



MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY (MDEQ)  
WATER RESOURCES DIVISION (WRD)

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

The [Aquatic Nuisance Control \(ANC\) Program](#) regulates the chemical control of aquatic plants, algae, and the snails associated with swimmer's 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* and starry stonewort), submersed plants (i.e., those located underwater, such as coontail, pondweeds, and milfoils), floating-leaf plants (e.g., lilies and water shield), and emergent plants (e.g., cattails, rushes, and *Phragmites*). Program staff members issue permits pursuant to [Part 33, Aquatic Nuisance Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451](#), as amended (Part 33; NREPA); [Part 31, Water Resources Protection, of the NREPA](#) (Part 31); and the [administrative rules promulgated thereunder](#).

If you are interested in controlling other types of aquatic nuisances, please contact the MDEQ's Environmental Assistance Center by e-mail at [deq-assist@michigan.gov](mailto:deq-assist@michigan.gov) or by telephone at 1-800-662-9278 to be directed to the appropriate program.

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## General Information

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

#### Chemical Control

Chemical control of nuisance aquatic species is typically a regulated activity 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 water is visibly present in the area of impact 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 water is visibly present in the area of impact at the time of treatment.

A permit is not required for inland areas where water is not visibly present in the area of impact at the time of treatment. In addition, [Part 33](#) grants authority to a bottomlands owner to chemically treat aquatic nuisances in a waterbody without issuance of a permit by MDEQ if the waterbody 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
- The person posts the area of impact with notification signs in the manner provided in [Section 324.3310\(d\) of the NREPA](#)
- The person conducting the chemical treatment maintains any required written permissions and records of treatment, including treatment date, chemicals applied, amounts applied, and a map indicating the area of impact, for 1 year from the date of each chemical treatment. The records shall be made available to the department upon request.

#### 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 a few plants) does not require a permit. Small scale removal of plants that are an aquatic nuisance as defined in Part 33 does not require a permit, if the removal is accomplished by hand-pulling and all plant fragments are removed from the water and properly disposed of on land. A permit is not required for hand-raking of lake bottomlands where vegetation is not present before raking and that are predominantly composed of sand or pebbles. Larger scale removal of plants requires a permit from the MDEQ's WRD. A use permit or authorization may be necessary from the Michigan Department of Natural Resources (MDNR) to use a state operated access site for physical/mechanical control. In addition, cutting vegetation, including mechanical harvesting and mowing, on Great Lakes bottomlands in the St. Clair Flats requires a permit from the WRD. Disposal of harvested material within inland lakes, on Great Lakes bottomlands, or in wetlands is not allowed without prior written approval from the WRD.

Other physical control measures, such as benthic barriers, weed rollers, or lake draw-down, require a permit from the WRD. Contact the Environmental Assistance Center by e-mail at [deq-assist@michigan.gov](mailto:deq-assist@michigan.gov) or by telephone at 1-800-662-9278 for more information regarding WRD permit requirements.

### Biological Control

A permit is not required from the State of Michigan for certain methods of biological control, such as the introduction of *Galerucella* beetles for purple loosestrife control. However, the introduction of banned species (e.g., grass carp) to control plant growth is illegal in the State of Michigan. Contact your local [Michigan Department of Natural Resources \(MDNR\) 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. Whom do I contact for permits for lake digging, dredging, and/or beach grooming?**

Contact the [MDEQ's Environmental Assistance Center](#) by e-mail at [deq-assist@michigan.gov](mailto:deq-assist@michigan.gov) or by telephone at 1-800-662-9278 to be directed to the appropriate program.

## **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 should not negatively impact human health and should have no more than minimal short-term adverse impacts on the natural resources and environment. If a waterbody is eligible for coverage under a GP, an applicant may choose to apply for a Certificate of Coverage (COC) in place of an individual or standard permit. A COC provides written authorization from the MDEQ to conduct an activity under the terms outlined in a GP. The process for obtaining a COC is usually simpler, quicker, and less costly than the application process for an individual or standard permit.

