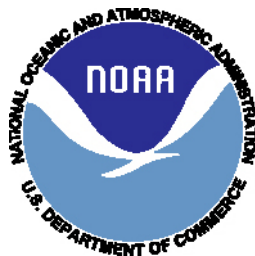


FINAL Evaluation Findings
Michigan Coastal Management Program
September 2002 through April 2006



Office of Ocean and Coastal Resource Management
National Ocean Service
National Oceanic and Atmospheric Administration
U.S. Department of Commerce

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I. EXECUTIVE SUMMARY

Section 312 of the Coastal Zone Management Act (CZMA) of 1972, as amended, requires NOAA's Office of Ocean and Coastal Resource Management (OCRM) to conduct periodic evaluations of the performance of states and territories with federally-approved coastal management programs. This review examined the operation and management of the Michigan Coastal Management Program (MCMP) by the Department of Environmental Quality (DEQ), the designated lead agency, for the period from September 2002 through April 2006.

This document describes the evaluation findings of the Director of NOAA's OCRM with respect to MCMP during the review period. These evaluation findings include discussions of major accomplishments as well as recommendations for program improvement. The evaluation concludes that DEQ is successfully implementing and enforcing its federally-approved coastal management program, adhering to the terms of the Federal financial assistance awards, and addressing the coastal management needs identified in section 303(2)(A) through (K) of the CZMA.

The evaluation team documented a number of MCMP accomplishments during this review period. MCMP is continuing its efforts of responding to coastal community needs for assistance in planning for public use and protection of coastal lands, and increasing economic resources through redevelopment projects. The Program has developed strong relationships among its state partners who share in similar goals of protection of resources through targeted state programs in areas of brownfields redevelopment, cultural and historical maritime resources, and urban waterfronts. Additional areas of program accomplishment include participation in national and regional initiatives, representing the MCMP regionally and nationally, federal consistency, and targeting the preservation of historical and cultural resources.

The evaluation team also identified areas where the Coastal Program could be strengthened. OCRM is requiring the State to submit a final draft revision of their CZM Program document. This should include an internal analysis of Program goals, objectives, and strategies, and all Program changes and/or amendments. The strategy needs to detail a process by which MCMP will prioritize the pass-through grant program and establish a communications process with the Land and Water Management Division (LWMD). The State is being notified that NOAA supports the application of additional revenue sources toward functions being undertaken in non-coastal areas. Finally, NOAA suggests that resources be directed toward the addition of a GIS program manager within the MCMP in order to expand data capabilities for initiatives such as fulfilling the performance measures.

II. PROGRAM REVIEW PROCEDURES

A. OVERVIEW

The National Oceanic and Atmospheric Administration (NOAA) began its review of the MCMP in February, 2006. The §312 evaluation process involves four distinct components:

- An initial document review and identification of specific issues of particular concern;
- A site visit to Michigan, including interviews and public meetings;
- Development of draft evaluation findings; and
- Preparation of the final evaluation findings, partly based on comments from the state regarding the content and timetables of recommendations specified in the draft document.

The recommendations made by this evaluation appear in boxes and bold type and follow the findings section where facts relevant to the recommendation are discussed. The recommendations may be of two types:

Necessary Actions address programmatic requirements of the CZMA's implementing regulations and of the MCMP approved by NOAA. These must be carried out by the date(s) specified;

Program Suggestions denote actions that the OCRM believes would improve the program, but which are not mandatory at this time. If no dates are indicated, the state is expected to have considered these Program Suggestions by the time of the next CZMA §312 evaluation.

A complete summary of accomplishments and recommendations are outlined in Appendix A.

Failure to address Necessary Actions may result in future finding of non-adherence and the invoking of interim sanctions, as specified in CZMA §312(c). Program Suggestions that are reiterated in consecutive evaluations to address continuing problems may be elevated to Necessary Actions. The findings in this evaluation document will be considered by NOAA in making future financial award decisions relative to the MCMP.

B. DOCUMENT REVIEW AND ISSUE DEVELOPMENT

The evaluation team reviewed a wide variety of documents prior to the site visit, including: (1) 2003 §312 evaluation findings; (2) federally approved Environmental Impact Statement and program documents; (3) financial assistance awards and work

products; (4) semi-annual performance reports; (5) official correspondence; and (6) relevant publications on natural resource management issues in Michigan.

Based on this review and on discussions with NOAA's Office of Ocean and Coastal Resource Management (OCRM), the evaluation team identified the following priority issues:

- Effectiveness of Michigan in monitoring and enforcing the core authorities that form the legal basis of the MCMP;
- The manner in which recent changes in state government may affect the MCMP;
- Implementation of Federal consistency authority;
- Implementation of enforcement and compliance mechanisms;
- The manner in which the MCMP coordinates with other State, local, and Federal agencies and programs;
- Effectiveness of technical assistance, training, and outreach to local governments in order to further the goals of the MCMP; and
- The manner in which MCMP has addressed the recommendations contained in the §312 evaluation findings released in 2003. MCMP's assessment of how it has responded to each of the recommendations in 2003 evaluation findings is located in Appendix B.

