

How I RELUCTANLY became ENGAGED in this (at times very FRUSTRATING) Endeavor

1. Became a Lake Avalon Association Board Member
2. Was asked to compile some information on Milfoil and the Risk to Lake Avalon

The introduction of invasive species (e.g., zebra mussels, non-native plants, environmental diseases) presents a significant and growing threat to Lake Avalon. Invasive species are plants and animals which are not native to the lake and which have no natural predators in the lake environment. Many Michigan lakes have seen an influx of invasive species, from the zebra mussel to plants like the Eurasian water milfoil, and even diseases that can wipe out entire fish populations.

3. Researched Ordinances related to Boat Washes

4. Drafted a Proposed Hillman Township Ordinance

DRAFT PROPOSED ORDINANCE WORDING

Hillman Township ORDINANCE XXXXXXXXXXXX

INTRODUCTION OF NON-NATIVE INVASIVE AQUATIC SPECIES
ORDINANCE

An ordinance to deter the introduction of non-native aquatic invasive species into Lake Avalon by requiring the washing of watercraft, motors, trailers or other gear before the launching or the use of the same into or on the waters; and to provide a municipal civil sanction for the violation thereof.

Since Avalon has no natural inlets, invasive aquatic species may be introduced to the lake by being physically attached to boats and trailers, from bait buckets emptied into the lake, and from live wells, bilge water and transom wells containing water contaminated with these damaging species. Most boats are launched on Lake Avalon at the DNR Public Access/Launch Site, the only public access and launch site. The Hillman Township Board of Supervisors has deemed it necessary, therefore, to prohibit the launching of boats and the use of equipment in Lake Avalon that may harbor and introduce into Lake Avalon such invasive non-native aquatic species.

Section 3. Prohibited Conduct.

It shall be unlawful for anyone to fail to follow the requirements set forth in Sections 4 and 5 in respect to the proper cleaning and use of boats, trailers, and other equipment associated with their use

Section 4. Launching boats.

It shall be unlawful for any person to launch any boats into Lake Avalon from the DNR Public Access Site unless it has first been washed at the Boat Wash Station, and any live wells and bilges are cleaned, and water has been blown out of the engine, in such a manner to remove any invasive aquatic species.

Section 5. Trailers; Related Equipment.

It shall be unlawful for any person to place any watercraft trailer, motor or related equipment into Lake Avalon from the DNR Public Access Site unless such trailer, motor or related equipment has been washed at the Boat Wash Station in such a manner as to remove any aquatic invasive species.

5. Township refused to PASS the ORDINANCE based on recommendations of their part-time township attorney
 - A. Enforcement costs
 - B. Would we be able to raise the funds to build and staff the wash?

6. Researched other POSSIBLE courses of ACTION with PERSONS who are more interested in action than talking – that meant persons other than the Association’s Board Members.

7. Meetings and discussions with **State Senator JIM STAMAS**[36th State Senate District](#): *Alcona, Alpena, Arenac, Gladwin, Iosco, Midland, Montmorency, Oscoda, Otsego, and Presque Isle Counties*
8. Meeting with Senator Stamas, DNR Director, Parks and Recreations Director and announcement that they will construct a permanent boat wash for Lake Avalon
9. But now... the ordinance, enforcement and staffing

