



LITTLE RIVER NEWS

SPRING/SUMMER 2019

**THIS YEAR'S ANNUAL MEETING WILL BE HELD JULY, 6th
AT SKINNER PARK IN IRONS, MICHIGAN. THE MEETING
WILL BEGIN AT 10 AM, REGISTRATION BEGINS AT 9 AM.
IMPORTANT: MEMBERS WILL BE ASKED TO VOTE ON
WHETHER THE COUNCIL DESIRES A "NATURAL RIVER"
DESIGNATION FOR THE LITTLE MANISTEE.
INFORMATION ON THE PROGRAM WITHIN THIS ISSUE.**

The Council's 23rd annual meeting will be held, as usual, the Saturday immediately following the July 4th holiday; this year July 6th. This year's featured speaker will be Brian Bury of the DNR Natural Rivers Program to answer any questions members might have before taking a vote on pursuing such a designation for our river. There will be a raffle with the following prizes: a \$500 REI gift card, a guided fishing trip with John Gouker formerly of D-Loop Outfitters, a golf outing for four at Crystal Mountain Resort, and an Old Town Heron kayak package. There will also be a silent auction featuring a new Winston nine foot, eight weight boron composite fly rod, and the usual 'bucket raffle' display. Raffle tickets will be mailed to members, and everyone is encouraged to participate in the drawing. **Remember: the annual meeting is the council's only fund-raising event of the year, and monies raised determine the Council's success in pursuing its goals for this year (see pages #9&10).** If you choose not to purchase the tickets, please return them to the Council in the provided envelope. Bucket raffle tickets will be available at the door on the morning of the meeting. Members are asked to donate items for the 'Bucket Raffle,' and to bring those items to Skinner Park on Friday evening, the 5th, after 5:30. This will greatly help our volunteers in setting up the hall for Saturday's meeting. **(continued on page #8)**

WHAT IS THE NATURAL RIVER PROGRAM?

In 1994, LMWCC founders John Gorys and Howard Roberts were appointed by the U.S. Secretary of Agriculture to serve on a committee studying the advisability of having the Little Manistee River designated as a Wild and Scenic River under the federal government's program of that name. Shortly after the Council was incorporated in 1996, members were asked at an annual meeting if they were in favor of seeking a Wild and Scenic designation for the river. Most members feared ownership implications of such a designation, and the proposal was defeated.

In 2014, the LMWCC Trustees began the process of developing a Watershed Management Plan that would meet the standards of both the Michigan Department of Environmental Quality and those of the Federal Environmental Protection Agency. Much of the draft document is concerned with monitoring and regulating development throughout the Little Manistee Watershed to protect the resource. It makes no attempt to restrict or limit property ownership or succession that was the major concern of the members who voted against the Wild and Scenic designation.

In 1970, the Michigan legislature passed the Natural River Act that created a process for communities along a river to develop common zoning rules to keep the ecosystem healthy and riverfront property owners happy. The new law authorized the DNR to develop a system of Natural Rivers in the interest of the people of the state and future generations, for the purpose of preserving and enhancing a river's values for a variety of reasons, including; aesthetics, free-flowing condition, recreation, boating,

historic, water conservation, floodplain, and fisheries and wildlife habitat.

Unlike the Wild and Scenic River program which is only concerned with land under federal jurisdiction, The Natural River Act is a Michigan only statute, and it recognizes the preponderance of privately-owned property along the state's rivers. The basic concept of river protection is at the heart of Michigan's pioneering Natural River Act. Michigan's natural river systems support entire regions they cross. Riverbank vegetation filters pollution and protects water quality. And natural river lands stimulate local economies with fish, wildlife, scenic beauty, and an attractive quality of life. Michigan's Natural Rivers program is a river protection effort that protects the natural quality of select river systems throughout the state by regulating their use and development through zoning rules. The Natural Rivers Program was developed to preserve, protect and enhance our state's finest river systems for the use and enjoyment of current and future generations by allowing property owners their right to reasonable development, while protecting Michigan's unique river resources. Since 1970, 2,091 miles on sixteen rivers or segments of rivers have been designated into Michigan's Natural River System. In the order they were designated, those river systems include the Jordan, Betsie, Rogue, Two Hearted, White, Boardman, Huron, Pere Marquette, Flat, Rifle, Lower Kalamazoo, Pigeon, AuSable, Fox, Pine and Upper Manistee rivers.