C. SITE VISIT TO MICHIGAN

Notification of the scheduled evaluation was sent to the DEQ, MCMP, relevant environmental agencies, members of Michigan's congressional delegation and regional newspapers. In addition, a notice of NOAA's "Intent to Evaluate" was published in the *Federal Register* on February 21, 2006.

The site visit to Michigan was conducted from May 8 through 12, 2006. The evaluation team consisted of Susan Melnyk, National Policy and Evaluation Division, Elizabeth Mountz, Coastal Programs Division, Brad Gane, Georgia Coastal Management Program, and Jeff Dewey, Pennsylvania Coastal Management Program.

During the site visit, the evaluation team met with representatives of State and local governments, Federal agencies, interest group representatives, and private citizens during the site visit. Appendix C lists people and institutions contacted during this review.

As required by the CZMA, NOAA held an advertised public meeting on Thursday, May 11, 2006, at 7:00 p.m. at Northwestern Michigan College, Great Lakes Campus, Great

Lakes Water Studies Institute, 715 East Front Street, Room 112, Traverse City, Michigan 49686. The public meeting gave members of the general public the opportunity to express their opinions about the overall operation and management of MCMP. Appendix D lists individuals who registered at the meeting. NOAA's response to written comments submitted during this review is summarized in Appendix E.

III. COASTAL MANAGEMENT PROGRAM DESCRIPTION

NOAA's Office of Ocean and Coastal Resource Management (OCRM) approved the Michigan Coastal Management Program (MCMP) in 1978. The lead agency is the Michigan Department of Environmental Quality (DEQ), and is administered by the Administration Section in the Environmental Science and Services Division (ESSD).

Michigan's coast includes over 3,224 miles of shoreline, 24,000 million acres of Great Lakes bottomlands, 70,000 acres of protected critical sand dunes, two national lakeshores, one national park, twelve underwater preserves, one national marine sanctuary, and a human population of almost 5 million. This coastal boundary, bordering Lakes Michigan, Huron, Superior, Erie, and St. Clair, comprises the longest freshwater shoreline in the world. The unique mix of shore geography that is found on each of the Great Lakes' shorelines provides an important habitat for sustaining plant and animal species, many of which are rare and unique to the Great Lakes coast. Coastal waters supply municipal drinking water, recreational boating opportunities, and the transport of over 115 million tons of industrial and agricultural materials through the Great Lakes commercial shipping industry.

The MCMP seeks to encourage responsible growth and development along the coast through redevelopment of urban waterfronts and ports, control of development in coastal hazards areas to reduce property loss, and protection and management of coastal resources. Additional objectives of the program include improving public access to the coast, and preserving and restoring historic coastal resources. The program manages coastal activities such as shipwreck salvaging, building piers and marinas, and development or alteration to coastal resources. The program is working creatively to find solutions to the loss of agricultural land and wildlife habitat to sprawling development.

The MCMP is based primarily on the State Natural Resources and Environmental Protection Act, 1994, PA 451, and administers the following coastal related sections of the Act:

- Part 323 Shorelands Protection and Management
- Part 325 Great Lakes Submerged Lands
- Part 353 Sand Dunes Protection and Management
- Part 91 Soil Erosion and Sedimentation Control
- Part 301 Inland Lakes and Streams
- Part 303 Wetlands Protection.

VI. REVIEW FINDINGS, ACCOMPLISHMENTS AND RECOMMENDATIONS

Issue Areas are listed in numerical order as Chapter VI subheadings. Issue Areas and subheadings may vary depending on the evaluation. Each Issue Area is summarized as Accomplishments and Suggestions/ Necessary Actions in boxes and bold text and inserted throughout the text, immediately following the corresponding Issue Area's overview and discussion section. Appendix A provides a summary of all Accomplishments and Recommendations, outlined in table format.

A. OPERATIONS AND MANAGEMENT

1. CMP Administration

Program Document

The current Program Document is out of date. The document does not reflect many of the MCMP organizational changes over the past decade, and has not been updated with recent revisions to key core MCMP statutes. The MCMP had begun working to revise the Program Document, but this project was put on hold during recent agency reorganizations.

The Program Document provides the key legal framework for the MCMP, and therefore the MCMP should prioritize the Document update and revision. The CZMA, under 16 U.S.C. 1455 (e) (1) requires that a state CMP promptly notify OCRM of any proposed changes to its approved CMP. The Program's approved enforceable policies must be kept up-to-date to ensure the effective use of Federal Consistency, and CZMA funds are limited to expenditures on the approved portions of a state's program. The MCMP should dedicate adequate financial and staff resources toward the Program Document update, as well as related strategic planning and coordination efforts within the MCMP.

Necessary Action: OCRM is requiring DEQ to submit a final draft Program document within the timeframe of two years of the date of the final evaluation findings document. Included in the document should be an internal analysis of the MCMP, Routine Program Changes and/or Program Amendments.

