



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY (EGLE)
WATER RESOURCES DIVISION (WRD)

Aquatic Nuisance Control Frequently Asked Questions (FAQs)

The [Aquatic Nuisance Control \(ANC\) Program](#) regulates the chemical control of aquatic plants and algae when they impair the use of or access to 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, (NREPA); [Part 31, Water Resources Protection, of the NREPA](#); and the [administrative rules promulgated thereunder](#).

If you are interested in controlling other types of aquatic nuisances, please contact EGLE's Environmental Assistance Center via e-mail at EGLE-Assist@Michigan.gov or by telephone at 1-800-662-9278 to be directed to the appropriate program.

General Information

1. [Do I need a permit to control aquatic vegetation on my property?](#)
2. [Whom do I contact for permits for lake digging, dredging, and/or beach grooming?](#)
3. [What is a General Permit and Certificate of Coverage?](#)
4. [How long do the permits last?](#)
5. [Where can I purchase aquatic pesticides?](#)
6. [May I apply chemicals myself, or do I need to hire a certified applicator?](#)
7. [If I decide to hire a contractor, where can I find a list of licensed pesticide applicators?](#)
8. [What happens if I treat without a permit or violate my permit?](#)
9. [How can I find information about permit applications and permits submitted for a specific waterbody?](#)
10. [How do I request a public hearing or notification of the treatment on my lake?](#)
11. [Can I prevent my neighbor from putting aquatic pesticides in my lake?](#)
12. [What can I do if I think someone is treating without a permit or is not following the terms of their permit?](#)

Applying for a Permit

1. [How do I apply for an Aquatic Nuisance Control Permit?](#)
2. [What is the deadline to apply for an individual/standard permit or a Certificate of Coverage?](#)
3. [How do I know which permit application form to use?](#)
4. [How do I know which chemical to use and how much?](#)
5. [How can I obtain depth contour maps for my lake/pond?](#)
6. [Once my application is received by EGLE, how long will it take for my permit decision to be issued? Can I check the status of my application?](#)

Expansions/Revisions/Modifications of a Permit

1. [I have already received a permit, but I need to modify or transfer it. What are my options?](#)
2. [What is a revision?](#)
3. [What is an expansion?](#)
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?](#)
5. [How do I terminate my permit?](#)

Permit Application and Annual Fees

1. [What is the required permit application fee for my proposed treatment?](#)
2. [What happens if I miss payment of the annual fee? How do I reactivate my permit?](#)
3. [What fee payment methods are available?](#)
4. [If my permit is denied or modified, will I get a fee refund?](#)
5. [If my permit is terminated, will I get an application or annual fee refund?](#)

Permit Conditions

1. [Annual treatment reports are due no later than November 30th each year. However, the permits run through the end of the year. How should treatments in December be reported?](#)
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?](#)
3. [What are the special requirements for a whole lake treatment for aquatic nuisance control \(including fluridone treatments\)?](#)

Environment/Human Health

1. [Are the aquatic pesticides safe for public health and the environment?](#)
2. [Will the pesticides contaminate drinking water sources?](#)
3. [Will the aquatic pesticides affect swimming or fishing in the lake?](#)
4. [What if there are threatened or endangered species that are associated with my lake?](#)
5. [What if my lake has wetlands adjacent to the shoreline?](#)
6. [How is the treatment of native and non-native aquatic vegetation permitted differently?](#)
7. [I think I found a non-native invasive species in my lake. What should I do?](#)
8. [I am interested in learning more about improving the water quality in my lake. Whom should I contact?](#)
9. [I still have questions concerning aquatic nuisance control. What is the Aquatic Nuisance Control Program's contact information?](#)

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 [EGLE'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.

An ANC 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, Section 3303 of [Part 33](#) grants authority to a bottomlands owner to chemically treat aquatic nuisances in a waterbody without issuance of a permit by EGLE if the waterbody meets **ALL** of the following criteria:

- No outlet (i.e., tributary; overflow pipe, dam with spillway, etc.).
- No record of state or federal endangered or threatened species, pursuant to [Part 365, Endangered Species Protection, of the NREPA](#).
- 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 one year from the date of each chemical treatment. The records shall be made available to EGLE upon request.