Rather than restricting private ownership, the law was designed to protect river corridors by encouraging (**see next page**)

Natural River Act continued from page#2

river-front landowners to follow basic tenets of environmentally responsible land use practices. Michigan's rivers are clearly statewide public assets. They also are lined with private property that is under tremendous real estate and resort development pressure. But riverbanks covered by construction and impervious surfaces, stripped of natural vegetation can no longer stop erosion, filter pollution, or support habitat and a genuine outdoor environment for visitors and local residents. Without taking some simple, basic steps in their construction plans, property owners can unwittingly undermine the natural resources that attracted them in the first place.

The 1970 law created a process for communities along a river to develop common zoning rules to keep the ecosystem healthy and riverfront property owners happy. The whole process — from enabling Act to local implementation — is called the Natural River Program. It establishes simple zoning criteria that local communities use to design a plan for protecting their river together across township and county boundaries. The criteria revolve around the river's "riparian area," that streamside zone that buffers pollution, supports wildlife, and keeps rivers natural and healthy for everyone. Protecting the riparian area is a basic matter of maintaining natural vegetation strips on riverbanks, requiring minimum lot widths to avoid overcrowding, and establishing reasonable setback distances for buildings and septic systems to minimize pollution and keep wildlife corridors open. The Natural River Program sets up a permit process in which property owners learn how their construction choices can best protect the river and their economic investment. Each of these principles is consistent with the LMWCC Mission statement: "...to bring together persons and organizations who have an interest in the resource conservation and restoration of the

Little Manistee River and its watershed. Our goals are to restore, protect, and preserve the natural character of the watershed by communicating resource problems and then offering and implementing problem resolution..." These are the fundamental principles driving the LMWCC's pursuit of an MDEQ and EPA approved Watershed Management Plan. While the Natural River designation does not create a non-developmental zone, it puts into place standards that will be unique to the Little Manistee River, defining "best usage" of the river's corridor within 400 feet of either side of the river's banks. The WMP has a broader focus of protecting the entire watershed including tributaries, in-land lakes, wetlands, and groundwater beyond the 400 foot riparian zone. Obviously the two, the WMP and the Natural River designation, dovetail in providing the most comprehensive protections for the river and its watershed without infringing on responsible ownership and development.



On the following page is a list of facts pertaining to the Natural River Program provided by the DNR and Michigan State University. These should clarify the information already provided and assist members in preparing to vote on the issue at the annual meeting on July 6th.

FACTS ABOUT THE NATURAL RIVER PROGRAM

A comprehensive 1996 Michigan State University study found that property on designated Natural Rivers sells at higher prices and sells more readily than land on non-designated rivers. In particular, the study found:

- The number of property sales on Natural Rivers increased at a rate of 20.8% from 1986 to 1995, while non-designated rivers showed no upward trend.
- Prices paid for Natural River properties were both higher and increased faster — at a rate of 17.8% from 1986 to 1995 — than on non-designated rivers.
- Prices paid for vacant, undeveloped land were the same along Natural Rivers and non-designated rivers. That is, Natural River zoning restrictions had no negative effect on a property's potential in the eyes of buyers.

Private property along designated Natural Rivers **DOES NOT** become public land.

The public **MAY NOT** use private property along designated Natural Rivers without the property owner's permission.

The Natural River Act **DOES NOT** authorize condemnation of private land.

Existing structures **DO NOT** have to be moved away from the river.

Existing lawns can continue to be mowed, and property owners **WILL NOT** be required to convert lawn areas to native plants (although for the benefit of the river corridor, it is recommended that lawns be converted to native plants).

Vegetative buffer zones **ARE NOT** “no cut” zones.

There **WILL NOT** be a 400 foot building set-back or “no development zone” established.

There **WILL NOT** be a prohibition on land divisions (as long as the divisions meet minimum lot width and area standards).

Small, legally established lots **WILL NOT** be declared unbuildable due only to their size, assuming they are otherwise buildable lots.

Properly administered Natural River or other zoning **DOES NOT** constitute a “taking” of private property under current law.

It is the hope of the LMWCC board of trustees that the information contained in this article will guide members in drawing reasonable conclusions about the advisability of pursuing a Natural River designation for the Little Manistee.

There will be a vote of all members present at the Annual Meeting on July 6th to determine if LMWCC shall proceed in seeking such a designation for our river from the Michigan DNR. Brian Bury of the DNR's Natural River Program will be our guest speaker at the meeting.

WHAT PEOPLE HAVE SAID ABOUT THE NATURAL RIVER PROGRAM

“Michigan is the principle area responsible for the water quality of the Great Lakes. Therefore, we must be careful about what we put in our rivers and keep on our rivers.”