Permit Program

Recent impacts to the MCMP include a decrease in the State's general funding budget, which affects the regulatory portion of LWMD implementing permitting programs under the Natural Resources and Environmental Protection Act (NREPA). However, the need for

governmental permitting has not been reduced. Permit fees have not increased in recent years, although efforts are planned to request authorization from the legislature to raise some permit fees. Consequently, the MDEQ has recently requested that MCMP funds be used to support permit field staff working outside of the coastal boundary. NOAA is concerned over these recent changes in DEQ and their impacts to MCMP implementation. The Program should be especially careful of the need to protect resources in light of current development trends on the coast of Michigan including; the amount and complexity of permit issues, limited acreage of remaining coastal wetlands, and a substantial increase in population on the coast. While the MDEQ has made a strong case for the need for additional support of the overall permit program, funding permitting programs outside of the approved coastal zone boundary is not an appropriate use of CZM funds.

Necessary Action: The MCMP cannot use CZM funding (or match) to support permitting staff working outside of the approved CZM boundary. Michigan should consider seeking additional revenue sources to support permit functions in non-coastal areas.

Development of Program Strategy

Since the MCMP is already planning to update the program document to reflect the current program organization and changes to key statutes, this is an opportune time for the MCMP to engage in a mid- and long range strategic planning exercise, to ensure that the revised program document clearly reflects the MCMP's programmatic priorities and strengths. A program strategy that includes delineation of roles and development of clear goals and future objectives would result in a stronger program with increased capacity to meet key CZM objectives.

Development of a program strategy would better position the MCMP on the State, Regional, and national level. This planning process would assist the Program in responding to the OMB mandate to report on the development and implementation of coastal management performance measures, as well as highlighting other accomplishments of the Program. The strategic planning process might identify additional opportunities for the MCMP to take a prominent role in state and regional initiatives, such as projects resulting from the Great Lakes Regional Collaboration. In addition, the Program should consider developing outreach materials and programs targeted to specific audiences, such as school children or civic organizations and groups.

The evaluation team discussed the pass through grant process with the MCMP. The MCMP prioritizes providing support to local communities for planning, technical assistance, and the development of tools used in decision-making. Approximately one third of the grant is passed through each year to local communities and non-profit organizations for a variety of projects. The MCMP staff works closely with the local governments and obviously has a strong understanding of local issues. The program has encouraged increased coordination between local governments by giving higher funding priority to land use planning projects that include partnerships among multiple

jurisdictions or the formation of joint planning commissions. However, the program would benefit from establishing more specific annual or multi-year programmatic goals for the pass-thru grant funding, and working with local entities before and during the proposal solicitation process to develop projects that will directly lead to the accomplishment of the MCMP's objectives.

During the evaluation, MCMP staff emphasized that different regions of the state have different priorities and needs and were very reluctant to establish a narrow set of funding priorities that would apply throughout the coastal zone. For example, the program has worked within the City of Detroit on urban redevelopment projects, while localities in other areas of the state need more assistance with natural resource protection or providing public access. The evaluation team recognizes the wisdom of being responsive to local priorities, and suggests that the MCMP might consider working with local governments and regional planning organizations to develop regional funding priorities, or adopt goals that have already been developed through regional planning processes. Establishing clear funding priorities would assist the MCMP in measuring programmatic success, and might also lead to additional opportunities to leverage funds and expertise from other programs.

Another suggestion is to prioritize developing tools or training programs that can benefit multiple communities. Michigan's coastal zone encompasses approximately 300 units of local governments, located within the 41 coastal counties; the CZM program funding is not sufficient to support meaningful projects in even the majority of these communities every year. The *Filling the Gaps* guidebook developed by the MCMP is an excellent example of a tool with broad applications across the coastal zone.

The MCMP staff already possesses a strong knowledge base and technical skill set on a variety of coastal management issues, but a well-thought strategic planning process would allow the MCMP to identify any staffing gaps as well as support professional development opportunities for existing staff. In the short term, a strategic planning exercise should help the MCMP ensure that sufficient staff time is allocated to complete required program functions, such as the Section 309 Assessment and Strategy document, which identified programmatic gaps and establishes priorities for the program's section 309 funding over a five year time period.

The strategic planning process should involve the Coastal and Land Management Unit staff of the MCMP, as well as key LWMD staff involved in implementing the MCMP, in order to assure clear communication and continued coordination between the regulatory and programmatic portions of the Program. The recent DEQ reorganization has already resulted in increased opportunities to work with related programs within ESSD, such as the Brownfields Redevelopment and the 319 Nonpoint Source Pollution programs, and the MCMP should examine ways to further enhance the existing coordination within the division.

Finally, this strategy should be incorporated into the program document update, integrating all elements of the enforceable program and its measurable goals. This step of the MCMP evaluation is critical because it coincides with updating the legal

authorities of the Program, and results in a stronger program with clearly defined objectives and results.

Necessary Action: The MCMP should direct resources towards the development of a Program strategy including how to meet CZMP objectives, priorities to achieve greater capacity, a process to prioritize pass-through grants in conjunction with program objectives, and an established communications process with LWD.

GIS

Electronic Data and Document Retrieval

The MCMP has supported GIS efforts at the county or regional level by funding projects that encourage townships, cities, counties, and regional planning agencies to work together and share data. Since 2002, the MCMP has awarded grants to six counties for various GIS activities. In addition, three of the State's regional planning commissions used Section 309 funding to improve their GIS capabilities and to work with communities within their service areas.

