes, in which he was misquoted. He wanted to make it clear that the subject of kayak and canoe fees were not part of the agenda; dredging and low water levels are the main topics.

Mr. R.J. Peterson gave a brief description of his background and his appointment to the Commission. He referenced problems in Saugatuck and other marinas for the past 40 years, and with recognizing harbors as natural resources. Mr. Peterson met with Governor Rick Snyder regarding his idea of establishing a Harbor Advocate for Michigan's harbors; a place where any harbor problems, be it dredging, permitting, planning, could be addressed. He is exploring what the Harbor Advocacy role and responsibilities should be. Mr. Peterson is asking for the state of Michigan to recognize the harbors as valuable natural resources and devote the same time and energy as they do for other things, such as saving the sturgeons, invasive species, seaweed, etc.

I. PUBLIC APPEARANCE

A. Written Correspondence

B. Appearances (Non-agenda items)

Mr. George Stockman of Okemos, Michigan, stated that he really appreciates the contact he has had with the Commission and proceeded to address the Commission regarding canoe and kayak registrations. Mr. Stockman referenced his December 7 letter which explained his background, 40 years of paddling around the United States, and his position on past registration bills. He agrees that paddlers should pay-to-play and would be happy to stay in touch as a reference.

Mr. Fred Gasper of Haslett, Michigan, addressed the Commission regarding kayak and canoe fees. He believes that if money is needed for support of canoe and kayak infrastructure, a license makes more sense than a registration.

Mr. James Sarna of Brighton, Michigan, addressed the Commission regarding parking in Traverse City. He said that the seasonal agreement once again states that the marina parking lot will not be available to seasonal boaters during the Cherry Festival. Mr. Sarna also shared an article from Great Lakes Boating, August 2012, regarding the age of boaters and declining participation of younger people.

Mr. Jeff Friedle of East Lansing, Michigan, addressed the Commission. Mr. Friedle is in agreement with the previous speakers regarding pay-to-play. He stated that he recognizes and feels a responsibility to support the resources he uses. He thinks the watercraft registration fees should be revised based on watercraft displacement. Any additional money collected by registering canoes and kayaks should be used on the resources canoes and kayaks use.

Mr. Kenneth Nesbitt of Lawton, Michigan, addressed the Commission regarding kayak canoe registration. He would like to his contact information to remain on file for future reference. Mr. Nesbitt is the Director of West Michigan Coastal Kayakers, Director of Northwest Indiana Paddlers, Treasurer of Two Rivers Coalition, and Chair of Great Lakes Adventure Club. He would be willing to contribute to future discussions regarding this issue.

II. ACTION ITEMS

A. Approval of the October 26, 2012 Meeting Minutes

MOTION: Commissioner Grinold moved to approve the October 26 Minutes of the Michigan State Waterways Commission. The motion was seconded by Commissioner Snider and it carried unanimously.

A. Approval of the 2013 Meeting Schedule

The Commission agreed with the proposed DNR Staff schedule. Commissioner Nickels asked for a revision to the February date and will email his suggestion to the staff assistant.

B. Appointment of Chair, Vice-Chair, and Secretary

MOTION: Commissioner Hansen moved to keep current representatives as appointed; Alex Declercq as Secretary, Van Snider as Vice Chair, and Gary Marowske as Chair. The motion was seconded by Commissioner Nickels and it carried unanimously.

C. Resolution – Authorization for the Chair, Vice-Chair, and Secretary of the Commission to Speak on behalf of the Commission Regarding Legislative Positions

MOTION: Commissioner Hansen moved to approve Resolution No. 12-2012-01. The motion was seconded by Commissioner Grinold and it carried unanimously.

III. **OLD BUSINESS** (Information Items)

A. Committee Reports

Finance:

Commissioner Declercq reported that the numbers look a little better each month; on target for revenue and expenses according to the budgeting process.

Marketing:

Commissioner gave a brief review of a marketing webinar held for harbor masters to share their experiences and ideas. He said that it was very successful and hopes that it will continue in the future and continues to improve. Mr. Paul Petersen responded that nothing is planned at this point but anticipates we will be looking at the schedule for 2013.

Facilities:

Commissioner Hansen commented that several teleconferences had been held. He gave a special recognition to Mr. Jordan Byelich for putting together a facility study that would take on a comprehensive, phased approach beginning with staff baseline inventory, moving into a contracted study, and finally individual facility analysis as each facility is improved in the future.

Proposed Phased Implementation

Phase 1: Baseline inventory/assessment of facility infrastructure; No funding needed – utilize expertise of internal DNR workforce; Deadline of June 2013.

Phase 2: Based on Phase 1 outcome facilities in need of further review will be included in Phase 2; \$100,000 budget; Contracted to professional design consultant; Begin summer/fall 2013; Anticipated completion December 2013.

Phase 3: Project-by-project basis; Market analysis and facility feasibility study/assessment; No funding at this time; Align with Division's capital outlay funding process.

Revenue:

Commissioner Snider suggested that research of gasoline consumption by recreational boats in the state of Michigan would be beneficial. Currently 80 percent of 2 percent of fuel use is attributed to recreation boating; he believes the percentage is much larger. Declining boater registrations is also an issue and has been part of the marketing discussions. It is an on-going process and they will share recommendations as they move forward.