Howard Tanner, Director of DNR 1975-1983

“The Natural Rivers Program represents the highest ideals of democratic government. Magnificent natural resources are safeguarded for all citizens to enjoy. The program Enhances the economy even as it advances environmental goals.”

William Milliken, Governor of Michigan 1969-1983

“Natural River designation has saved the Huron. It’s still a constant battle with developers. But the zoning helps keep the river clear. Ann Arbor gets its drinking water from the Huron.”

Ruth Munzel, resident Huron River Watershed

“I wanted to do something on my land, which triggered the Natural River permit process. They came out, said they understood what I wanted to do, told me why it was a bad idea, and then said, ‘Here’s a better idea.’ I was grateful because I saw that what I was about to do was foolhardy”

John Richter, Friends of the Jordan River Watershed

“There are a whole lot of landowners who were actively involved in planning the designation of the Manistee and Pine Rivers, and they have no problem with the Natural River Act... The people opposed are commercial interests who don’t want controls on the river, because that might interfere with their pocketbooks.”

Jim Maturen, former Commissioner Osceola County

“What’s nice about the Betsie is they designated it early enough to prevent a lot of over-development from happening.”

Dan Tanner, Betsie River guide

“People who live on Natural Rivers love this law. Our goal as a state in the first decades of the 21st century should be to double the number of Michigan rivers protected under the program.”

William Milliken, Governor of Michigan 1969-1983

Historical Data from the Weir Past 30 Years

Year	Spring Steelhead	Chinook	Coho	Fall Steelhead	Fall Brown Trout
1989	5,102	18,338	14,023	1,130	29
1990	4,411	19,499	10,030	1,521	55
1991	6,109	21,067	12,300	3,666	113
1992	4,597	15,866	13,441	3,054	104
1993	6,156	12,911	18,096	1,702	118
1994	4,411	11,886	562	2,849	126
1995	3,553	13,004	394	351	31
1996	9,057	17,090	2,572	5,249	174
1997	7,096	15,433	781	915	123
1998	4,005	7,170	1,463	888	28
1999	4,484	18,621	519	662	39
2000	4,239	13,029	600	319	74
2001	7,029	18,279	911	2,262	59
2002	6,290	19,385	538	120	38
2003	3,209	14,419	616	1,404	43
2004	2,571	15,618	1,102	1,074	60
2005	3,483	11,075	2,100	665	53
2006	2,949	12,772	238	417	56
2007	2,880	10,946	303	738	50
2008	3,441	5,169	172	406	58
2009	4,191	8,274	126	343	86
2010	1,961	5,776	203	91	32
2011	3,196	14,124	1,815	901	40
2012	4,818	12,327	1,333	283	103
2013	3,667	6,427	1,021	988	80
2014	2,767	2,781	760	392	79
2015	2,857	654	259	51	65
2016	1,834	1,379	528	310	44
2017	2,827	1,768	3,606	478	44
2018	2,565	1,300	1,100	411	95
2019	2,645				

On page 8 of this issue there is a discussion of the reasons for the declining chinook populations. It also states that steelhead have adapted to diversifying their dietary habits. The numbers above reflect the relative stability of the steelhead population and the continuing decline of chinook numbers.

LMWCC NEWS and AROUND THE GREAT LAKES

Syres Dam

The long-anticipated removal of the dam impeding a free flow from Syres Lake into Syres Creek, as of this writing, is awaiting the advent of spring and weather appropriate for getting and operating heavy equipment at the site. The project, under the direction of Conservation Resource Alliance, has been fully funded through grants and donations, including \$10,000 from the LMWCC. The earthen berm that currently spans the outlet from Syres Lake will be removed, the present, inadequate culvert will be replaced with one capable of allowing free passage from lake to creek, and a new berm will be installed permitting residents access to their property on the far side. It is hoped that an announcement of the completion of the project can be made at the annual meeting in July.

Watershed Management Plan

As stated elsewhere in this issue, the final draft of the Little Manistee River Watershed Management Plan has been completed by the consultants at Networks Northwest, and it has been submitted for review and subsequent approval by the Michigan Department of Environmental Quality. MDEQ may suggest amendments to insure adherence to their standards and requirements. Any changes will be made to the draft, and once MDEQ approves the amended document, it will be submitted to the federal Environmental Protection Agency for its acceptance and approval. In the article in this issue on the Natural Rivers Program, there is a discussion of the compatibility of the WMP and a Natural Rivers designation for the Little Manistee River.

It is expected that a state and federally approved Watershed Plan will make it easier for LMWCC to secure funding for the work that it undertakes to protect and preserve the resource.