The GIS activities funded by the MCMP include assessing GIS needs and developing implementation plans, data collection, purchasing orthophotographs and software, digitizing parcel lines, and improving public internet access to planning and zoning information.

ESSD relies on data housed within LWMD for support of its overall program activities. Use of GIS is not fully integrated into the MCMP for such uses as resource stewardship and land use planning.. The MCMP would benefit from direct access to and storage of data and systems to access and distribute data for use in Program activities and projects. The staff would benefit from additional in-house expertise and skills in the use and distribution of GIS and related technologies. Also, improvements to the MCMP's GIS capacity will likely assist the Program in collecting and analyzing the coastal indicator data required under the National Coastal Management Performance Measurement System.

OCRM supports the MCMP in further efforts to improve coastal management decision-making, and provision of GIS tools directly to users. MCMP should consider this component of program management when prioritizing future technology needs, training, and hiring decisions so as to better position the Program in providing GIS expertise to partners and for meeting Program objectives.

Program Suggestion: OCRM is encouraging the exploration of sources of resources to support a GIS manager and the technical capabilities to develop and house within DEQ data sets needed to improve coastal decision-making.

B. PUBLIC ACCESS AND HISTORIC PRESERVATION

The Michigan Coastal Management Program (MCMP) has used a combination of Section 306, 306A, 309 and Nonpoint Source funding to support the development of local and regional greenways initiatives for several regions of the state. The MCMP provided technical and financial assistance to inventory and map important ecological, historical, and recreational features; identify, map, and evaluate potential corridors; develop greenway maps, data bases using GIS; construct trails, and to incorporate regional greenways plans into local master plans and zoning ordinances. The MCMP has funded over sixteen greenway projects totaling approximately \$490,000 in grant funds and \$525,000 in matching funds. While the program has funded many notable public access projects, the evaluation team did note a potential eligibility problem with one 306A project visited during the evaluation trip; the MCMP is encouraged to work closely with project applicants to ensure that all funded projects will be publicly owned and otherwise meets the 306A eligibility requirements.

The MCMP has also used Section 306 funding to assist in the development of regional heritage water trails on navigable waterways such as rivers, lakes, and canals that are designed and implemented to foster an interactive historical education experience. The MCMP recognizes these trails as another form of public access and is currently funding three heritage water trail projects totaling approximately \$83,000 in grant funds and \$105,000 in matching funds.

Public Access

City of St. Ignace; Huron Waterfront Boardwalk

Since 1982, the MCMP has been committed to providing public access to the city's waterfront by funding several phases of a 5,000 plus linear feet shoreline walkway linking retail areas with points of interest, accented with landscaping, benches, historical displays and interpretive signage.

Greenways

Northeast Michigan Council of Governments; Huron Greenways

Since 1999, the MCMP has funded four phase for the development of an organized system of land and water trails and routes linking the northeast coastal region. The study includes an inventory of potential greenway site, existing trail systems, ecological features, key recreational features and finally, the study makes a number of recommendations on how the greenway system might be put into place and what resources might be needed to maintain and improve the overall system.

Boardman River Trail

The MCMP has supported several projects within this evaluation period to complete engineering, design, and construction work for segments of a recreational trail system along the Boardman Lake and Boardman River. When complete, the trail system will create a network of "green" corridors linking residential and commercial areas, as well as enhancing public access to the lake.

Heritage Water Trails

Western Michigan University; Huron Coastal Heritage Water Trail

This is a pilot program in Huron County for the development of a planning model to design and implement coastal heritage water trails in Michigan.

Metropolitan Affairs Coalition; Heritage Water Trail Implementation Plan

Please refer to project description in the Itinerary for Monday, May 8, 2006.

Noquemanon Trail Network; Heritage Water Trail Implementation Plan

Part of a 500-mile trail that will span the circumference of Lake Superior. Project involves signage, installation of kiosks, creation of access point brochures, trail maps, and the design of a website for a heritage water trail along a segment of Lake Superior in Marquette County.

Historic Preservation

In addition to the Michigan Lighthouse Project described in more detail within the federal consistency section, the MCMP has supported numerous historic preservation projects which enhance public access to important coastal resources. Project such as Tawas Point Lighthouse restoration and the Old Mackinac Point Lighthouse Historic Grounds Restoration allow residents and visitors to Michigan's coastal regions to learn about the region's maritime heritage.

<p>Program Accomplishment: The MCMP is to be commended for its continued strong support to increasing public access to coastal resources.</p>
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C. COASTAL HABITAT

1. Great Lakes Coastal Restoration Grant Program

The Great Lakes Coastal Restoration Grant Program provided funds for competitive matching grants, to encourage state and local partnerships for habitat restoration and protection projects in the Great Lakes region. Projects eligible to receive funds from the one-time appropriation include contaminated site cleanup, stormwater management, wetland restoration, protection of greenways and buffers, and other efforts designed to control polluted runoff and protect and restore coastal natural resources.

