



*Little Manistee Watershed Conservation Council*  
***LITTLE RIVER NEWS***

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FALL/WINTER 2023

**May the spirit of the season flow through you and your loved ones like the placid waters of the Little Manistee River we all cherish. Happy holidays to all.**

**By David Spruance**

I am very pleased and excited to once again be serving as the editor of the newsletter of the Little Manistee Water-shed Conservation Council. I thank my colleagues on the board for their confidence in my ability to resume this task, particularly Mel Jacobs, my predecessor and successor.

As I did in my previous stint as newsletter editor, I will do my best to keep LMWCC membership informed of the workings and deliberations of their board of trustees as well as providing local and area news relevant to the mission of our Council, and I vow to do so in as impartial a manner as possible. We are not a political organization, but as the Council has embarked on a campaign to secure a natural River designation from the state for the Little Manistee, it is clear that the effort has elicited responses that are inaccurate, misleading and untrue. The board of Trustees has been very diligent in presenting its rationale for seeking the Natural River status, and in doing so it has presented salient facts as stated in the legislation enacted in 1970. Those opposed to the designation have failed to read the text as closely as the board has done. Nowhere in the statute is the MDNR given the

authority to impose arbitrary zoning requirements along the river's corridor; that authority rests with a local "citizen's council." Nowhere in the text is the state given the power to seize personal property. The word "channelization" does not appear in the statute.

The list of disinformation being circulated locally goes on, but in short, the legislation makes sure that the state is **prevented** from exercising exclusive authority over decisions affecting the river's corridor and property owners along that. The law was enacted to protect the natural beauty and recreational values of the river from unchecked development. If you have not yet completed the survey mailed to you earlier, the members of the LMWCC board urge you to do so. Make your voice heard.

I am glad to be back.

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## **PRESIDENT'S ANNUAL STATE OF THE COUNCIL**

This year has been a busy one for the board members of the LMWCC, and we have made significant progress on a number of objectives this year. We have Grand Valley State University conducting a survey of watershed landowners to try to determine the level of support for bringing the Little Manistee River into the Natural Rivers Program. Please see the separate article in this newsletter for details on the survey and its status.

We are moving forward again on our bank remediation projects. Wayne Andersen has made great progress in understanding and working with the federal Wild and Scenic River Section 7 requirements for federal review and permitting of our bank remediation projects. He has been working with Conservation Resource Alliance who is doing the permit application and project design and implementation for us. Wayne has had several meetings with the federal staff to understand the process and get these new projects off the ground. We have had several LMWCC members come to us requesting help with bank erosion problems, and we have prioritized them to get them completed as soon as possible. Please see Wayne's article in this newsletter detailing the specific projects. Wayne has also been working with Trout Unlimited on potential large scale Fish Cover projects on the Little Manistee River. We have floated sections of the river with them to identify needs and locations and are optimistic we will be able to work on joint projects with Trout Unlimited in the near future.

We are continuing to work closely with the Conservation Districts for our macroinvertebrate studies and Invasive species work as well as building relationships with other watershed groups so we can increase our impact on regional matters by presenting a unified front with them. Please see the article by Joyce Durdal in this newsletter about the studies we have done. Next year the Mason/Lake Conservation will do an invasive species survey with us above M37. Landowners will be notified of invasive species' presence on their property and made aware of options available to remove the invasives.

We no longer have interns at the Conservation Districts as we have the past two years. We found them tremendously beneficial. The Conservation Districts found the management of interns too time consuming and are looking at doing that work with permanent personnel financed from other sources. While the new people are hired and get up to speed, we have a gap in support that puts more burden on our volunteers. We have opted to skip this year's Water Quality Study to work on other things. We are looking at other ways we can team up with the conservation districts to move our interests forward.

We are seeing more construction activity along the river than in the past. We get calls or email from people in the area pointing out what is going on. Often, we cannot see any obvious permits for the work. New docks are going in, land is being cleared, one individual has constructed their own island in the river. We have been reporting this activity to the MDNR and NFS and are trying to make people aware of the limited rules the DNR and NFS have in place to protect the river. If you are contemplating doing work along the Little Manistee River, please contact EGLE and NFS BEFORE you do any work. This is especially important for ANY work that is on or near the river's edge, in the 100-year flood zone (up to 6 feet above the normal river level), in a wetland of any kind and for any type of structure.