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

The GPs for ponds and Great Lakes canals and marinas have pre-qualified waterbody lists. If a waterbody is not found on the candidate waterbody list, the permit application for that waterbody must go through the individual or standard application process. Each year the ANC permit writers review newly permitted waterbodies and treatment sites 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 for the following year. You may request that your waterbody or treatment site be considered for GP eligibility if you think that the waterbody or treatment site meets the criteria outlined in the GP.

## **4. How long do the permits last?**

[Part 33](#) specifies that the term of a permit or COC shall not be less than 3 years unless the applicant requests a shorter term. All permits and COCs will terminate at midnight on

December 31<sup>st</sup> in the year of expiration. Because of this statutory requirement, some permits and COCs will be issued for 4 treatment seasons in order to accommodate the minimum 3 year term (unless otherwise requested by the applicant).

#### **5. Where can I purchase aquatic pesticides?**

Consult the telephone directory or internet to find local agricultural supply stores or pesticide distributors. Many stores that carry fertilizers and landscape supplies carry aquatic pesticides. Additionally, you may refer to this [list of approved pesticides in Michigan](#) and contact the manufacturer for locations of retailers in your area or contact the ANC Program for assistance.

#### **6. May I apply chemicals myself, or do I need to hire a certified applicator?**

In Michigan, most aquatic pesticides may be applied by individuals with proper authorization, including a permit, if required, and permission of the property owner. However, the majority of treatments are carried out by [certified applicators](#). If you decide to apply chemicals on your own, be sure to follow all directions as indicated on the product label to protect yourself, others, and the environment. Certain chemical products, such as those with the active ingredient imazapyr or diquat dibromide, are categorized as restricted use pesticides, which means they can only be purchased and applied by certified applicators.

#### **7. 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 [MDARD Pesticide Application Business web page](#) and select "Pesticide Application Businesses Currently Licensed to do Business in Michigan" or call the MDARD Central Licensing Unit for general information at 517-284-5771. On the licensed pesticide application businesses list, 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 may also seek referrals from other lake associations or riparian owners. The [ANC Program](#) also maintains a list of companies that routinely obtain ANC permits, which you may request by e-mail at [deq-wrd-anc@michigan.gov](mailto:deq-wrd-anc@michigan.gov) or by telephone at 517-284-5593.

#### **8. What happens if I treat without a permit or violate my permit?**

Violations of Part 33 include conducting chemical treatment without a permit, unless exempt as described in [Question 1](#). [Part 33](#) violations and permit violations are subject to both civil action and criminal enforcement. Penalties can be as high as a \$25,000 fine and up to two years of imprisonment. Permittees should review the statute and/or permit carefully and comply with all requirements. If there are any questions about complying with Part 33 or the terms of a permit(s), contact ANC staff by e-mail at [deq-wrd-anc@michigan.gov](mailto:deq-wrd-anc@michigan.gov) or by telephone at 517-284-5593.

#### **9. How can I determine if there has been a permit application submitted for a specific waterbody?**

The [MiWaters Site Map Explorer](#) provides public access to many documents associated with the MiWaters database, including current (and some historical) Water Resources Division permits. If a permit has recently been issued for a Site, you will be able to view it [here](#).

In the future, this feature will also include access to information about new and in process permit applications. Until this public access function is available for applications, individuals who are not the permit applicant can contact the ANC Program by e-mail at [deq-wrd-anc@michigan.gov](mailto:deq-wrd-anc@michigan.gov) or by telephone at 517-284-5593 to check whether a permit application has been submitted for a given waterbody and/or to check the status of a permit application.

#### **10. How do I request a public hearing or notification of the treatment on my lake?**

Unlike other sections of the NREPA, [Part 33](#) does not contain a provision for a public hearing regarding an ANC permitting decision.

In terms of pre-treatment notifications, each permit normally requires that the permittee notify, in writing, an owner of any waterfront property within 100 feet of the area of impact, not less than 7 days and not more than 45 days before the initial pesticide treatment of the treatment season. Written notification includes contact information for the permittee, a list of pesticides to be used with the corresponding water use restrictions, and approximate treatment dates. On the day of treatment, the permittee (or his/her contracted applicator) is required to post signs along the shoreline of treated areas to identify the locations and provide information about the treatment.