The MCMP allocated \$7 million for Great Lakes Restoration Grants to leverage over \$28 million in projects. There were 27 grants completed in 17 coastal counties. The MCMP was able to build upon previously-established working relationships with many local governments and land conservancies, which greatly contributed to the efficiency and success of this program. Acquisition lands exceeded 3100 acres with over 25,000 feet of Great Lakes shoreline placed permanently in public ownership. Projects included restoration of wetlands, sand dunes, shorelines, rivers, lake plain prairies, and headwater stream areas.

Projects funded under the Great Lakes Coastal Restoration Grant program include:

Detroit River Sturgeon Habitat Restoration. This project, coordinated by Michigan Sea Grant Extension, created sturgeon spawning habitat in the waters just off Belle Isle. The goal of the project was to further develop deepwater fish habitat in an effort to link fishing to the Detroit River. Partners constructed three demonstration spawning reefs, assessed the success of the reefs, and documented the construction in a video and interpretive exhibit.

Houghmaster Property for Alpena Township Park. This project supported the acquisition of a 140 acre tract of land that includes nearly 10,000 feet of Lake Huron shoreline, Karst geologic features, heavily wooded areas, and Great Lakes marshes. The site is an important stopover location for migratory birds, and the offshore waters adjacent to the area are part of the Thunder Bay National Marine Sanctuary and Underwater Preserve.

Dan's Point Land Acquisition: The Houghton Keweenaw Conservation district partnered with the Keweenaw Land Trust to purchase a 24-acre parcel of land known as Dan's Point, with 623' of Lake Superior frontage near Eagle Harbor. This acquisition will protect the "bedrock beach" ecosystem located on the site, which have been classified as a globally rare plant community.

Upper Macatawa Conservation Area. Located in Zeeland Township, this acquisition is part of a local effort in the Holland/Zeeland area to preserve and connect open spaces, streams, and natural lands along the Macatawa River, a Lake Michigan tributary. Working with many partners, GLCRG funds were used to help purchase a 325-acre which includes 1.9 miles of river frontage, over a mile of wooded ridges and ravines, and 160 acres of farmed floodplain.

CMS Arcadia Complex in Manistee and Benzie Counties. This area covers two miles of high-bluffed Lake Michigan shoreline, 1,650 acres of dunes, and six square miles of farmland in Benzie and Manistee counties currently owned by CMS Energy. Restoration funds were used to acquire permanent conservation easements for 440 acres and to support the Grand Traverse Regional Land Conservancy's development of a landscape-level conservation plan.

<p>Program Accomplishment: MCMP is commended on the success of administering the Great Lakes Coastal Restoration Program Grants. The MCMP identified several opportunities to partner with local governments to preserve and protect valuable coastal resources.</p>

D. WATER QUALITY

Since the last Section 312 Evaluation, the Michigan Coastal Management Program (MCMP) has continued to pursue full federal approval of the Coastal Nonpoint Pollution

Program (CNP), and implement approved management measures. The past five years saw the departure of the former Coastal Nonpoint Source Coordinator from the MCMP in 2003, and the hiring of a new Coordinator a year later. Work to address the remaining conditions on the Michigan CNP began immediately in cooperation with DEQ Nonpoint Source (319) Program staff. In January, 2005, the Coordinator submitted the resulting documentation addressing the conditionally-approved management measures. The MCMP awaits a joint NOAA and EPA response to the submittal for an indication of where to focus future energy and resources.

The Coastal Zone Management (CZM) grant funds have enabled Michigan communities, universities, and nonprofits to successfully complete scores of projects implementing approved management measures, ranging from planning and zoning for water quality protection to public education campaigns. More than \$1.14 million in section 310 and 6217 funds supported 42 projects since the last Evaluation, and leveraged an additional \$1.27 million in matching funds. Projects supported by other CZM funding categories also implemented approved measures, adding another 30 projects with a coastal water quality protection aspect to the total. Some examples include:

- In response to the recently-enacted “Joint Municipal Planning Act,” the Northwest Michigan Council of Governments is working with more than 30 neighboring coastal communities to explore opportunities for natural resource planning and water quality protection on a regional basis.
- The Friends of the Detroit River recruited and trained recreational boater volunteers from its 1,000-plus membership to survey, document, and report pollution incidents on the Detroit River and major tributaries. The information is recorded in the organization’s GIS and used to produce customized maps and other educational materials for community outreach.
- The Center for Environmental Study is bringing Water and Weather to seven television stations collectively broadcasting to 80% of the state. Television meteorologists participating in the Water and Weather program incorporate locally-tailored satellite images and messages on stormwater runoff, nonpoint source pollution prevention, and watershed issues into televised weather forecasts.

Program Accomplishment: MCMP is commended on their progress toward implementing an approved Coastal Nonpoint Source Pollution Program.

E. COASTAL DEPENDENT USES AND COMMUNITY DEVELOPMENT

1. Siting, Energy and Facilities

The process of developing the Energy Facilities Siting component of the Section 309 Assessment and Strategy provided a valuable opportunity for gaining a comprehensive

overview of Michigan's energy situation and an indication of future directions, as well as establishing connections between the MCMP, DLEG staff, and other key stakeholders. The MCMP staff has tentatively identified a number of emerging issues and potential courses of action through the Section 309 process, all of which relate to wind energy development.