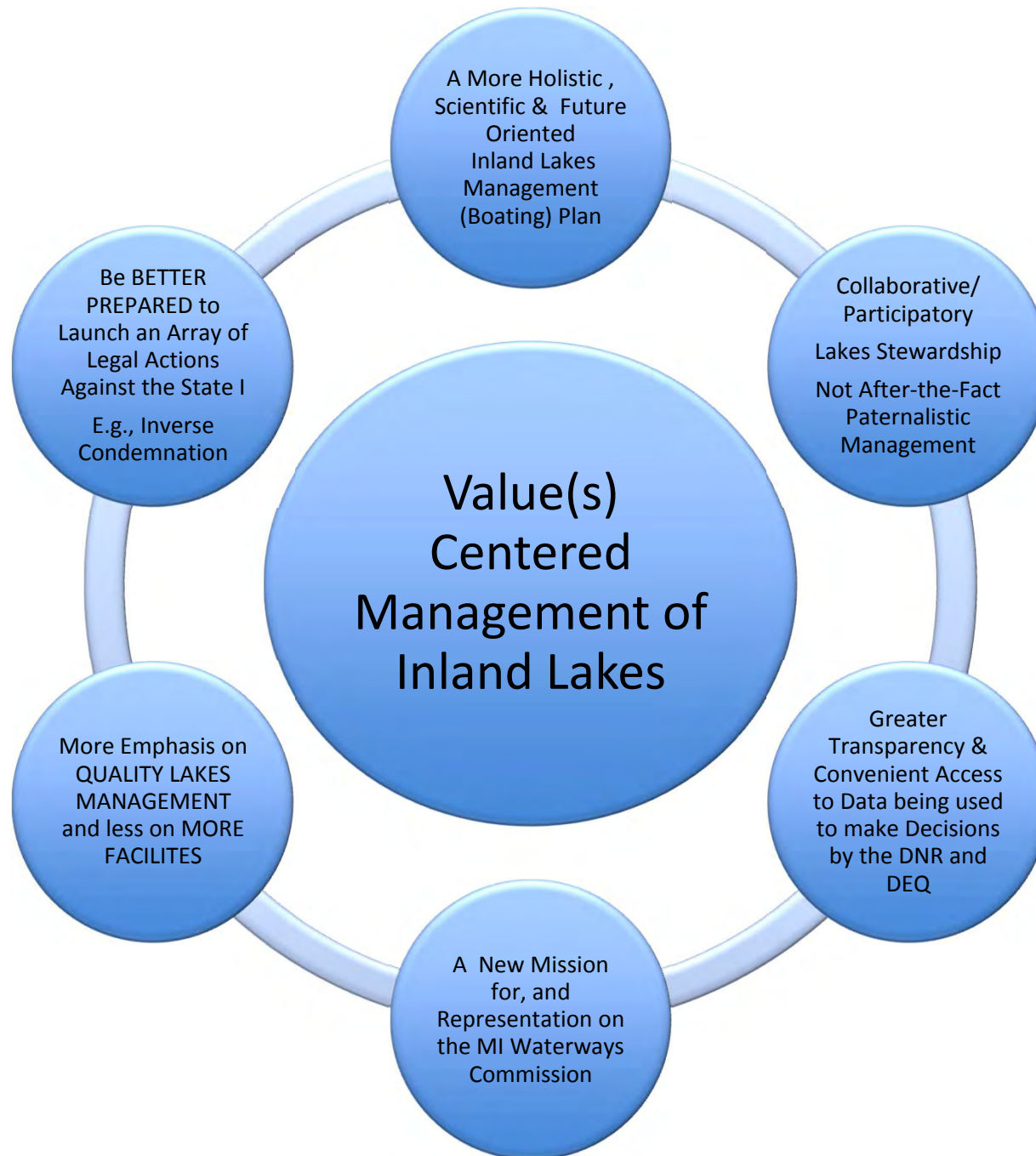
A “New” PARADIGM

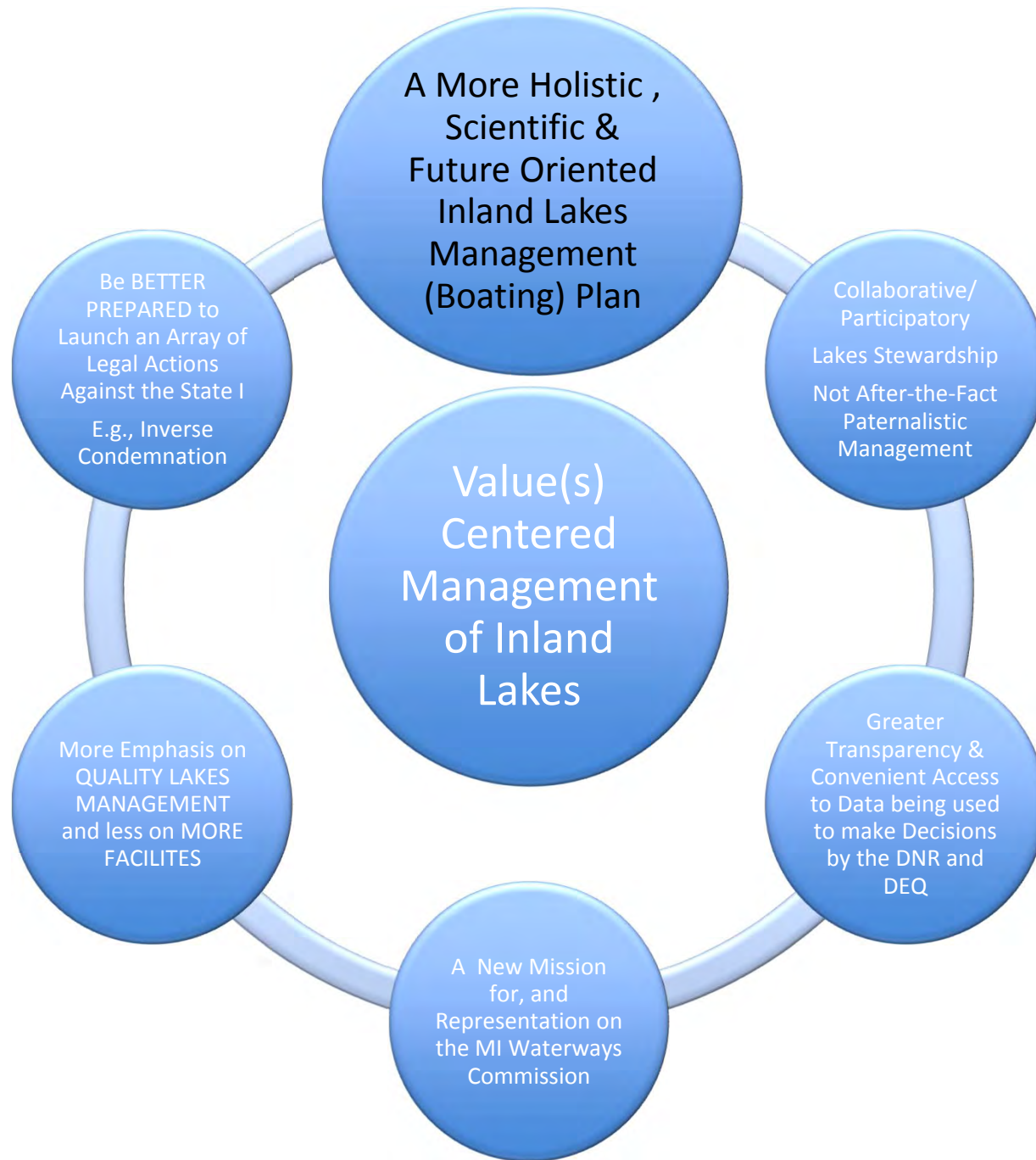
Simple Definition of *Paradigm*

A model or pattern for something that may be copied

A theory or a group of ideas about how something should be done, made, or thought about

A framework containing the basic assumptions, ways of thinking, and “methodology” that are commonly accepted by members of a scientific community





The number of registered boats in Michigan has been steadily declining – so how many new or even existing boating facilities are needed.

State	2015	2014	2013	2012	2011	% Change from 2014
Alabama	261,183	262,926	265,634	268,374	265,526	-0.66%
Alaska	50,781	50,123	49,939	50,142	50,219	1.31%
Arizona	124,076	124,425	125,646	129,221	131,665	-0.28%
Arkansas	171,268	206,283	237,466	199,546	200,915	-16.97%
California	772,542	728,679	820,490	776,584	855,243	6.02%
Colorado	84,111	83,683	83,549	87,225	89,321	0.51%
Connecticut	95,527	99,658	101,887	103,992	105,499	-4.15%
DC	2,120	1,963	2,622	2,118	2,889	8.00%
