



Michigan Waterfront Alliance Board Meeting
May 29, 2007

Legislative Issues of Importance to MWA

HB 4143 – Boating Violations

HB 4143 was signed into law by the Governor on May 11. This law will reduce a number of boating violations, including having an unregistered boat or not having the registration visible, to civil infractions. Rep. Steve Bieda (D-Warren), sponsor of the bill, said the goal was to make the boating infractions, now misdemeanors, equal in punishment to similar motor vehicle infractions. The law also increased the bail for out-of-state violators to \$200 from the current \$25.

HB 4463 – HB 4464 – Road Ends

Scofes and Associates has had meetings with the following legislators:

Rep. Acciavatti, Rep. Bauer, Rep. Booher, Rep. Caswell, Rep. Clemente, Rep. Ebli, Rep. Emmons, Rep. Farrah, Rep. Hoogendyk, Rep. Huizenga, Rep. Jackson, Rep. Jones, Rep. McDowell, Rep. Meadows, Rep. Nofs, Rep. Palsrok, Rep. Warren regarding this issue. Other legislators are being covered by consultants from PAA, Kelley Cawthorne, and Kindsvatter & Associates. We have had very productive meetings educating these legislators as to the MWA's position on these bills. These meetings have in part been helpful in stalling a floor vote on these bills, nearly four weeks after they were discharged from committee.

S&A is also in contact with representatives from the DEQ to stay on top of their concerns and issues and to examine whether any concessions have been made to change the vote of the DEQ. So far, there are none. We are continuing to meet with legislators to make the MWA's position known and further delay a floor vote.

HB 4637 – Boating Safety Certificate

This bill creates a designation on driver's license for issuance of boating safety certificate. It is sponsored by Rep. Sheltroun and has been assigned to the Tourism, Outdoor Recreation, and Natural Resources Committee.

HB 4698 – Inland Lakes Public Access

This bill establishes allowable uses for dedicated public access sites for inland lakes. It is sponsored by Rep. Stakoe and has been assigned to the Tourism, Outdoor Recreation, and Natural Resources Committee.



HB 4830 – Personal Watercraft

This bill eliminates provisions regarding cessation of operation requirement for personal watercraft. It is sponsored by Rep. Agema and has been assigned to the Tourism, Outdoor Recreation, and Natural Resources Committee.

SB 152 – Phosphorus

This bill prohibits use of phosphorus in dishwasher soap. This bill has been passed in the Senate and is currently in the House Tourism, Outdoor Recreation, and Natural Resources Committee.

SB 362 – Phosphorus

This bill restricts use of phosphorus in cleaning agents used in laundry machines. This bill has been passed in the Senate and is currently in the House Tourism, Outdoor Recreation, and Natural Resources Committee.

SB 484 – Boating Safety

This bill requires persons younger than 18 to get boating safety certificate before operating personal watercraft. A committee hearing was held for this bill on May 23 in the Senate Natural Resources Committee. A vote was not taken.

Nestle Waters Update

The Department of Environmental Quality has made a final determination that Nestle Waters of North America's plan to withdraw water in Osceola County most likely won't draw out too much water and harm the fish population in nearby streams. The department ruled the withdrawal wouldn't cause an adverse resource impact under Michigan's new water withdrawal laws, signed by Governor Jennifer Granholm last year.

Nestle had requested the determination on its proposal to withdraw water for bottling at a well with a maximum pumping rate of 216,000 gallons per day. The well would intercept groundwater discharging into Twin Creek and Chippewa Creek, both of which are designated trout streams.

The DEQ looked at the base flow of both creeks and Department of Natural Resource sites of "natural flow variation" in streams all over the state. The DEQ concluded the allowable withdrawal from both watersheds is 691,200 gallons per day; meaning Nestle's proposed withdrawal is below the maximum that can be taken.

The department started taking public comment on the withdrawal plans in December and will continue to review and respond to more comments on the methods it used to reach the decision until March 15. A determination was issued because the department needed to respond to Nestle's request within a certain time period.



In a press release the department said the decision was made with careful consideration of the information submitted during the public comment period that followed the DEQ's proposed determination issued in December 2003.

Nestle is still involved with legal issues surrounding Ice Mountain's use of sites in Mecosta County. Michigan Citizens for Water Conservation sued Nestle alleging the company harmed water resources surrounding that bottling site. The case is currently at the Supreme Court and hasn't been resolved.

Water conservation activists weren't happy with the DEQ's decision to allow Nestle's new well. Terry Swier of Michigan Citizens for Water Conservation said she was very disappointed and said it would be like the Mecosta County case all over again.

Several state environmental groups stressed that the laws surrounding the water withdrawal permits need to be changed.