

lowest level are activities that are exempt from permitting. An example of an exempt activity would be a seasonal structure placed on bottomland to facilitate private, noncommercial, recreational use of the water assuming it does not unreasonably interfere with the use of the water by others or interfere with water flow. Seasonal structures typically include docks, boat hoists, and swim rafts at single-family residences that are removed at the end of the boating season. There are many other exemptions in the statutes; seasonal structures are just a common example on inland lakes. The next levels are the General Permit (GP) and Minor Project (MP) categories. These are project types that are considered to have minimal impact, and generally include best management practices to minimize impacts to resources if the criteria in the category is followed. If a project meets the criteria in a MP or GP category, it can be processed at a lower fee (\$50 or \$100) and on a faster timeline (i.e., no public notice period). All other project types that don't meet an exemption or MP/GP criteria are processed as a Public Notice Project. Public Notice Permits typically include a \$500 application fee and have at least a 20-day public notice period. Local governments are allowed 45 days to comment.



EGLE is required to consider the possible direct and indirect effects of the proposed project upon the inland lake, stream, or wetland. This includes potential impacts on uses for recreation, fish and wildlife, aesthetics, local government, agriculture, commerce, and industry. EGLE must also consider whether the proposed impacts have been minimized to the greatest extent. If a feasible and prudent alternative to the project is available, EGLE is not able to issue a permit. Permit applicants and EGLE often

(CONTINUED ON PAGE 14)

Less Mess, More Weekend!

www.goosecopinc.com
269-528-3126

GOOSE DETERRENT SYSTEM

Visit Our Website
For A Limited Time Offer, Videos and More!

Unpredictable random undulations, reflective hair, crazy eyes, mean looking scowl, internal lightning like effect of the strobe light combine with the noise of the fan make the Goose Cop a truly effective goose deterrent!

Utilizes a proven patented inflatable design that has been chasing unwanted wildlife from farm fields and vineyards' for years

Incredibly fast and easy to set up and take down

Fully automatic, only operates when geese or other wildlife are detected, keeps them guessing!

Instantly protects your property, shoreline and dock right out of the box
Eliminates a time consuming dirty and disgusting job

Goose Cop provides instant protection

Offers peace of mind

ORDER NOW

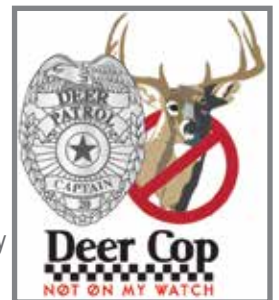
Arrives ready to go, right out of the box.

Optional sensor kit- Increases detection area, add up to eight.

Dock Mount- Use to protect long docks out of range of shoreline sensors

INTRODUCING THE DEER COP
MOTION ACTIVATED- MAKES THE DEER COP THE MOST EFFECTIVE DEER DETERRENT ON THE MARKET TODAY!!

There are many deer deterrents out there. Their effectiveness depends on how quickly deer adjust to them. The Deer Cop evolved from our proven Goose Cop design. With its unpredictable random undulations, reflective hair, crazy eyes, mean looking scowl, plus the internal lighting like effect of the strobe light combined with the noise of the fan make the Deer Cop a truly effective deer deterrent!



- Motion activated and fully automatic, operates only when deer or other wildlife is detected.
- 60' x 36' detection area (each sensor, add up to eight)
- Rugged weatherproof design
- Fast and easy to set up or take down
- Cost effective
- Patent pending

STATE REGULATIONS

(CONTINUED FROM PAGE 13)

work together to modify projects to reduce impacts to the water resources and allow for permitting. For more information on the permitting process visit www.michigan.gov/jointpermit.

State agencies have regulations to protect Michigan's inland lakes, however, there are gaps in lake protection because not all aspects or features of inland lakes are regulated under state or federal laws. Inland lake protection is a shared responsibility among all levels of government and citizens of Michigan. Local governments can fill these gaps in lake protection because they have the ability to develop future land use plans and to make land use decisions. For example, under Part 301 a permit is required for a project taking place at or below the ordinary high water mark (OHWM) of an inland lake or stream. In general, an upland project taking place above the OHWM of an inland lake would not be regulated by the state. Local protections can range in complexity, and there are many different tools which local governments can use to effectively protect lakes, streams, and wetlands, and to preserve the quality of life in their communities. Locals can protect critical or unique local resources and target local priorities.

One of the most effective ways to protect inland lakes is to require minimum setbacks with the maintenance of an undisturbed buffer of native vegetation along the shoreline of an inland lake. Because there are situations where the maintenance of an undisturbed buffer is not regulated under state laws, natural features setback requirements can be incorporated as part of a local zoning ordinance. There are many other tools available to local governments through inland lake and wetland ordinances that can provide protection in areas not regulated under state or federal laws. Site plan review regulations, stormwater management ordinances, open space zoning and conservation design, weed ordinances, watercraft, and keyhole ordinances are just some examples. State laws, local governments, and lakefront landowners all play a role in keeping Michigan's lakes healthy for future generations.