Delaware	59,467	59,337	59,186	58,541	57,687	0.22%
Florida	889,350	873,507	870,749	870,165	889,895	1.81%
Georgia	327,657	321,740	319,871	323,116	322,346	1.84%
Hawaii	10,807	12,033	13,367	14,098	13,375	-10.19%
Idaho	86,969	86,270	85,780	85,749	84,290	0.81%
Illinois	236,513	274,906	310,853	368,224	371,365	-13.97%
Indiana	209,867	212,466	214,889	214,487	217,297	-1.22%
Iowa	236,466	221,939	202,886	235,095	228,743	6.55%
Kansas	80,979	82,016	83,422	85,840	88,041	-1.26%
Kentucky	172,315	174,358	174,218	175,286	171,936	-1.17%
Louisiana	306,731	307,059	307,464	305,081	302,974	-0.11%
Massachusetts	134,678	135,750	137,668	139,123	139,991	-0.79%
Maine	107,475	106,328	107,211	108,502	106,679	1.08%
Maryland	178,798	178,573	181,544	185,626	188,623	0.13%
Michigan	787,637	789,458	795,875	804,088	803,391	-0.23%

TABLE 53: Distribution of Recreational Boats in 2011 in the U.S. Regions by Registration Status

Source: <http://www.uscgboating.org/library/recreational-boating-survey/2012survey%20report.pdf>.