Physical/Mechanical Control

A permit is generally not required from EGLE 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 (i.e., without the use of a powered or mechanized tool) and all plant fragments are removed from the water and properly disposed of on land above the [ordinary high-water mark](#). A permit is not required for hand-raking (i.e., without the use of a powered or mechanized tool) of lake bottomlands where vegetation is not present before raking, and where bottom lands are predominantly composed of sand or pebbles. Larger scale removal of plants requires a

permit from EGLE's [Water Resources Division](#) (WRD) if the project can be authorized under Part 301, Inland Lakes and Streams, of the NREPA. 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 EGLE-Assist@Michigan.gov or by telephone at 1-800-662-9278 for more information regarding WRD permit requirements.

Bacterial Augmentation

EGLE has regulatory jurisdiction over application of bacterial augmentation products to surface waters of the state. Authorization to use bacterial augmentation products requires review and approval from EGLE's [Water Resources Division](#), and coverage under Rule 97 of the Water Quality Standards, promulgated under Part 31, Water Resources Protection, of the NREPA prior to usage. The process for obtaining authorization and a list of approved products are available on EGLE's website at [Bacterial Augmentation](#).

Biological Control

EGLE has regulatory jurisdiction over the application of biological agents to control nuisance aquatic species. A permit is not required from the State of Michigan for certain biological methods to control aquatic plants, such as the introduction of *Galerucella* beetles for purple loosestrife control. However, the use of a fungal pathogen such as *Mycoleptodiscus terrestris* (Mt) to control Eurasian watermilfoil requires review and approval by EGLE. The introduction of banned species (e.g., grass carp) to control plant growth is illegal in the State of Michigan. Contact your local MDNR office for further information. Contact the Environmental Assistance Center by e-mail at EGLE-Assist@Michigan.gov or by telephone at 1-800-662-9278 for more information regarding WRD permit requirements.

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 [EGLE's Environmental Assistance Center](#) by e-mail at EGLE-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 permit for a category of aquatic nuisance control activities that EGLE has determined will not negatively impact human health and will have no more than minimal short-term adverse impacts on the natural resources and environment. If a treatment site 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 EGLE to implement a project under the terms outlined in a GP.

To view the current ANC GPs, please go to the [General Permits and Pre-Approved Lists of Specific Waterbodies Eligible for Certificates of Coverage \(COC\)](#) website.

The GPs for ponds and Great Lakes canals and marinas have pre-qualified waterbody lists. If a waterbody is not found on the approved waterbody list, the waterbody is not eligible to be covered under a GP, and the project must go through the individual or standard application process. Each year EGLE reviews newly permitted waterbodies and treatment sites to assess their eligibility for coverage under a GP. If a waterbody is eligible, it may be added to the candidate waterbody list for the following year. In addition, a permittee may request that a waterbody or treatment site be considered for GP eligibility by contacting the ANC Program.

4. How long do the permits last?

Section 3309 of [Section 3309 of Part 33](#) specifies that the term of a permit or COC shall not be less than three years unless the applicant requests a shorter term. All permits and COCs will terminate at midnight on December 31 in the year of expiration. Because of this statutory requirement, some permits and COCs will be issued for four treatment seasons in order to accommodate the minimum three-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 that offer aquatic herbicides approved for use by the United States Environmental Protection Agency and the State of Michigan. Many stores that carry fertilizers and landscape supplies also 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 carfentrazone, 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 EGLE-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](#) above. Under [Section 3313 of Part 33](#) violations and permit violations are subject to compliance action, civil action, and criminal enforcement. 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 Program staff by e-mail at EGLE-WRD-ANC@Michigan.gov or by telephone at 517-284-5593.

9. How can I find information about permit applications and permits 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 [on the MiWaters Site Explorer](#).