Grants

As previously announced, LMWCC applied to the DNR for a grant, under the Aquatic Habitat Grant Program, for funds to convert dead ash trees along the river's corridor into fish habitat and channel enhancing structures. LMWCC made a similar request last year for \$40,000 that was rejected. This year the request was for \$120,000, citing, among other justifications, the increased number of trees that have fallen along the river. This request was also rejected by the DNR based on the 'health of the stream' and the 'lack of evidence that the introduction of large woody debris would have a positive effect on fish populations' among other more abstruse reasonings.

Weir Upgrades

The DNR has publicized the beginning of a program of renovating and modernizing the facilities at the weir. The work will require periodic closings of the area throughout the summer. The weir structure and the egg-taking facility will be upgraded, and tourist amenities will be added.

Enbridge Pipeline

Fear of a serious leak or breach of pipeline #5 has prompted Michigan governor, Gretchen Whitmer, to study a proposal to encapsulate the oil transporting pipeline beneath the straits of Mackinaw in a tunnel. Costs for such a project have yet to be estimated., and ATC, a company that bundles cables for the transmission of electricity has stated it will not use an underwater tunnel **(continued next page)**

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system that also transports oil. For her part, new Attorney General, Dana Nessel has publicly stated her opposition to any means of transporting oil beneath the straits and would like to see the entire operation abandoned. Enbridge is the company responsible for the huge oil spill on the Kalamazoo River a few years ago, and yet they continue to tout their safety record in spite of some cracks detected in the pipeline under the straits and other pipeline related environmental disasters around the country for which they have been reluctant to accept responsibility.

Chinook Populations Declining

A study by researchers at Illinois-Indiana Sea Grant and Purdue University released in November of 2018 has found that populations of Great lakes chinook salmon are in jeopardy due to the species' inability to adapt to a changing food web. Chinook feed almost exclusively on alewife, while other predatory fish – steelhead and coho salmon have adjusted to the declining numbers of that food source.

The alewife entered the Great Lakes in the 1950's via the St. Lawrence Waterway, and by the late 1960's it was the most abundant fish throughout the Great Lakes. Ironically the chinook were planted in the Great Lakes from the Pacific coast in order to control the alewife populations. But in the last few decades with the establishment of invasive mussels, the food web has been altered drastically. The mussels filter plankton which is the alewife main food source. With a burgeoning chinook stocking program through the first decade of this century, the chinook continued to prey on the alewife. The combination of the effects of the invasives and the stocking program were devastating to the alewife populations. Since 2012 chinook stocking has been cut 57% in an attempt to balance the predator-prey ratio, but alewife numbers hit all-time low in 2017.

Their own innate dietary inflexibility has left the future of chinook salmon, the most sought after sport fish in the Lakes, uncertain.

The Importance of Wetlands

Elsewhere in this issue there was a lengthy discussion of the WMP and the Natural River proposal, and recent issues have discussed elements of responsible ownership and stewardship of riparian property. But as important as implementing "best use" practices along the river's banks is protecting the important role wetlands play in our watershed.

Michigan has had a wetlands protection statute in effect since 1979 that recognizes the value of wetlands to manage Michigan's water-based resources, providing flood storage, groundwater recharge, wildlife habitat, pollution treatment, erosion control and nutrient uptake. Wetlands are a significant factor in the health and existence of Michigan's other natural resources, such as inland lakes, groundwater, fisheries, wildlife and the Great Lakes. The law, administered by the MDEQ, requires permits for all construction activities in wetlands.

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The meeting will also be an opportunity to hear from the Council Trustees as they discuss their areas of responsibilities on the board in particular a report on the status of the Water Management Plan, currently under review by the Michigan Department of Environmental Quality. President, Tim Phillips, will present an overview of the Council's activities over the past year as well as projects targeted for completion this year and Dan Sernick, our treasurer will explain in detail the status of the council's finances. Lunch will be provided by members of the Indian Club.