I understand how busy everyone is with jobs, kids, grandkids and their everyday lives. But putting in time supporting LMWCC can be a rewarding experience and we can really use the help. So

**(See President's message cont. page 9)**

## MACROINVERTEBRATE SURVEYS

**LITTLE MANISTEE RIVER   LMWCC - MCD - MLCD**  
**October 2017-2023**

	COLLECTION SITES:	YEAR >	2018	2018	2019	2019	2020	2020	2021*	2021	2022	2022	2023
		Day >	5/19, 5/20	10/9, 10/13	5/14, 5/18	10/5, 10/7	5/19, 6/8	10/10, 11/5	5/15, 5/22	10/2, 10/16	5/14, 5/21	10/6, 10/13	5/15,5/17
1	6 Mile Bridge - NW Access		41	51	55	43	NS-↑ deep	39	3.00	3.90	3.30	3.30	4.30
2	Cool Cr. - W of Hamilton Rd.		41	43	47	49	47	42	3.30	4.30	2.60	3.70	3.57
3	Johnson Bridge		26	44	57	45	47	40	3.22	3.40	2.90	3.00	3.13
4	Indian Bridge		23	28	40	54	45	38	3.59	3.69	2.57	3.81	3.67
5	Old Grade Campground		35	50	41	43	58	52	3.73	4.06	3.88	4.46	4.23
6	Below Queen's Highway		50	45	37	55	51	50	3.18	3.30	3.31	3.34	3.80
	Prior years' data are on file with LMWCC.												

\* New calculation method applied going forward.

Stream Quality Score Ratings:

**EXCELLENT = 0.0-3.50   VERY GOOD = 3.51-4.50   GOOD = 4.51-5.50   FAIR = 5.51-6.50   FAIR/POOR = 6.51-7.50   POOR 7.51-8.50   VERY POOR = 8.51-10.0**



We had a rainy fall after a very dry summer. Insect numbers varied somewhat but remain in the Very Good to Excellent range.

These aquatic insects indicate this is healthy stream.  
**THANKS ALL VOLUNTEERS!**  
**YOU ARE SUPER COLLECTORS!**

#### Partners on the project:

Sites 1-3 - Manistee  
Conservation Dist. - Tyler  
Dula - Conservation  
Tech., Renee Mallison,  
Exe. Dir.,  
[www.manisteed2.org](http://www.manisteed2.org)

Sites 4-6 - Mason-Lake  
Conservation District -  
Symon Cronk, Biologist,  
Dani McGarry, Dir.,  
[www.mason-lakeconservation.org](http://www.mason-lakeconservation.org)



Tyler MCD



Symon MLCD

Submitted by Joyce Durdel



**LMWCC NEWS****RIVER CROSSING SIGNS**

The trustees have begun replacing old and faded LMWCC signs at river crossings. There are several in such need as seen in the photo below.

**ANNUAL MEETING**

The annual meeting held at Skinner Park in Irons this past July raised almost \$4000.00 after expenses. The annual meeting is the Council's sole fundraising event, and the board is entirely dependent on that, membership dues and voluntary donations to support its on-going efforts to preserve and protect the river.

**QUESTIONABLE LAND USE ISSUES**

The board has become aware of private land owners engaged in land use practices potentially harmful to the watershed. Two such cases were referred to the MDNR and EGLE. Both of these cases would need approval under a Natural River designation for the Little Manistee.

The first is at a quarry site on Brooks Rd. just south of 9 Mile Rd. The owner has excavated a pit deep enough to allow it to fill with ground water threatening the local aquifer.



The second site is located opposite Johnson Bridge on Brooks Rd where the owner has brought in several truck loads of sand and soil and dumped them between the road surface and the river.



Reportedly this is to prepare for the building of two rental units. There has been no statement of intent to locate suitable septic sites.

### **Little Manistee River Lamprey Treatment Information**

By Wayne Anderson

I recently contacted Aaron Jubar, Supervisory Fish Biologist, USFWS, Ludington Biological Station which is responsible for lamprey treatments in Region 3- Midwest which includes the Little Manistee River. The next lampricide treatment will be in 2024. The Little Manistee River has historically been treated in the summer months, but occasionally a treatment has occurred in September or October. The Little Manistee River was last treated in June 2021. Surveys to evaluate the June 2021 treatment were conducted in early November of 2021. No sea lamprey larvae were found during those surveys, indicating a successful treatment. The Little Manistee River has been treated 18 times, with the first treatment occurring in September 1963. The river has been typically treated every 3-4 years. In 2021, during the most recent treatment, it took 2 days to treat from Nine Mile Bridge.

I will report the results of the 2024 lamprey treatment on the Little Manistee River in a future newsletter. If you have any questions regarding lamprey treatments on the Little Manistee River that I can find the answer to feel free to contact me: Email: [andersenwayne@gmail.com](mailto:andersenwayne@gmail.com)

### **Status of the Little Manistee River Projects**

By Wayne Anderson

Although we won't be able to get field work completed in 2023 on our streambank erosion sites that we have identified we are moving along on obtaining permits and planning the field work.