For information on in process applications, individuals who are not the permit applicant can contact the ANC Program by e-mail at EGLE-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 requiring a public hearing regarding an ANC application and/or 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 ANC permit. In Michigan, waterfront property owners typically have authority over the bottomlands in wedge shape out to the center point or thread of the lake or stream, respectively. 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 EGLE-WRD-ANC@Michigan.gov or by telephone at 517-284-5593 with as much information as possible (e.g. location, dates, chemicals used, persons involved, any photos or video, 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

EGLE-WRD-ANC@Michigan.gov or 517-284-5593 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, Part 33 requires that EGLE meet permit application processing deadlines. The deadlines for issuance of a permit decision are as follows: the later of April 15th or 30 working days after receipt of a complete application for a permit, the later of April 15th 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 EGLE. 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.

Applications for future years will not be accepted by ANC Staff until November 1 of the preceding year (i.e. an application for 2021 would not be accepted until November 1, 2020).

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 Permit to Chemically Control Nuisance Aquatic Plants and Algae (FLURIDONE ONLY) | Application for an individual permit that requests the use of fluridone (whole waterbody or spot treatments). |
| 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 qualifying non-native floating leaf and emergent species. |

Please contact the ANC Program by e-mail at EGLE-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 control, 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. Please contact the ANC Program by e-mail at EGLE-WRD-ANC@Michigan.gov or by telephone at 517-284-5593 if you have additional questions.

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

The location of the five-foot depth contour is critical for the delineation and approval of treatment areas on ANC permits. The MDNR has many [inland lakes maps](#) available online 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 EGLE, 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, EGLE 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 EGLE.

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.

Expansions/Revisions/Modifications of a Permit

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

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

2. What is a permit revision?

Permit revisions (also called permit amendments) are changes to a permit that do not constitute a change in scope of what was originally 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 EGLE 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” à “Start New Form” à “Permit Change Forms” for the permitted Site in MiWaters.

If the permit 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](#).

Permit revisions must comply with the notification requirements described in the permit. Additional information on notification can be found 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 or treatment site 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. Additional information on notification can be found in [Question 10 of the General Information section](#).

[Section 3311 of 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 EGLE prior to the initial treatment of the impending expansion area. This notification may be submitted by e-mail at EGLE-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 listed in the permit appendix.

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” à “New and Draft Assigned Forms” à “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. EGLE 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 by clicking on “Apps, Requests and Reports,” then “New and Draft Assigned Forms,” then “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. Additional information on notification can be found 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?

A fee will change 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 EGLE 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 application fee for less than ½ acre is \$75 and the application fee 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.

If the increase in area applies to a multi-year permit with valid future years, those future years will be in the same fee category as the new total fee after the increase in acreage.

5. How do I terminate my permit?

Permit terminations can be completed in MiWaters. To request termination of a permit or COC that is no longer in use, please submit the “Aquatic Nuisance Control (ANC) Permit Termination Form,” which is located in the Permit Change Form category within the Site in MiWaters. Once the request has been processed and the permit has been terminated, all unsubmitted Schedules of Compliance will be closed, and the permittee will no longer receive prompts for those schedules. However, please note that all outstanding reporting requirements (e.g., treatment reports) must be completed prior to termination (e.g., if the permit is active in 2020, the 2020 treatment report must be submitted (if required by the permit), even if no treatment was undertaken).

Aquatic Nuisance Control staff may also initiate a permit termination internally if it is clear that authorization to treat has been withdrawn. The permittee will be notified of the termination by a MiWaters notification and by email from ANC staff.

Permit Application and Annual 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 [Section 3306 of 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 Michigan.gov/ANC 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 is also a requirement for subsequent years of in-effect multi-year permits. Please see question 3 in this section for more information.

2. 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, your permit is suspended until payment is received. A permit can be reactivated once the annual fee is paid. However, all overdue annual fees from previous seasons are also 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. Conducting treatment under a suspended permit is a violation of Part 33.

3. What fee payment methods are available?

Fee payments may be submitted online in MiWaters 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 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.

4. 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](#).

5. If my permit is terminated, will I get an application or annual fee refund?

If the permit is terminated and the permittee has prepaid annual fees, they may be eligible for a refund of prepaid fees.