REGION	REGISTERED BOATS ¹ (THOUSANDS)	UNREGISTERED BOATS ² (THOUSANDS)	TOTAL (THOUSANDS)
United States	12,749	9,468	22,217
Northeast	1,592	2,014	3,606
Midwest	4,211	2,047	6,258
South	5,059	3,544	8,603
West	1,887	1,863	3,750

1 For registered boats, the region represents the region of registration. The state of residence was used when respondents did not know the state of registration or the owner refused to reveal it.

2 For unregistered boats, the region represents the region of boat owners.

TABLE 46: Boating Days and Hours in 2012 by State

Source: <http://www.uscgboating.org/library/recreational-boating-survey/2012survey%20report.pdf>

STATE	NUMBER OF BOATS OWNED IN THE U.S. AND PUERTO RICO (000)	NUMBER OF BOATING DAYS (000)	NUMBER OF PERSON-HOURS (000,000)	NUMBER OF DAYS / BOAT	NUMBER OF HOURS / BOATING DAY	MEAN NUMBER OF PERSONS ABOARD/ BOATING DAY
U.S.	21,611	244,203	3,584	11.3	5.7	2.4
MIDWEST	6,047	66,116	991	10.9	5.1	2.7
IA	297	2,552	45	8.6	6.0	3.1
IL	638	5,200	73	8.2	5.5	2.5
IN	473	5,405	66	11.4	4.2	2.7
KS	161	1,459	20	9.1	6.5	2.2
MI	1,182	14,757	213	12.5	4.9	2.7
MN	976	11,055	144	11.3	4.8	2.6
MO	511	5,301	132	10.4	6.3	3.1
ND	85	730	10	8.6	5.0	3.1
NE	108	1,048	23	9.7	6.8	2.7
OH	539	5,237	83	9.7	5.2	2.7
SD	75	753	12	10.0	6.2	2.3
WI	1,002	12,617	171	12.6	4.9	2.8







Michigan Waterways Commission

Mission Statement:

The Michigan State Waterways Commission works to provide safe public access to the Great Lakes and inland waters of the State of Michigan. Working with partners, the Commission oversees the use of dedicated funds provided by boaters for the acquisition, construction and operation of the infrastructure needed to support boating.

- The Commission consists of 7 members including 1 owner/operator of a harbor/marina, 1 representative of the marine-trades industry who does not own/operate a harbor/marina, at least 1 member from the Upper Peninsula, at least 1 member from the Lower Peninsula, and no less than 2 members residing north of townline 16. Members each serve 3 year terms.

1. Nicki Polan, White Lake

Term expires September 18, 2016

2. James R. Hansen, Escanaba

Persons residing north of towline 16 in the Upper Peninsula

Term expires September 18, 2016

3. Gary J. Marowske, Grosse Pointe Farms

General public

Term expires September 18, 2017

4. Alex Declercq, Grosse Pointe Park

A person who represents the marine-trades industry who does not own or operate a harbor or marina Term expires September 18, 2017

5. Dennis Nickels, Grand Haven

Term expires September 18, 2019

6. Denny Grinold, Lansing

Term expires September 18, 2019

7. Ward Walstrom, Harbor Springs

Persons residing north of towline 16 in the Lower Peninsula

Term expires September 18, 2019

8. R.J. Peterson, Saugatuck Special consultant to the Commission



A More Holistic ,
Scientific & Future
Oriented
Inland Lakes
Management
(Boating) Plan

Collaborative/
Participatory
Lakes Stewardship
Not After-the-Fact
Paternalistic
Management

Value(s)
Centered
Management
of MI Inland
Lakes

Greater
Transparency &
Convenient Access
to Data being used
to make Decisions
by the DNR and
DEQ