An interview with

JENNIFER MCKAY,

POLICY DIRECTOR,

TIP OF THE MITT WATERSHED COUNCIL

Tip of the Mitt Watershed Council has been active since 1979, protecting the water resources in Antrim, Charlevoix, Cheboygan, and Emmet Counties including lakes, streams, wetlands, and groundwater. The organization also supports research and advocates for a positive change for the future of our water.

WE SPOKE WITH JENNIFER MCKAY ABOUT ACTIVITIES INVOLVING ZONING. JENNIFER MADE SOME IMPORTANT COMMENTS THAT WE HAVE SHARED HERE:

We generally get four major kinds of calls about issues on lakes. First, we receive calls from lake area residents who are concerned about actions being taken or considered by their neighbors on the lakes, streams, and rivers. They usually ask *Is it legal to change the shoreline, damage wetlands, expand a home toward the water, and put docks, sand, or multiple boats into the water?*

The second is the type of call we really like. They are calls from home or business owners who contact us and other groups before they make commitments for any construction or upgrades in an effort to make sure that what they plan to do is legal and supports the environment. With these calls we help walk the waterfront property owner through the federal, state, county, and local laws, regulations, and guidelines, and educate them on required permits, as well as provide recommendations for what is best for the health of our waters.

Third, we receive contacts from federal or state agencies including DNR, EGLE, and local units of government and agencies. Their request often is asking our group to consult, answer questions, and provide education and assistance to home and business owners and construction firms on how to approach various land and shore projects. Their concerns are how to proceed in a legal manner and to protect the environment.

Finally, we are asked to be expert advisors and comment on possible violations that have already taken place. We are asked to address the proper procedures to follow

(CONTINUED ON PAGE 15)

to document the situation and suggest options to correct damage and return things to a better situation to protect the environment.

A good case example: We had a couple who bought a property with a lot of wetlands along the shore, and they had an initial plan, like many do, to remove the wetlands, push the yard right up to the lake edge, put down a sandy beach area for a nice ocean-like beach, and put in a massive dock with multiple watercraft. Our Watershed Council team met with them, explained the state and local wetlands ordinances, the required greenbelt, and other regulations, as well as why these are important. For example, if you put lots of sand on the beach, in a few months it will nearly all wash away. Also, destruction of the natural shoreline will stop filtration of contaminants and end a protected area for frogs, birds, and wildlife. Eventually the homeowners agreed and together we developed a plan where they got part of what they wanted but also met state and local guidelines, and the waters and wildlife are better protected by what they did.

Sadly we have had some ugly cases. A homeowner, a consultant, a builder, and subcontractors funded by a homeowner removed wetlands to the water's edge and made many other changes that violated state and local rules and regulations many times. Neighbors and our Watershed Council talked with the owners and the local zoning administrator. The zoning administrator said he was not going to do anything about the situation even though the efforts violated state, county, and local regulations. Once we contacted the township supervisor and planning commission to stop work, the contractor started threatening legal actions against everyone. However, the zoning administrator approved the permit request and then quit his job. The township was left unable to do anything about the violations.

JENNIFER MCKAY REFLECTS ON WHAT SHE SEES AS CURRENT TRENDS:

We see a lot of smaller lakefront, pond, and river cottages being knocked down and replaced with much larger homes. This is okay if everyone follows the rules and regulations and local townships keep up their zoning and enforcement efforts.

We all have lived the massive impact of having high Great Lakes. Did you know that this condition also has an impact on local inland lakes due to groundwater and the water table? The result has been inland erosion. Unfortunately, we were seeing an increase of homeowners installing large 3-to-5-foot boulders, rip rap, and seawalls. Hard surfaces can't absorb wave energy; rather, they deflect it downward or sideways to neighboring properties. These structures also cut off important habitat and land access for some of our favorite aquatic species. When a hardened shoreline is backed by turf grass, rather than native plant species, the water will often erode the shoreline behind the rock, eventually leading to the ultimate failure of the structure.

Through the use of bioengineering, we can restore our natural shorelines and the many benefits they provide. Bioengineering often offers an alternative approach, working *with* nature rather than against it. Bioengineering utilizes plants, fieldstone, and other natural materials to mimic a healthy, natural shoreline. The benefits of these shorelines are threefold: stabilization and erosion control, native habitat, and stormwater and pollution control. In the face of increasingly severe storms and high water levels, implementing natural shorelines is an important step that waterfront landowners can take to protect their land and their investments, as well as the water quality of the lakes, rivers, and streams that they love.

We have worked for years with local and county planning commissions and state agencies to make sure they were up to speed and have good and similar supportive laws and regulations. (See the report entitled "Enacting Shoreline Zoning Protection Around Lake Charlevoix" at lakecharlevoixprotection.org.) But no surprise, many home and business owners and contractors act first and do not ask permission, or are not aware or care if there are federal, state, county, and local laws and regulations.

We at Tip of the Mitt Watershed Council are meeting with planning commission members and zoning enforcement officers as well as boards in our area to suggest ways to adjust and explain the reasons for the regulations and provide counsel and guidance. *R.*