#### **11. Can I prevent my neighbor from putting aquatic pesticides in my lake?**

You generally cannot prevent your neighbor from treating his/her property under a valid permit. In Michigan, waterfront property owners typically own the bottomlands in wedge shape out to the center point or thread of the lake or stream, respectively. Just as your neighbor has a right to maintain or fertilize their lawn, they also have the right to control aquatic vegetation associated with their bottomlands, install a seawall, etc., as long as they have a permit from the MDEQ. Except in certain circumstances (such as in a Special Assessment District), you also have the right to *not* chemically treat your bottomlands.

#### **12. What can I do if I think someone is treating without a permit or is not following the terms of their permit?**

If you suspect that a violation of [Part 33](#) and/or an ANC permit has occurred, please contact ANC staff by e-mail at [deq-wrd-anc@michigan.gov](mailto:deq-wrd-anc@michigan.gov) or by telephone at 517-284-5593 with as much information as possible (e.g. location, dates, chemicals used, people involved, any photos, etc.).

### **Applying for a Permit**

#### **1. How do I apply for an Aquatic Nuisance Control Permit?**

The ANC permit application process is handled online in the [MiWaters permitting and compliance database](#). A [general introduction to MiWaters with links to training materials](#) is available on the WRD website. The applicant must establish an account in MiWaters that is linked to the applicant's e-mail address. The applicant must submit a [certifier agreement form](#), complete the permit application form for the proposed treatment site online, and submit the permit application fee by credit card or by a check in the mail. If you have applied for an ANC permit for a waterbody or treatment site in MiWaters previously, please apply for a permit out of that waterbody or treatment site in your MiWaters site inventory. Please contact the ANC

program at 517-284-5593 or [deg-wrd-anc@michigan.gov](mailto:deg-wrd-anc@michigan.gov) if you would like assistance with the permit application process in MiWaters.

## 2. What is the deadline to apply for an individual/standard permit or a Certificate of Coverage?

There is no deadline to submit an application in order to receive a permit or COC to treat in a given year. However, the ANC statute requires that MDEQ meet permit application processing deadlines. The deadlines for issuance of a permit decision are as follows: the later of April 15<sup>th</sup> or 30 working days after receipt of a complete application for a permit, the later of April 15<sup>th</sup> or 15 working days after receipt of a complete application for a COC, or by any date requested by the applicant and agreed to by the MDEQ. There are exceptions to these deadlines for applications meeting certain criteria; however, please keep these deadlines in mind when planning your treatments and submitting a permit application.

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

All permit applications must be completed online through the [MiWaters database](#) using one of the three ANC permit application forms:

Name of form in MiWaters	Form description
Application for Permit to Chemically Control Nuisance Aquatic Plants and Algae	Application for an individual permit, usually for a lake or pond
Application for Certificate of Coverage (COC) to Chemically Control Nuisance Aquatic Plants and Algae	Application for a certificate of coverage (COC) for eligible ponds, eligible Great Lakes canals and marinas, and non-native floating leaf and emergent species
Application for Permit to Chemically Control Swimmer's Itch (ANC)	Application for a permit to treat the snails associated with swimmer's itch

Please contact the ANC Program by e-mail at [deg-wrd-anc@michigan.gov](mailto:deg-wrd-anc@michigan.gov) or by telephone at 517-284-5593 if you have questions about or need assistance with the online application process in MiWaters.

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

The species of targeted aquatic vegetation must be correctly identified before an effective chemical can be selected. A document titled "[Common Aquatic Plants of Michigan](#)" and [other aquatic plant identification resources](#) are available on the [ANC web page](#) to help with aquatic plant identification. Once you have identified the plant(s) that you wish to treat, review the document titled "[What are the Chemical Control Options?](#)" to select an effective chemical product. To determine the chemical amount(s) necessary for effective control, first determine the treatment area size (acres) and the average water depth (feet). Then, using the correct application rate found on the product label, calculate the amount of chemical needed by multiplying the treatment area or water volume by the application rate. The [list of chemicals approved for use on the ANC Standard Permits](#) includes the chemicals and the typical application rates allowed on ANC permits.