Major draft findings resulting from the Section 309 process include the following:

- The potential for direct and indirect impact of wind farms on raptors, migratory bats and songbirds, and other wildlife in Michigan is real, but the topic is poorly studied and the magnitude of the impacts not quantified. Research is needed on wildlife impacts, and important stop-over areas for migratory birds and other critical coastal habitats need to be identified.
- Mechanisms for inserting information on wildlife impacts, important habitats, and other natural resources into land use planning and regulatory decision-making processes need to be supported and strengthened. In Michigan, the primary authority for wind project siting decisions resides at the local government level. However, from a coastal resource management perspective, information on the potential impacts of wind project proposals may require a sophisticated level of analysis beyond the capacity or resources of local governments.
- Offshore wind farms in the Great Lakes are a subject of considerable interest, yet Michigan's Great Lakes bottomlands are under state ownership, held in trust for all citizens of the state. Substantial research, public discussion and debate, and legislative action would be needed to site and operate commercial wind projects in Michigan's Great Lakes waters.

2. Waterfront and Port Revitalization

Historically, the MCMP has made funding Waterfront and Port Redevelopment a priority. The MCMP has provided funding to 46 projects in this area within the last five years, including the design, engineering, and implementation of waterfront redevelopment and shoreline improvements in coastal communities throughout the state. The MCMP has provided approximately \$1.2 million dollars in grant funds with approximately \$1.6 million dollars in matching funds. A large number of the coastal communities in Michigan have seen significant growth, and have been experiencing pressure to develop coastal areas at alarming rates. The projects typically selected in this area emphasize community focused plans with an emphasis on linking waterfront, downtown, and residential areas. Numerous projects funded by the MCMP have been redevelopment of previously industrial areas or brownfield sites.

The MCMP has been involved with the "Cool Cities" initiative which is being implemented by Michigan's Governor Jennifer M. Granholm. The initiative focuses on developing cities that are walkable, self sufficient communities that will attract young

citizens and new businesses into the revitalized area. Staff of the MCMP is involved with coastal communities that are currently linked to the Cool Cities initiative. Staff attends meetings and provides feedback as necessary.

Staff has also been involved in the Michigan Land Use Leadership Council (MLULC) which is also an initiative under Governor Granholm. The MLULC studied various issues including industry, tourism, agriculture, forestry, and mining. The Council created a report that provides recommendations to reform land use decisions in Michigan to create sustainable and livable communities.

Traverse City

The City of Traverse City has partnered with students from Northwestern Michigan College and Michigan State University on the “Your Bay, Your Say” project, a collaborative process that surveys local residents for ideas to develop a concept and plan for the Traverse City coastline. The recent decommissioning and demolition of a bayside power plant has created new opportunities for the city’s waterfront. The City would like to improve the downtown waterfront area and increase the sense of connectivity between the city and the Bay.

City of Ecorse

The city of Ecorse, once a center of steel production and shipbuilding, has a coastal area that is a mix of industrial lands, vacant brownfield sites, public park space, residential, and commercial properties. In 1985, the city adopted a plan for the area along the Detroit River called "Frenchman's Cove" to be developed commercially, but no major redevelopment has taken place. During the recent update of the city's Master Plan and Zoning Ordinance, community leaders called for a new plan for the coastal area. The project consisted of a thorough analysis of the land uses and infrastructure adjacent to the waterfront; opportunities and constraints; the preparation of conceptual coastal area redevelopment alternatives; the development of a consensus-based redevelopment plan; and the formulation of an implementation action plan to ensure that redevelopment will occur. The final product is numerous amendments to the city's Master Plan and Zoning Ordinance.

City of South Haven

The project involved site design and engineering and the construction of a parking area, landscaping, walkways, benches and seat wall. Overall the project improved vehicular and pedestrian circulation, and provides for a high quality passive recreation area.

Program Accomplishment: MCMP’s has established waterfront redevelopment and land use planning as a program priority, supporting many highly successful local projects. The program has successfully built upon partnerships with other agencies and involvement in statewide initiatives and programs with similar goals.

F. GOVERNMENT COORDINATION AND DECISION-MAKING

1. *Federal Consistency*

The evaluation team was impressed by how the federal consistency process runs in Michigan. The process is successful due to a high level of voluntary compliance and interagency input. The MCMP coordinates with 20 federal agencies in order to assure compliance with the Program.

Some of the significant reviews which have benefited the coastal zone include: The US Fish and Wildlife Service reviews of management plans; The Nuclear Regulatory Agency review of re-licensing of nuclear power plants; The Federal Energy Regulatory Commission reviews of dam re-licensing; The General Services Administration (GSA) lighthouse disposal program; The Department of Transportation (DOT) on road projects affecting high risk erosion areas and threatened and endangered species; and the Army Corps of Engineers (ACOE) on the Toledo Harbor Dredge project concerning open water dredge disposal.