Permit Conditions

1. Annual treatment reports are due no later than November 30th 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 EGLE 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. For most ANC permit activities, 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. The exception to this is treatment for emergent invasive species under the ANC94 General Permit. For treatment under that General Permit notification of any property owner within 100 feet of the area of impact is required.

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 [Section 3304 of Part 33](#). An LMP includes the following items:

| | |
|--|---|
| <ul style="list-style-type: none"> • Physical characterization of waterbody | <ul style="list-style-type: none"> • Management goals |
| <ul style="list-style-type: none"> • Biological characterization of waterbody | <ul style="list-style-type: none"> • History of waterbody management |
| <ul style="list-style-type: none"> • Water quality information | <ul style="list-style-type: none"> • Vegetation management plan |
| <ul style="list-style-type: none"> • Description of nuisance conditions | <ul style="list-style-type: none"> • 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 EGLE 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 view the [Whole Lake Treatments web page](#) or contact the ANC Program by e-mail at EGLE-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 EGLE-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](#) (USEPA) and the [Michigan Department of Agriculture and Rural Development \(MDARD\)](#). They also undergo toxicological review by EGLE. If the pesticides are applied according to label instructions and permit requirements, these chemicals should pose no danger to public health. Most products permitted by ANC also pose no danger to the environment when correctly used and while a small subset may have an impact on water quality, these products have additional permit restrictions to minimize their risk to 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). This information is usually posted on the manufacturer's website.

2. Will the pesticides contaminate drinking water sources?

Federal Insecticide, Fungicide, and Rodenticide Act Product labels specify setbacks for surface water intakes for pesticide products as required. Permit holders and chemical applicators are required to follow all label instructions by federal and state law. For the safety of well water sources, it is important to have properly constructed wells that meet all legal requirements. If you have concerns about the operational safety of your drinking water well, contact your county health department.

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

EGLE 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.

4. What if there are threatened or endangered species that are associated with my treatment site?

The [ANC Program](#) assesses each treatment site on a case by case basis to determine whether there are threatened or endangered species present using historical records and multiple data sources of species occurrences. If there are 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, and its critical habitat area.

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). 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 contact EGLE [Wetlands, Lakes, and Streams Unit](#). You may also review the information available on the [EGLE Wetlands Map Viewer](#).

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

EGLE permits the chemical control of both native and non-native aquatic vegetation. Treatment of native vegetation is done for control of nuisance conditions that would otherwise greatly impede recreational use of the site. Control of native vegetation is typically restricted in size and location to areas with the highest recreational usage (along developed shoreline). Treatment of native vegetation is limited in this manner to provide habitat protection for native plants and animals that live in the lake. 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. More expansive treatment of non-native species is allowed in order to counteract the spread of invasive species and promote the return of native plants to the system.

7. I think I found a non-native 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 EGLE-WRD-ANC@Michigan.gov or by telephone at 517 284 -5593. Please provide information such as photos of plants and the area of observation, GPS coordinates and/or local address where the observation occurred, and contact information for when agency follow up is needed.

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?

EGLE, 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 participate in volunteer monitoring.

Information on how shoreline development can impact water quality and ecologically friendly development strategies can be found through the [Michigan Natural Shoreline Partnership](#) and [Michigan Shoreland Stewards](#).

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 EGLE-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](#).

For information or assistance on this publication, please contact the Water Resources Division through the EGLE Environmental Assistance Center at 800-662-9278. This publication is available in alternative formats upon request.

EGLE will not discriminate against any individual or group on the basis of race, sex, religion, age, national origin, color, marital status, disability, political beliefs, height, weight, genetic information, or sexual orientation. Questions or concerns should be directed to the Quality of Life Human Resources, P.O. Box 30473, Lansing, MI 48909-7973.

This publication is intended for guidance only and may be impacted by changes in legislation, rules, policies, and procedures adopted after the date of publication. Although this publication makes every effort to teach users how to meet applicable compliance obligations, use of this publication does not constitute the rendering of legal advice.