Nate Winkler, Conservation Resource Alliance (CRA), Biologist met recently with the EGLE Representative on site of the projects on state land upstream of US-37. They reviewed the project scope and dimensions. There were no concerns with the

proposed project and the permitting will move forward. We anticipate field work in 2024 on this project.

Nate recently met with Terry Flaharty, USFS Fisheries Biologist, to look at potential projects and discuss the scope, objectives, accessibility and the timeline for a NEPA Process. Currently looking at Site LM-91, located upstream of Six Mile Bridge. A timber sale has recently been marked near this area which may present an opportunity with access and material acquisition if the timing of the project is favorable. Nate will submit the Wild and Scenic Rivers Section 7 for projects. USFS has also looked at 3 sites above Johnson Bridge that have eroding stream banks.

We currently have 3 projects on private property that are identified and in progress. Robert Wager property project is getting a cost estimate from a contractor and will be permitted in 2024. Kyle Thomas property project is permitted and ready to go. Tinker Bluff property project is finalizing the EGLE application for submittal.

As predicted at the start of 2023 we have spent time determining priority projects and beginning the permitting process. We have worked on establishing relationships with the agencies and had conversations with Michigan Trout Unlimited about future work on the Little Manistee River.

We very much are looking forward to some field work and completed projects in 2024. We expect to identify future projects beyond 2024 and start a process so that we can proceed with projects as funding is available well into the future.

### **LMWCC FINANCES**

LMWCC currently has \$85,362.96 in its checking account at LOSB and \$9,072.94 in the Howard Roberts Memorial Fund.

## **STATUS OF THE NATURAL RIVER SURVEY**

By LMWCC President, Armas Soorus

As we did the 2020 Watershed Management Plan it became apparent that one of the greatest attributes of the Little Manistee River is its relatively natural state. The damage done during the logging era has partially healed, development along the river is relatively minimal, the scenery and atmosphere is wild and natural and our fishing is great. People come to the area to enjoy the natural beauty and that contributes a great deal to our economy. Those of us who live here have a wonderful lifestyle far from the urbanization and noise of city life. One of the other things we learned developing the plan was that the greatest threat to the river is unmanaged land use and development. Over time, unchecked development can bring urbanization to the watershed, just like the Grand River and numerous other rivers throughout the state. It is inevitable that the land along the river develops. Once it is developed there is no going back. The arrival of high-speed internet will open the door to many who want to live and remotely work in this area. Development has clearly increased the last few years, and if the river is going to be designated as a Natural River now would be a good time to do it.

During this time, we also talked to the DNR Natural Rivers Group to understand what it would take for them to consider designating the Little Manistee as a Natural River. The response was that we had to show support both within our membership and the public for the program. How much support or how to show the support was not clear. I don't think they knew themselves.

At this point the board saw the next step as a formal scientific survey, conducted by a qualified and impartial third party to understand the level of support for the program. That led us to Grand Valley State University (GVSU) and the survey now under way. We worked with the Conservation Districts to develop brochures and had the Michigan DNR Natural Rivers Group review them to ensure their accuracy. We struggled to be concise and cover the major points accurately. The laws you can see on the internet are the official documents governing the program. They are complex and detailed, making for difficult reading.

The survey is being sent to approximately 1500 households. We have targeted all riparian property owners along the Little Manistee and all LMWCC members along with randomly selected property owners within the watershed.

Public meetings have been held in Lake County (Elk Township Hall), with the Manistee County Commissioners, Manistee County Planning Commission, Manistee (West Shore Community College), Luther (Luther Lions Club) and in Norman and Filer Townships. About 100 people attended the meetings. At these meetings we had presentations by the Michigan DNR Natural Rivers Group on specifics of the Natural Rivers Program and opportunities to ask questions. Professor Amanda Buday from Grand Valley State University was also present to answer questions about the survey. Letters explaining the survey were sent to all townships and counties in the Watershed, the Lake County Riverfront Property Owners Association and Spirit of the Woods. Articles notifying the public of the meetings were published in the Ludington News, Manistee News and Lake County Star. The Conservation Districts have put information on their web sites and been extremely helpful in working with us to get all this done.

The survey started going out in July and as of early November we still have responses coming back in. To protect the accuracy and integrity of the survey GVSU will not share interim results with anyone, even the LMWCC board. We expect responses will stop coming in by the end of November and GVSU can start preparing the summary report. Around December 1 we expect to schedule two additional public meetings to share the results and expect those meetings to take place in late January and February. We will also post results on our web site and send letters to the same recipients we sent the survey notification letters to. We will also share the results in our LMWCC Spring/Summer Newsletter. The steps we take after the survey are dependent on the results of the survey.