B. Recommendation to Rename the Division Update

Chief Olson referenced a memorandum issued last spring from then Director Rodney Stokes indicating that the DNR was undergoing a strategic planning process. The strategic planning process is still on-going and new Director Keith Creagh is aware of the request; no definitive response at this time.

C. Operations Update

Chair Marowske announced that this was Mr. Harold Herta's last meeting due to his upcoming retirement and thanked him for his service.

Mr. Herta spoke of the rates and that most communities remained the same. He referenced Mr. Sarna's concerns regarding parking during the Cherry Festival and that Mr. Jason Fleming has been working on this issue with Mr. Bob Cole of Traverse City. Mr. Herta referenced a spreadsheet of boating nights and that seasonal slip use this past year (2012) was up 8 percent from 2011; best season since 2005.

Mr. Sarna reported that Leland was charging a higher rate than what was advertised and normal for the area. Chair Marowske said the information would be passed on to Mr. Fleming for investigation regarding compliance.

D. Financial Update

Ms. Jackie Blodgett was not able to attend the meeting; a financial handout was provided in her absence.

E. Legislative Update

Mr. Herta reported that there was no pending legislation related to boating at this time.

V. **EMERGING ISSUES**

A. January 11 Retreat with the Michigan Natural Resources Trust Fund Board, Michigan Snowmobile and Trails Advisory Council, and Michigan State Park Advisory Committee

Chief Olson referenced MSTAC's invitation to the upcoming retreat. The objective is to align the groups so that they are mindful of what each group is working on and how they tie into the Governors Top 10 Guiding Principles for Reinventing Michigan. The facilitator will be Ms. Jane Ervin Loraine.

B. Mackinac Island Mooring Balls Issue Update

Mr. Tom Graff, Department of Environmental Quality, Water Resources Division, deals with great lakes bottomlands leasing and permitting issues. The DEQ has been involved with enforcement actions and regulating these "pirate" moorings (not permitted, illegal) since 1992-93. They have attempted to get enforcement for removal since then; it has not been priority of the DNR. The issue has been raised several times and in 2010 a local conservation officer from Traverse City became involved. As the issue was moved up the management chain, they were told it was not a law enforcement priority and no action was taken.

A public mooring system was suggested; additional investigation needed. Chief Olson advised one of the subcommittees to work on this issue and make contact with the other entities involved. Chair Marowske assigned the Facilities Subcommittee to report back at the next meeting.

C. Process to Address Low Water Levels and Critical Dredging Issue

1) Background Information

Chair Marowske reported that Director Creagh has asked the Commission to take the lead regarding recommendations of dredging costs, priorities, etc.

2) Strategy to Address Issue

Chief Olson distributed a summary, dated December 4, 2012, that was presented to Governor Snyder.

Mr. Bill Boik introduced Ms. Mollie Mahoney, Operations Project Manager, US Army Corps of Engineers (ACOE) Detroit District. Ms. Mahoney oversees all the district dredging projects across the Great Lakes. She proceeded to present a PowerPoint entitled *Great Lakes Navigation System Dredging Update* (handout provided).

Reference was made to the Harbor Maintenance Trust Fund and the fact that all shippers pay into it dependent on tonnage. Also, Congress decides the amount spent for dredging and where it will be used.

Ms. Mahoney stated that the ACOE is open to working with the state of Michigan to evaluate dredging issue as an emergency.

Commissioner Nickels asked about the role of ACOE dredging Harbors of Refuge. Ms. Mahoney responded that Harbors of Refuge are included in ACOE budget submissions but they are not making into the funding range due to budget constraints.

Mr. Boik followed with a PowerPoint presentation regarding *Low Water Levels and Critical Dredging*, and distributed the following handouts: *Grants to Communities* and *ACOE Dredging Cycles*. Mr. Paul Petersen and Mr. Byelich gave an overview of dredging at the following facilities: Harbor Beach Marina, Leland Township Marina, Little Lake State Harbor, and Lexington State Harbor. Mr. Byelich and Mr. Petersen also reviewed the various waterways grants, balances, etc.

Chair Marowske stated that he felt it was unrealistic to wait until the next Commission meeting to move forward on the dredging issue; need to get started now. He would like to put as many projects on hold as possible and divert those funds to the dredging issue. Chair Marowske suggested that DNR staff review funds, see what projects can be cut and identify dredging priority locations; target completion date December 31.

Commissioner Snider suggested a special meeting prior to the next scheduled Commission meeting (February) in order to move forward with the dredging issue.

VI. NEW BUSINESS (Information Items)

A. Schoolship Program Presentation, Tom Kelly, Executive Director, Inland Seas Education Association

The Schoolship Program is a nonprofit organization created in 1989 as a way to get kids involved firsthand in Great Lakes science. A 77 foot steel schooner, built in 1994, is used as a "floating laboratory." They have approximately 205 volunteers involved with the program. Funding is covered by individual donors (1/3), foundation/business (1/3), and tuition charged to schools (1/3). Additional information is available at www.schoolship.org.

B. Future of Michigan's Fisheries Presentation, Todd Grischke, Lake Huron Basin Coordinator, Fisheries Division, DNR

Mr. Grischke presented a PowerPoint on the status of Lake Huron fisheries, a look at future management plans, and some insight on fishing license sales/trends. He stated that the demographics have changed; not getting same number coming in as leaving (usually at the age of 25/26 until 40).

The meeting was adjourned at 11:50.

The next Waterways Commission meeting is scheduled for Friday, February 15, 2013 in the Lansing area.