LMWCC GOALS FOR 2019 ADOPTED BY THE BOARD OF TRUSTEES**ANNUAL EVENTS (on-going):**

- **Macro-invertebrate Survey** — Joyce Durdel and team, May 18th.
 - **Water Quality Monitoring** — Joyce Durdel and team, July 8th
 - **Private projects:** Continue monitoring and assisting owners with the permitting process.
 - **Membership:** Pursue the mass mailings to riparian owners begun last year. Dale Downes is in charge of membership. Mail renewal forms and letters to membership in December.
 - **Annual Meeting:** Scheduled for 9:30 AM, July 6, 2019 at Skinner Park, Irons.
 - Secure necessary permits, print raffle tickets, etc.
 - Procure raffle prizes and solicit donations for the auction
 - **Salmon-in-the-Classroom:** LMWCC will continue supporting the program in the KND school system.
 - **Newsletter:** To be published and distributed twice a year — June/December. David Spruance
 - **SWAT** — Joe Rogers heads the SWAT group keeping a clear navigational passageway on the length of the river.
 - **Fund-raising:** Continue to explore fundraising options
 - LMWCC signs and hats and T-shirts to be sold at the annual meeting. Identify organizations as potential underwriters for projects.
 - Continue the pursuit of large grants from both public and private entities to fund major projects and the implementation of the WMP
 - Solicit. local businesses, organizations, and individuals to contribute to the annual fund-raising event.
 - Continue to analyze ways to improve the effectiveness of the annual meeting as the Council's principle fund raiser.
 - **Web Site:** Make sure that all significant and current information is available on the Council's web site.
 - Encourage members to use the Pay Pal account.
 - Notify membership of the Amazon Smile Program.
 - Develop ideas for making the website more visually attractive and information more easily accessible.
- On the following page please find a list of goals for 2019 established by the Council trustees and a statement of expected expenditures to meet those goals.

2019 PROJECTS and EXPECTED COSTS

- Complete the removal of the Syers Creek dam.
- Complete the remediation of the remaining severe and moderate erosion sites on privately held and state lands.
- Replace faded LMWCC signs at road crossings below M-37.
- Using available resources, continue the stream-bank remediation program based on the CRA bank erosion survey of 2015.
- Convene an annual planning session of all interested and vested parties to discuss the on-going work of the LMWCC, the implementation of the WMP, and create a projected budget for the coming year.
- Engage CRA to complete a new river survey documenting the effectiveness of erosion remediation work already completed and potential problem sites new to the river corridor.
- Identify one or two stream sections for proposed channelization projects, and working with CRA begin, soliciting funds for the project.
- Continue the recruitment of river-front property owners to join the organization.
- Review the final draft document of the Watershed Management Plan and

monitor the progress of its submission to and review by MDEQ and the EPA.

- Recruit volunteers to be river stewards and an individual to be co-ordinator of the River Steward Program.

2019 Forecast Expenditures

Restoration site (contractor costs)	\$7000
Fish Cover Project (Section III)	\$7191
CRA (remediation administration costs)	
Watershed Management Plan (miscellaneous costs)	\$4000
Annual Meeting (printing, licensing, rental, prizes, etc)	\$1500
Liability Insurance	\$865
West Michigan Storage	\$420

Total Forecast Expenditures. \$20,976

On this and the previous page, it is easy to see that there is much that the LMWCC does to ensure our river has the best stewardship possible given the limited means available to the Council. All of these projects, services, and tasks not only take dollars to provide and complete, but they take a considerable commitment of time by a handful of volunteers.

Don't take that commitment for granted. Get involved. Give of your time or consider making a larger donation when you renew your annual membership. This is our Council and our river.

YOUR TRUSTEES

Tim Phillips	President
Jim Squier	Vice president
Dan Sernick	Treasurer
Dale Downes	Membership
Joyce Durdell	Water Surveys
Armas Soorus	WMP
David Spruance	Recording secretary/ Newsletter/ Grants
Joe Rogers	SWAT Team
Steve Bishop	Website
Greg Block	
Evelyn Furman	Emeritus
John Gorys	Emeritus
Kaye McDonald	Emeritus
Gordon Lewis	Emeritus

**OTHER COMMITTEE
CHAIRS**

Anna Jo Rogers Web Master

Check out our new-look, up-dated, and informative web site: www.lmwcc.org. Many thanks to our wonderful web master, Anna Jo Rogers for her efforts on our behalf.

**LMWCC MISSION
STATEMENT**

Is to bring together persons and organizations who have an interest in the resource conservation and restoration of the Little Manistee River and its watershed. Our goals are to restore, protect, and preserve the natural character of the watershed by communicating resource problems and then offering and implementing problem resolution. We are a state chartered non-profit, tax-exempt organization. All contributions are tax deductible under §501{3} of the IRS code. Our business is conducted by a council of trustees elected by the membership. All positions are voluntary, non-compensated.

Now you can donate to LMWCC just by shopping at Amazon! Choose Little Manistee Watershed Council as your charitable organization at smile.amazon.com and a percentage of each purchase you make comes back to the Council to support our mission. It could not be easier to help protect and restore our river!



Little Manistee Watershed Conservation Council

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