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

The location of the 5 foot depth contour is critical for the delineation and approval of treatment areas on ANC permits. The MDNR has many [lake depth contour maps](#) available to the public. If depth contour maps are not available on the MDNR website for your waterbody, the depth contours in the treatment area may be estimated by using a depth measurement device. Consultants or professional chemical applicators may also offer the service of delineating water depth contours. You may also check local fishing, bait, and sporting good/boating retailers and websites for locally generated lake maps.

## **6. Once my application is received by the MDEQ, how long will it take for the permit decision to be issued? Can I check the status of my application?**

Every treatment proposal is considered unique, and each proposal will be reviewed individually. Therefore, the timeframe for review inevitably varies based on the scope of the proposal, site conditions, requirements for outside agency review, and other factors. However, the MDEQ must either approve or deny an application for a permit or COC by the later of April 15 or 30 working days (15 working days for a COC) from receipt of a complete application or by any date requested by the applicant and agreed to by the MDEQ. The MDEQ must issue a 15 percent refund of the application fee specified by statute if this deadline is not met, provided the application was complete upon submittal.

Additionally, if the MDEQ does not meet the deadline, certain applications shall qualify for the 15 percent application fee refund and be considered to be approved if all of the following apply:

- The proposed area of impact is the same as or entirely contained within the area of impact approved in a previous permit.
- The active ingredient or trade name of each chemical proposed to be applied is the same as approved in a previous permit and each chemical is currently approved for use by the department.
- The application rate and number of treatments do not exceed those approved in the previous permit.
- The minimum length of time between treatments is not less than that approved in the previous permit.

Your MiWaters account will provide an indication of the status of your permit application (preprocessing, in process, completed, etc.). Authorized users associated with your site may also check the status of the permit application in MiWaters. In the future, the public may access the MiWaters database to determine whether an application has been submitted for a specific site.

## **Expansions/Revisions/Transfers**

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

Depending on your situation, you may need to revise your permit, expand a treatment area for non-native species, transfer a permit to a new permittee, or submit a new permit application. These options are explained below.

## 2. What is a revision?

Revisions (also called amendments) are changes to a permit that do not constitute a change in scope of what was permitted. A revision request is not a change of scope if it meets one or more of the following criteria:

- addition of chemical(s) or modification of chemical amount(s) for an existing approved treatment area;
- addition, deletion, or modification of permit conditions to protect natural resources or improve treatment efficacy or operations;
- addition of treatment areas consistent with the conditions of your permit (other than for an expansion of invasive treatment meeting the expansion criteria);
- correction of an MDEQ error.

A proposal for a permit revision that does not meet one or more of these criteria must be submitted as a new permit application for the Site in MiWaters.

To apply for a permit revision, complete the Permit Revision Request form in MiWaters. This form can be found under “Apps, Requests and Reports” → “Start New Forms” → “Permit Change Forms” for the permitted Site in MiWaters.

If the revision involves additional treatment acreage that places the permit into a higher fee category, the difference between the original fee and the new fee is paid during the process of completing the Permit Revision Request form in MiWaters. More information is provided under [Question 4 of this section](#).

Revisions must comply with the notification requirements described in the permit and in [Question 10 of the General Information section](#) if additional treatment area is added.

## 3. What is an expansion?

The ANC statute allows a permittee to expand the area of impact, without a formal permit revision, beyond that authorized in the permit to include *adjacent* (contiguous) areas of the same waterbody that became infested after the application was submitted. These areas allowed for expansion, without a formal revision, include *infestations only*. Infestations include non-native invasive species that have grown into dense, monotypic stands causing ecological or economic harm. The expansion treatment must use the same chemicals and application rates as those currently authorized in the permit. Expansions must comply with the notification requirements described in the permit and in [Question 10 of the General Information section](#).

[Part 33](#) requires that the permittee submit 1) a notification of an impending expansion treatment, and 2) an expansion report.

