

**Testimony Regarding the Repeal of the Marina Operating Permit/
Amend Marina Construction Permit to the
House Great Lakes and Environment Committee
Representative Rebekah Warren, Chair**

Tip of the Mitt Watershed Council
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Introduction

Madame Chairperson Warren and Committee Members, thank you for the opportunity to provide testimony regarding House Bill 5055, Repeal of Marina Operating Permit/Amend Marina Construction Permit.

We are pleased to provide comments on behalf of the board, staff, and over 2,300 members of Tip of the Mitt Watershed Council.

As a means of introduction, the Tip of the Mitt Watershed Council, founded in 1979, is a nonprofit organization whose purpose is to protect, restore, and enhance water resources, including our inland lakes, rivers, wetlands, ground water, and the Great Lakes. We base all our programs on sound science and policy analysis, and we have garnered respect for our work from local, state, and federal agencies, businesses, fellow environmental organizations, and citizens.

Tip of the Mitt Watershed Council does not support HB 5055 as introduced. However, the Watershed Council does support the DEQ proposed substitutions to HB 5055, dated August 26, 2009. We also recommend including the definition of mooring structures as provided by the DEQ: "MOORING STRUCTURES" MEANS ANY STRUCTURE USED TO MOOR WATERCRAFT, INCLUDING, BUT NOT LIMITED TO, DOCKS, PIERS, PILINGS, MOORING ANCHORS, LINES AND BUOYS, AND BOAT HOISTS."

Budgetary Crisis for the DEQ

The Michigan Department of Environment Quality is the key agency responsible to the people of Michigan for upholding the state's constitution and administering laws that regulate activities in Michigan's most treasured natural resources. However, the DEQ has seen state general fund support erode from a high of over \$101 million in FY 2002 to \$44.4 million in FY 2009, representing a 68 percent reduction in general fund support. The Governor proposed an additional \$11.3 million be cut from the DEQ's general fund appropriation, reducing the overall general fund support to \$33.1 million in 2010. This is another 24% cut, which is a higher cut than any another state department faces.

Budget cuts and, subsequently staff reductions, over the past years have reduced the DEQ's ability to uphold the public trust and protect our natural resources. In order to maintain the integrity of these vital programs, the DEQ budget must be increased, but in the meantime,

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adjustments must be made to utilize limited resources most efficiently and effectively for the greatest resource protection.

Marina Program Changes

After careful review, the marina program was one program where efficiencies could be made reducing costs while retaining environmental protections. The Watershed Council supports the DEQ proposed substitutions to HB 5055 that would eliminate the marina operating program and amend the marina construction permit to include expansion and reconfiguration of marinas in inland lakes and streams. This would still allow the DEQ to provide necessary oversight to the activities associated with marinas that have the potential to adversely impact our natural resources and public trust, as well as riparian rights. At the same time, it reduces the level of review to allow LWMD staff to focus limited resources on other activities that pose more risk to the water resources of the State.

We do not support any amendments that would exempt any entity such as a lake association or homeowner's association from following the regulations put forth in this bill or substitute. Additionally, we do not support an amendment that would attempt to address road ends issues.

Conclusion

For our part, the Watershed Council will continue to work with the marinas in our local service area to encourage participation in the Clean Marina Program. The Michigan Clean Marina Program, developed by The Michigan Boating Industries Association, Michigan Sea Grant, and Michigan Department of Environmental Quality, is helping to protect water resources by promoting environmentally sound marina and boating practices. Participants in the Clean Marina Program are doing their part to improve and maintain Michigan's waterways by reducing and eliminating releases and discharges of harmful pollutants, sediments, nutrients, general refuse, and many other things that can damage aquatic environments. Ten of the twenty-one Clean Marinas now designated are located in Northern Michigan and we will continue to promote an environment stewardship for our local marinas.

On behalf of the board, staff, and members of Tip of the Mitt Watershed Council, we thank you for the opportunity to share these thoughts with you.

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