



# MICHIGAN WATERFRONT ALLIANCE NEWSLETTER

## February 2008

[www.mwai.org](http://www.mwai.org)

**MWA Mission Statement** “This corporation is formed to protect, preserve and promote the wise use of inland waters – lakes, streams, rivers, creeks and the waters and bottomlands of the state of Michigan.

### Presidents’ Corner

By Bob Frye

Dear Michigan Waterfront Alliance Members,

Thanks in part to your communications with your elected officials, the efforts of our Lobbyist, Scofes and Associates and Representative John Stakoe I am glad to report that we have finally received an opinion from Michigan's Attorney General regarding the ill-conceived road end bills.

Although there are dozens of good reasons why the ill-conceived road end bills being pushed by the backlot property owners groups should never become law in Michigan, Michigan Attorney General Mike Cox just weighed in with perhaps the most persuasive argument of all against the road ends bills. In a well-researched and reasoned formal Attorney General Opinion released on January 30, 2008, Attorney General Cox indicates that the legislation, if enacted into law, would likely be unconstitutional, under both the Michigan and U.S. Constitutions. That is, to the extent that the legislation would attempt to expand usage rights at dedicated public road ends, it would probably be unconstitutional. Worse yet, if the courts did not invalidate the legislation outright, the state of Michigan might very well have to pay monetary compensation to all injured parties, which would likely include nearby riparian property owners. Who would foot the bill? Not the backlot property owners who championed this legislation, but the taxpayers of Michigan! Just what Michigan needs in these troubled economic times—allowing a relatively small group of militant backlot owners to prompt all Michigan taxpayers to fund the backlotters’ own private marinas at road ends!

A copy of Attorney General Cox’s Opinion is on our web site: <http://www.mwai.org/>

This Opinion is very good news for Michigan's Lakes and Streams and shows the value of Riparians organizing to protect the lakes and streams they love so much. I am sure that push to exploit and over develop our lakes and streams will not let up. I am also sure that as the Michigan Waterfront Alliance grows in membership we will have the resources to continue to protect our lakes and streams.

Thank you for your support,  
Bob Frye  
Michigan Waterfront Alliance, President

Since June 2007 a number of MWA Emails Alerts (to subscribe, email me at [skibones@aol.com](mailto:skibones@aol.com) and put "protect lakes" in the subject field) regarding a number of subjects including efforts to defeat onerous road end bills and most recently, efforts to maintain funding for the DEQ Groundwater and Marina Permitting Programs. The response to these MWA Email alerts has been quite encouraging.

Because of lobbying efforts and communications by concerned Riparians who received these Email Alerts the Road End Bills are stalled for now in the Senate (most likely they will come back). As for the funding of the DEQ Groundwater and Marina Permitting Programs more work needs to be done.

Our Lobbyists, Scofes and Associates are hopeful the following will strongly support the funding of the DEQ Groundwater and Marina Permitting Programs.

The Honorable Ed Gaffney	The Honorable Chris Ward	The Honorable Ron Jelinek
State Representative	State Representative	State Senator
State Capitol	State Capitol	State Capitol
P.O. Box 30014	P.O. Box 30014	P.O. Box 30036
Lansing, MI 48909	Lansing, MI 48909	Lansing, MI 48909

Your letters, emails and phone calls to these above legislators and your own area legislators are needed. They need to hear from you, the property owners and voters, that if legislators were to cut the funding for these programs, it would be like opening the “Pandora’s Box” of Lake and Groundwater evils.

To access your state representative: [http://house.mi.gov/find\\_a\\_rep.asp](http://house.mi.gov/find_a_rep.asp)

To access your state senator: <http://senate.michigan.gov/>

**The Future of The Michigan Waterfront Alliance**

With a little over 300 current members the MWA board voted in 2007 to increase the individual member dues to \$50 a year and set the Lake Association Membership at \$100 a year. We have also solicited corporate sponsors and sent over 2100 letters to potential individual members. Some of the bigger lakes such as Higgins, Walloon, Burt and others have their own lobbyists. It will be up to the many Riparians of the lakes and streams that do not have representation in Lansing to step up “to the plate”.

At a recent board meeting of the Michigan Lake and Stream Associations Executive committee, it was decided to help fund the Michigan Waterfront Alliance for a portion of the fiscal year. For the MWA to operate we estimate our annual budget to be about \$22,000 a year. With ML&SA assistance and new members, individuals, associations and corporate sponsors, we are planning for an improved financial position very soon.