Of the many reasons that the process is working successfully, the team attributes the effective implementation of outreach by the MCMP in creating new as well as improved relationships with federal agencies. For example, the Federal Consistency Coordinator is involved on an almost daily basis with the Detroit regional office of the ACOE in the process of meetings, telephone calls, and program activities. Through outreach, the coordinator contacts other agencies involved in carrying out the mandates of the Lighthouse Disposal Project such as the State Historic Preservation Office (SHPO). The DNR was able to address concerns for fish spawning access in the coordination between FERC on dam re-licensing by getting involved in the process early. Training was also provided to federal agencies at the Federal Agencies workshop held at the Selfridge Air Force Base. NOAA encourages the MCMP to continue placing an emphasis on the use of federal consistency as a coordination mechanism, as well as providing necessary staff resources and professional training opportunities (through attendance at national federal consistency workshops, for example) to increase the effectiveness of this tool.

<p>Program Accomplishment The MCMP has effectively used Federal Consistency as a tool for coordinating with Federal agencies, as well as assuring compliance with the State Coastal Management Program.</p>
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2. *Coordination within DEQ*

During the evaluation period, the DEQ underwent a reorganization which resulted in the move of the MCMP from the Land and Water Management Division (LWMD) to the Environmental Science and Services Division (ESSD). Within ESSD however, the

MCMP has championed many partners and garnered good support for continued administration of pass through grants, administration of coastal related sections of the NREPA, and review of federal agency activities for consistency with the MCMP. Work is well integrated within the Divisions, and both report to the same director.

ESSD focuses on resource management: outreach, planning, and grants programs, while LWMD is the regulatory arm of the division. The merging of MCMP within ESSD has helped to leverage resources in achieving similar goals. The new administration has provided support to these functions in the creation of new programs such as the Governor's Cool Cities initiative, the Brownfields programs, the EPA Section 319 Water Quality Program, and urban redevelopment. DEQ press releases highlight CZM programs as well, with notification of grants to legislators of new grants to their districts.

Coordination is informal, with exchange in resources leveraging each program. For example, the LWMD field permitting staff accompanies MCMP Coastal Unit staff on site visits, creating a focus on compliance of Program mandates. The two divisions employ creative solutions using CZM tools, instead of applying regulatory controls. ESSD works well with CZM tools, such as the Planning Commissions Toolkit, an on-line resource tool box, and "Filling the Gaps," used for planning assistance and in educating the public on the benefits of Division programs. This brings more value to the State agency as well as recognition to MCMP and other grant programs.

In addition, upfront coordination between the MCMP and LWMD assures that CZM funded projects meet necessary LWMD permit requirements. For example, MCMP staff and LWMD permit staff conduct coordinated site visits for proposed CZM projects so applicants are aware of any LWMD permit requirements.

Accomplishment: The MCMP has integrated well into ESSD, coordinating well on building capacity through the use of CZM tool to create solutions, and leveraging of funds with other grant programs.

3. Education, Outreach, and Public Participation

The Michigan Coastal Management Program (MCMP) has worked to educate the public and promote the sustainable use of Michigan's Great Lakes Coastal Resources in several ways. For example, the Program Manager recently testified before a congressional subcommittee on Great Lakes science and information needs. The Program Manager is also currently serving on the Committee to Review the Joint Subcommittee on Ocean Science and Technology Ocean Research Priorities Plan. The MCMP has also begun to coordinate outreach efforts with other programs within ESSD. In addition, many projects supported by MCMP grants include substantial education and outreach components, even those projects where the primary focus is land use planning or ecological studies. These efforts are noteworthy, but the MCMP has the potential to further develop the program's education and outreach efforts, in areas such as land use planning, for example. As

mentioned earlier within this document, education and outreach priorities should be examined during the strategic planning process, in order to take full advantage of the programmatic expertise of the MCMP staff, as well as opportunities to coordinate educational and outreach materials with other related programs within ESSD.

The MCMP supports several projects annually with a primary focus on public education and outreach. Many of these are described in other sections of this document, or featured as site visit destinations. Examples include: “Water and Weather,” a statewide stormwater education program delivered by television meteorologists; the Detroit River pollution monitoring and public outreach program launched by Friends of the Detroit River; “Your Bay, Your Say,” Traverse City’s waterfront redevelopment project that has elicited substantial public involvement; Inland Seas’ 2005 “schoolship” tour to deliver dockside education programs on Great Lakes ecology at ten Lake Michigan coastal communities; and the Sea Grant beach management outreach and education project designed to promote a stewardship ethic among Saginaw Bay and Grand Traverse Bay shoreline property owners. Many other CZM-supported outreach and education projects have not been described elsewhere in this document. A few examples are presented below:

- The Detroit/Wayne County Port Authority recently completed the plan and designs for a Great Lakes environmental monitoring and public education facility to be housed in the new terminal and visitor center on the downtown Detroit waterfront. Cruise ship passengers and other visitors will be able to view real-time monitoring data and displays on water quality, invasive species, and other aspects of the Detroit River environment.
- The Michigan Environmental Council is working with elected officials, planners, consultants, and the general public in four rapidly-urbanizing coastal watersheds to apply Smart Growth planning principles as a means of reducing nonpoint source pollution and improving water quality.
- The Conservation Fund is coordinating a public outreach campaign on the importance of coastal habitat protection in the Lake Huron Basin, the role of land conservancies in habitat protection, and marketing the financial and lifestyle advantages of land or conservation easement donation to landowners, accountants, tax attorneys, and financial planners.
- The Michigan Association of Planning, Michigan State University Land Policy Program, and regional councils of government are collaborating to deliver workshops for local officials on the highly popular guidebook “Filling the Gaps: Environmental Protection Options for Local Governments.” The MCMP produced “Filling the Gaps” 2003 with the help of a NOAA Fellow.