1. Notification of impending expansion treatment - If expanding the area of impact for treatment of an infestation, the permittee shall notify the MDEQ prior to the initial treatment of the impending expansion area. This notification may be submitted by e-mail at [deq-wrd-anc@michigan.gov](mailto:deq-wrd-anc@michigan.gov) or by telephone at 517-284-5593, except in the following two situations:

- a) The original area of impact authorized on the permit or COC is greater than 100 acres and the proposed expansion exceeds 50 percent of the original authorized area.
- b) The treatment area expansion is proposed in a waterbody or treatment area that is located within or along the shoreline of the Great Lakes or inland waters in a municipality or township on the list in Appendix A.

In these two situations, the permittee shall complete the ANC Pre-Expansion Notification in the MiWaters permitting database not less than two (2) full business days before the planned treatment of the expanded area. This form can be found under “Apps, Requests and Reports” → “New and Draft Compliance Reports” → “ANC Pre-Expansion Notification” for the permitted Site in MiWaters. This notification shall include a map of the proposed expansion area(s), a list of chemical(s) to be applied, the date and time of anticipated treatment, and contact information for the on-site chemical applicator. The MDEQ has two (2) business days to notify the permittee of any specific concerns about the proposal.

2. Expansion Report Form - The permittee shall complete the ANC Treatment Expansion Report in the MiWaters permitting database no later than 15 days following the initial expansion treatment. This form can be found under “Apps, Requests and Reports” → “New and Draft Compliance Reports” → “ANC Expansion Report Form” for the permitted Site in MiWaters.

If the additional treatment acreage for an expansion(s) places the permit into a higher fee category, the difference in fee is due within 15 days of the initial expanded treatment. This fee is paid during the process of completing the MiWaters Treatment Expansion Report form. More information is provided under [Question 4 of this section](#).

Expansion treatments must comply with the notification requirements described in the permit and in [Question 10 of the General Information section](#) if additional treatment area is added.

#### **4. How does my fee change if I add treatment area(s)? When is the additional fee due, and do we have to wait to treat until the fee is received?**

Your fee only changes if the additional treatment area(s) adds sufficient area to place you into a higher fee category and your permit was not a COC (a COC application has a flat fee that does not change based on treatment area size). Then the difference between the fee initially paid and the fee for the new total treatment area size is due. The due date for the additional fee varies depending on whether the area is added through an expansion or a revision. Expansion payments are due 15 days after the initial treatment along with the Expansion Report Form. Therefore, you may treat under an expansion prior to the MDEQ receiving the payment. Revision payments are due with the Permit Revision Request Form (prior to treating the revised area).

Permit application fees and annual fees are based on the size of the proposed treatment area. Treatment area categories are defined by statute as:

- Less than ½ acre
- ½ acre or more but less than 5 acres
- 5 acres or more but less than 20 acres

- 20 acres or more but less than 100 acres
- 100 acres or more

For example, if the fee for a permit for less than ½ acre is \$75 and the fee for a permit for ½ to less than 5 acres is \$200, then **expanding** a ¼ acre treatment area by adding 2 more acres results in an additional fee of \$125 due 15 days after the treatment. If the permit is **revised** from ¼ acres to 2 ¼ acres, then \$125 is due at the time of the revision request. If the permit was issued as a COC, no additional fee is due in either case.

## 5. How do I transfer a permit?

For instructions about how to transfer a permit from one permittee to another, please contact the ANC program by e-mail at [deg-wrd-anc@michigan.gov](mailto:deg-wrd-anc@michigan.gov) or by telephone at 517-284-5593.

## Permit Fees

### 1. 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 the waterbody size) and may vary from year to year in order to achieve a target in fee revenue, in accordance with [Part 33](#). The COC application fee is a flat fee and does not vary by size of the proposed treatment area, but may also vary on an annual basis. Please visit the [ANC homepage](#) and view the “ANC Fee Information” under the Application & Permit Information header for the latest fee information.

Please be aware that an annual fee due by April 1<sup>st</sup> is also a requirement for subsequent years of in-effect multi-year permits.

### 2. If the fees are subject to change each year, how can I pay for multiple years up-front?

To calculate the permit application fee and the annual fees for multiple years up-front, multiply the initial permit application fee by the number of requested seasons of coverage. Additional fees due to a revision or expansion that places the treatment area in a higher fee category are based on the fee structure in place during the initial year of the multi-year permit. Additional fees are due at the time the permit revision request is submitted or within 15 days of an expanded treatment in the first year. An example of this scenario for both revisions and expansions is provided under [Question 4 of the section on Revisions/Expansions/Transfers](#).