A New Mission for,
and Representation
on the MI Waterways
Commission

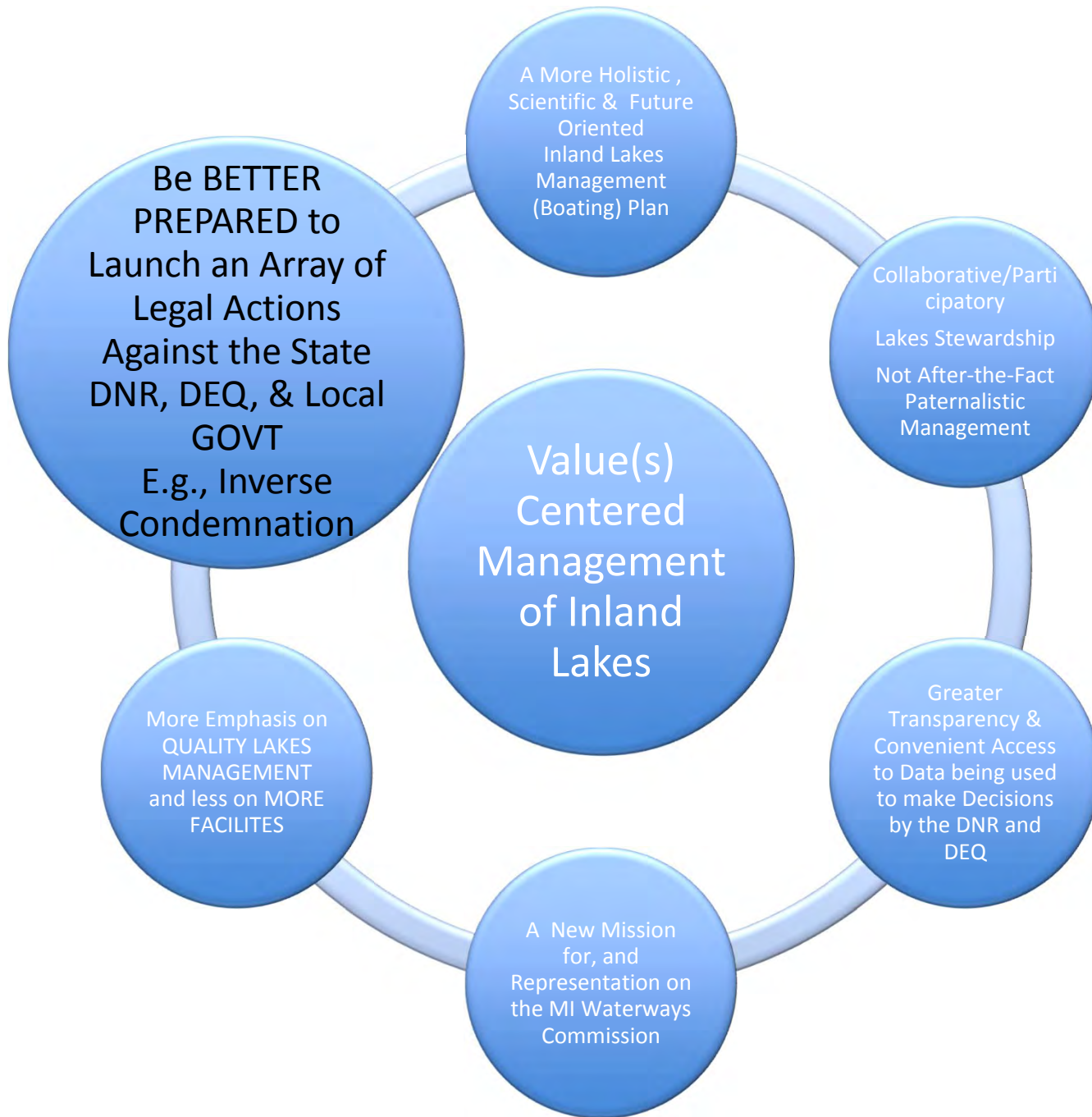
More Emphasis on
QUALITY LAKES
MANAGEMENT and
less on MORE
FACILITES and
Numbers that
"JUSTIFY" MORE

Be BETTER
PREPARED to
Launch an Array of
Legal Actions
Against the State
DNR, DEQ
E.g., Inverse
Condemnation

State Parks Division and Waterways Commission

Annual Impact of Registered Boats on Michigan's Economy*:

- \$3.9 billion in sales
- \$1.3 billion in personal income
- \$1.9 billion in value added 51,329 jobs
- **Economic Impact statistics provided per: Great Lakes Commission's 2007 Recreation Boating Report*



Inverse Condemnation

An increase in environmental problems has resulted in a new type of eminent domain proceeding called inverse condemnation.

Property owners, rather than the contemnor, initiates the action. The owner alleges that the government has acquired an interest in his or her property without giving compensation, such as when the government floods a farmer's field or pollutes a stream crossing private land.

An inverse condemnation proceeding is often brought by a property owner when it appears that the taker of the property does not intend to bring eminent domain.

FLINT

- The second lawsuit, filed Jan. 15 in the state Court of Claims, is seeking to hold the state financially accountable for the water crisis.
- Flint property owners in the lawsuit are claiming an unconstitutional taking of their property by arguing the state committed an "inverse condemnation action" by destroying or impairing property values in the city through its actions.
- They further allege the department sat on the information for more than 10 months and that it could have prevented lead poisoning of Flint children by sharing the information with the public.