## SUMMARY OF LAKE MICHIGAN CITIZEN'S ADVISORY MEETING — OCTOBER 17 2023

The meeting began with reports from charter boat captains out of various ports of Lake Michigan. While successful trips were reported, almost everyone was concerned about the low numbers of lake trout throughout the lake. The egg take at the Little Manistee weir met the needs of Michigan, Indiana and Illinois, but the average size of harvested fish was down 2 to 3 pounds. 3,800 chinook were harvested (80% ripe) and 111 steelhead were passed through — the same number as last year.

Much of the meeting was focused on the Great Lake Fishing Decree of 2023, an agreement negotiated among 7 sovereign entities, the federal government, the state of Michigan and 5 native American tribes. The use of gill nets to harvest fish was a major issue behind the latest decree. In 1979, a court ruled that a treaty dating back to 1836 does not give tribes the absolute right to fish, specifically gill netting, but they must co-exist with the states. This has led to periodic re-negotiations and issued decrees.

At issue in the latest decree are lake trout and whitefish in waters defined by the 1836 treaty. Natives scorn the use of trap nets, so gill nets are permissible as long as they are marked as such. The new decree demands reporting mortality rates which were not covered in the previous (2000) decree. These figures are subject to review by governmental and tribal scientists every 5 years.

Reporting harvest limits is a major issue for the state. Electronic harvest reports are now required twice a month. Harvest limits are to be set every 3 years by agreement between the tribes and the states. The tribes also agree to transparent reporting with reports filed by

named and identified commercial fishermen. This replaces the 2000 decree which allowed for anonymous reporting, which made enforcement of the agreed upon limits very difficult.

According to former director of the DNR, Dan Eichinger, there are several major benefits to the 2023 consent decree:

Negotiations among several governmental and tribes is more effectively focused than allowing a single judge to create a new agreement.

There is a roughly 50%/50% split of the resources.

Gathering quality and meaningful data and modeling has been greatly improved.

All signatories recognize and accept important geographical fishing closures.

The state still maintains the authority to enforce the terms of the decree for tribal fishermen.

The Sault tribe filed an appeal of the 2023 Consent Decree on October 16. All other participants have signed the decree.



(Information supplied by Vice-President  
Jim Squier)

**(President's message continued from page 2)**

Please consider taking part in the water quality or macroinvertebrate studies with us or volunteer in any way you can and are interested in. I have learned a lot working with the board and made a lot of valued friends along the way. I am excited that we have two new board members that joined us at the annual meeting. Amanda Lick is helping us with our web site updates and Tod Nyson is going to help with the macroinvertebrate and Water Quality Studies. Both of these areas are important but time-consuming work, and we really appreciate the additional people taking part.

### **THE FUTURE OF TIPPY DAM**

The license for Tippy Dam expires in 2044, and as most know the political trend is anti-renewal with subsequent decommissioning (closing).

The dam generates \$19.4 million dollars in regional revenue. It employs 415 local workers, and it contributes more than five and a half million dollars to local, county, state and federal taxing bodies. There are fewer than twenty privately held properties in the immediate area around the dam. If decommissioned, what will happen to the property now owned by Consumers Energy around the impoundment? No one has a definitive answer for this question.

It will take roughly five and a half years to complete the relicensing process and will cost Consumers Energy 1.4 billion, with a "b" dollars. Decommissioning the dam will take a minimum of ten years to complete at a cost similar to that of relicensing. Consumers is estimating rate increases to residential customers of \$3.60 per month for the next sixty years and \$13.50 per month for sixty years for commercial customers to help defray the cost of decommissioning.

An alternative proposal is to divest or sell the operation, but even that course would take two

to five years to complete, and it will cost Consumers in the vicinity of \$560 million dollars. Recent flooding of two dams removed on rivers downstate that passed into private ownership provide a cautionary tale in following this path.

Consumers Energy has few options for keeping the dam operating. Remember that the cost for re-licensing is \$1.4 billion. Consumers can seek external funding through public and corporate grant monies or they pass on the costs to their customers.

The alternative to re-licensing is to solicit potential buyers, but time for that is running out.

And the great unknown in all of this is who would be responsible for assuming the tremendous financial burden of actually decommissioning and removing the dam. While it is wonderful to imagine steelhead and salmon migrating from the lake into the upper reaches of the Manistee River, well beyond the current dam site, there are still too many unanswered questions beclouding the vision.

### **MEMBERSHIP RENEWAL**

Members should be receiving renewal notices in the mail shortly. Please remember that annual dues and additional donations enable the Council to continue its work to preserve and protect OUR river. We are a very different organization than grass roots group assembled by John Gorys and Howard Roberts back in 1994. The challenges to the river are more immediate, and the scope of the Council's responses to those challenges is broader and more sophisticated.

The board thanks each of you for your continued support.

**HAPPY HOLIDAYS!**





*Little Manistee Watershed Conservation Council*

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