### 3. What happens if I miss payment of the annual fee? How do I reactivate my permit?

If you do not pay the annual fee for a multi-year permit by April 1<sup>st</sup>, your permit is suspended until payment is received. Your permit is reactivated once the annual fee is paid. However, all unpaid annual fees are due at that time. For example, if you do not treat and therefore do not pay the annual fee for year two of a three-year permit, but you do want to treat in year three, you must pay both the annual fees for years two and three to reactivate your permit. From a compliance perspective, conducting treatment prior to paying the annual fee of a multi-year permit is considered treatment without a permit, a violation of Part 33.

#### **4. What fee payment methods are available?**

Fee payments may be submitted online using a credit card or by sending a check in the mail. Online payments by credit card are completed during the MiWaters permit application process or annual fee submission process and are subject to a 2 percent, non-refundable processing charge. To pay by mail, you must print the voucher at the end of the MiWaters permit application submission process or annual fee submission process, and mail the voucher with the check. You may submit multiple checks for a single permit application fee. However, you may not submit one check to cover multiple permit applications.

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

Except in the case of an incorrect overpayment of the application fee, all application fees are non-refundable once the application review process begins. However, a 15 percent application fee refund will be issued if a permit decision is not made within the statutory deadlines described in [Question 6 of the “Applying for a Permit” section](#).

### **Permit Conditions**

#### **1. Annual treatment reports are due no later than November 30<sup>th</sup> each year. However, the permits run through the end of the year. How should treatments in December be reported?**

Treatments in December rarely if ever occur. If a December treatment occurred, the permittee could either revise a treatment report that was submitted earlier in order to meet the November 30 deadline, or they could contact the ANC Program to negotiate the approval of a late submittal of the annual treatment report.

#### **2. Does notification of adjacent waterfront properties apply to all types of waterbodies or just lakes? Does the written notification for waterfront property owners within 100 feet of the treatment area apply only to owners with waterfront property or to properties that are within 100 feet inland from the treated waters but are not actually on the waterbody?**

Part 33 allows the MDEQ to require the permittee to notify an owner of any waterfront property within 100 feet of the area of impact. This may include any type of waterfront property, whether the waterbody is a lake, river, or wetland. Written notification is not required for those property owners who live within 100 feet inland from the treatment area and who do not own waterfront property within 100 feet of the area of impact.

#### **3. 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](#). 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 characteristics of the lake in order to determine the aquatic plant 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](#) or contact the ANC Program by e-mail at [deq-wrd-anc@michigan.gov](mailto:deq-wrd-anc@michigan.gov) or by telephone at 517-284-5593.

In addition, supplementary permit 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 the ANC 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 non-native invasive species. Before you apply for a whole lake treatment, please contact the ANC Program by e-mail at [deq-wrd-anc@michigan.gov](mailto:deq-wrd-anc@michigan.gov) or by telephone at 517-284-5593 for additional guidance. Application fees are not refundable once the review process begins.

## **Environment/Human Health**

### **1. Are the aquatic pesticides safe for public health and the environment?**

The aquatic pesticides that are permitted by the [ANC Program](#) are registered by the [United States Environmental Protection Agency](#) and the [Michigan Department of Agriculture and Rural Development \(MDARD\)](#). 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.

General product safety information is included on the federal product label. In addition, you may review human and environmental health and safety information on the Safety Data Sheet (SDS) or Material Safety Data Sheet (MSDS) for the product. This information is usually posted on the manufacturer's website.

### **2. Will the pesticides contaminate drinking water wells?**

Most registered aquatic pesticides break down quickly and are not a threat to drinking water wells. Some granular aquatic pesticides containing either 2,4-D (e.g., Navigate, Aquacide) or endothall (e.g., Aquathol Super K, Hydrothol 191 Granular) require extra precautions when used near active drinking water wells due to the potential for persistence and mobility in the environment. When these products are proposed for use, the MDEQ imposes isolation distances (or "no-treatment" zones, measured from the well, not the shoreline) as follows:

- Wells less than 30 feet deep: do not apply the pesticide within 250 feet of the well.
- Wells more than 30 feet deep: do not apply the pesticide within 75 feet of the well.