If you are not currently a member, please join by filling out the membership application at the back of this newsletter. Also encourage your Lake or Stream Association to join.

**Michigan Waterfront Alliance -Legislative Update - November 2007**  
 By Scofes & Associates Consulting, Inc.

The Budget has been the major issue on everyone’s minds this last month (October). And Scofes & Associates is proud to announce that Michigan finally has a budget in place. Thank you to everyone who participated in lobbying the Michigan Department of Environmental Quality. Scofes & Associates was

approached by the Department to rally our members in support of an increase of fees for the marina operating program as well as the water discharge program. The position of MWA, was that the State would increase the fees to make sure that the Department had enough funds to monitor the illegal road ends as well as enforce the current laws. With Scofes & Associates' lobbying efforts and your letters to legislators, we were able to get our message across. As a result, the Governor signed the budget, including the Department of Environmental Quality's budget. The Governor wrote the following to the state House in reference to the Department of Environmental Quality Budget:

"Today I have signed Enrolled House Bill 4358, which provides \$370.8 million to support the fiscal year 2008 operations of the Department of Environmental Quality. I am, however, returning it to you because of one item of which I disapprove, pursuant to Article V, section 19, of the Michigan Constitution. The specific veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

I have vetoed section 1103, which earmarks \$250,000 for a real-time water quality monitoring grant for the St. Clair watershed. While I support real-time water quality monitoring, significant state resources have been appropriated in prior years for this purpose. The local units of government have agreed to use the unspent balance of fiscal year 2007 dollars to develop a local sustainable funding plan for real-time water quality monitoring

This bill supports the essential operations of the Department of Environmental Quality and I thank the Legislature for its cooperation in finalizing the fiscal year 2008 budget."

Scofes & Associates continues to work on and monitor issues for the MWA. Please do not hesitate to contact us if you have any questions.



## **SUMMARY MWA MEETING(S)**

### **MICHIGAN WATERFRONT ALLIANCE, INC. REGULAR BOARD MEETING Dec. 4, 2007 – Lansing, MI**

Minutes (unapproved)

1. Meeting called to order at 10:40 am  
Present were Brown, R. Carey, Frye, Highfield, Sharp, Tying, along with N. McCord from Scofes & Associates.
2. Minutes of regular Board meeting of September 11, 2007, were reviewed and were accepted as amended.
3. The Financial Report and membership status was not discussed as Pearl was recovering. as required to pay bills.
4. B. Frye reported on a letter from Scott Brown inviting Bob to attend next MLSA meeting.
5. MWA Legislative Report was given by N. McCord. She indicated that currently there is a general lack of movement but that could change. A number of House & Senate Bills were reviewed for support and opposition. P. Tying inquired about bills pertaining to phosphorus free fertilizers. Nikki will advise.
6. P. Tying will forward to Pearl a dues letter reflecting the proper amounts for individual, associations and corporate memberships.
7. N. McCord will discuss with Steve Scofes a possible alternate financing and report back.
8. D. Brown will check on corporate sponsors that don't have logo yet reflected on our web site.
9. D. Winne reviewed some recent court decisions.

10. Brown, Tying, Carey, and Highfield will be on a MWA Membership committee.
11. Next meeting was set for February 5, 2008 at 10:30am.
12. Meeting adjourned at 2:05 pm.

gas. Think of it as an insurance policy against the erosion of the value of your riparian rights of your valuable property.

**MICHIGAN WATERFRONT  
ALLIANCE,  
ONLY THROUGH  
YOUR ACTIVE INVOLVEMENT,  
IS YOUR LAKE PROTECTED.**

**Your Support  
Will  
Make a difference!  
It's an investment that pays  
off!**

Lobbyists are NOT FREE, but annual membership in MWA is VERY CHEAP; it costs just \$50 a year, less than a tank of

**MICHIGAN WATERFRONT  
ALLIANCE**

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For more information, contact Editor Richard Brown

**Membership Application**



The annual dues for individual membership In Michigan Waterfront Alliance are \$50. Lake Association Membership is \$100. Commercial and Individual Donations Are Appreciated.

Please Print:

\_\_\_\_\_ ( ) \_\_\_\_\_ ( ) \_\_\_\_\_  
Last Name First Name Day Phone Evening Phone

\_\_\_\_\_ City State Zip Code Email Address

\_\_\_\_\_ County Township Lake or Stream Association if established

Make Checks payable to: **Michigan Waterfront Alliance**  
Mail to: **MWA, P.O. Box 204**  
**Long Lake, MI 48743**

Feb 2008