Prior to using the above aquatic pesticides, the user should develop a comprehensive list of private drinking water wells around the waterbody. The list should be reviewed on a regular basis to confirm that the information is accurate. Over time, wells may be abandoned (often in favor of municipal connections) and/or new wells may be constructed. The list of wells may include the following information:

- Names, addresses, and telephone numbers for all property owners within and adjacent to the treatment area.
- Well information for each parcel – the distance from the shoreline, the depth, and whether the well is actively used.
- Map showing the waterbody, parcel boundaries, and well locations. Use the map scale to draw the isolation distances around the wells.

The permittee is required to obtain information on wells prior to applying any of these products. The MDEQ may ask the permittee to submit the list of wells on any waterbody where there is a concern.

### **3. Will the aquatic pesticides affect swimming or fishing in the lake?**

The MDEQ institutes a 24-hour swimming restriction only in the treatment area. This restriction is in place primarily to keep swimmers out of the way of the applicator boat, to minimize disturbance within the treatment area, and to maximize plant uptake of the active ingredient. The only product with a swim restriction on the federal label is 2,4-D ester (Navigate and Aquacide, 24-hour swim restriction). Currently, there are no fish consumption restrictions required by the aquatic pesticide labels of products permitted in Michigan and, if properly used, the pesticides approved on ANC permits should not directly affect fish.

### **4. What if there are threatened or endangered species that are associated with my lake?**

The [ANC Program](#) assesses each waterbody to determine whether there is a threatened or endangered species present using historical records and multiple data sources of species occurrences. If there is a protected species present, ANC Program staff will work with applicable agencies, the permit applicant, and other waterbody stakeholders to minimize impacts of the treatment activity to the threatened or endangered species.

### **5. What if my lake has wetlands adjacent to the shoreline?**

The ANC permit application requires that known wetlands be identified on the treatment map(s). ANC staff use multiple resources to verify wetlands during the review process. Sometimes, areas that appear to be wetlands are not. For example, the presence of a few cattails along the shoreline does not necessarily mean that an area is considered a wetland. The ANC Program typically does not permit treatment of native plants adjacent to wetlands and/or along other types of undeveloped shoreline. For additional guidance on identifying wetlands, including regulatory information, you may visit the MDEQ's Wetlands, Lakes, and Streams Unit at [www.michigan.gov/water](http://www.michigan.gov/water) (click on Wetlands tab). You may also review the information available on the [MDEQ Wetlands Map Viewer](#).

**6. How is the treatment of native and non-native aquatic vegetation permitted differently?**

MDEQ permits the chemical control of both native and non-native aquatic vegetation. Treatment of native vegetation is typically restricted in size and location to areas with the highest recreational usage (along developed shoreline). Treatment of non-native vegetation may be permitted anywhere in the waterbody, provided that it can be conducted in a selective manner (through selection of the herbicide active ingredient, dosage, seasonal timing, treatment frequency, etc.) and with the required [bottomland owner permissions](#) and treatment map delineations.

**7. I think I found an invasive aquatic species in my lake. What should I do?**

If you think you have found a non-native invasive aquatic plant species, please contact the [ANC Program](#) by e-mail at [deq-wrd-anc@michigan.gov](mailto:deq-wrd-anc@michigan.gov) or by telephone at 517-284-5593.

You may also visit the [Michigan Invasive Species](#) web page for more information, as well as further contacts for reporting the species.

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

The MDEQ, in partnership with the Michigan Lake and Stream Associations, Inc., developed the [Cooperative Lakes Monitoring Program](#) (CLMP) as a cost-effective method for citizens to monitor water quality and to document changes in lake water quality over time. The [CLMP website](#) has additional information, such as how to join.

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

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

ANC staff members welcome any questions you may have. You may contact staff members by e-mail at [deq-wrd-anc@michigan.gov](mailto:deq-wrd-anc@michigan.gov) or by telephone at 517-284-5593. If you wish to contact a particular staff person, please view the [ANC Program staff contact list](#).