4. Partnership with Michigan Sea Grant

The partnership between MCMP and Michigan Sea Grant (MSG) is cooperative and complements the activities and issues targeted by both programs. Funding from CMP assists the helps MSG in its mission. Its role as a neutral entity in contentious issues is important, such as in the case of the Beach Grooming Act. MCMP funded studies on the effects on habitat of beach grooming and contributed to education programs such as “Enhancing Shoreline Property Owners Understanding of Value of Wetland Vegetation.” Other collaboration included:

- Detroit River Sturgeon Habitat Restoration Project: Through the Great Lakes Coastal Restoration Grant Program, the MCMP funded Sea Grant’s work to restore Sturgeon spawning areas within the Detroit River. Even though this spawning reef area has only recently been completed, several species of fish have already been utilizing this habitat area.
- Winter 2002-03: Michigan Sea Grant coordinated and co-facilitated a task force convened by the US Army Corps of Engineers and state representative Joseph Rivet to develop a consensus document on how to allow shoreline property owners to access and enjoy their waterfront while maintaining the ecological value of the “new wetland areas” around the state.
- Summer 2004: CMP funded Sea Grant to run two train-the-trainer workshops in the Saginaw Bay and Grand Travers Bay areas so that people who regularly work with private landowners, conservation districts, county extension and watershed councils/ groups have accurate information about the new Michigan legislation and regulations, and relevant federal regulations. Funds allowed Sea Grant to develop a publication, workshop materials, and web site for workshop materials.
- Michigan Clean Marina Program: Michigan marinas (over 50 commercial operations and state harbors) are voluntarily participating in the program, supported jointly by Michigan Sea Grant, Michigan Boating Industries Association (MBIA), and the Michigan Department of Environmental Quality (MDEQ). The first two marinas, in Harbor Springs and in Harrison Township, were officially designated as Michigan Clean Marinas in December 2005; approximately 10 new marinas to be designated in 2006. Additional workshops scheduled through 2006.
- Sea Grant agents have worked with MBIA and DEQ and marina representatives on the development of the Clean Marina program, including providing guidance and support for organization and content, direction of program. Chuck has provided ongoing support for marina site visits, including assisting with contracting experts to assist with marina support and inspections and encouraging new marinas to participate and is working on program sustainability.

- MSG coordinated with DEQ to produce a Clean Marina program training brochure, guidebook, checklist and web site as well as drafting funding proposals to ensure program sustainability. www.miseagrant.umich.edu/cmp.

Accomplishment: The MCMP has supported successful local education and outreach programs as well as a beneficial relationship with Michigan Sea Grant that complements the current focus of work in coastal communities, education, and providing science for coastal decision-making.

VII. CONCLUSION

For the reasons stated herein, I find that Michigan is adhering to the programmatic requirements in the operation of its approved MCMP.

MCMP has made notable progress in the following areas: waterfront and port revitalization, public access, coastal habitat, federal consistency, coordination with LWMD, and education and outreach.

These evaluation findings also contain four recommendations. The recommendations are in the form of three Necessary Actions and one Program Suggestion. The state must address the Necessary Actions by the dates indicated. The Program Suggestions should be addressed before the next regularly-scheduled program evaluation, but they are not mandatory at this time. Program Suggestions that must be repeated in subsequent evaluations may be elevated to Necessary Actions. Summary tables of program accomplishments and recommendations are provided in section VI.

This is a programmatic evaluation of MCMP that may have implications regarding the state's financial assistance awards. However, it does not make any judgment on or replace any financial audits.

/s/ Laurie J. McGilvray for
David M. Kennedy
Director, Office of Ocean and Coastal
Resource Management

10-26-06
Date

VII. APPENDICES

Appendix A. Summary of Accomplishments and Recommendations

The evaluation team documented a number of DEQ's accomplishments during the review period. These include:

Issue Area	Accomplishment
Public Access	The MCMP is to be commended for its continued strong support of increasing public access to coastal resources.
Great Lakes Coastal Restoration Grant Program	Program Accomplishment: MCMP is commended on the success of administering the Great Lakes Coastal Restoration Program Grants, pointing to several successful projects. The MCMP identified several opportunities to partner with local governments to preserve and protect valuable coastal resources.
Water Quality	Program Accomplishment: MCMP is commended on their progress toward implementing an approved Coastal Nonpoint Source Pollution Program.
Waterfront and Port Development	Program Accomplishment: MCMP's has established waterfront redevelopment and land use planning as a program priority, supporting many highly successful local projects. The program has successfully built upon partnerships with other agencies and involvement in statewide initiatives and programs with similar goals.
Federal Consistency	Program Accomplishment: <i>The MCMP has effectively used Federal Consistency as a tool for coordinating with Federal agencies as in assuring the compliance with the State Coastal Management Program.</i>
Reorganization	The MCMP has integrated well into ESSD, coordinating well on building capacity through the use of CZM tool to create solutions, and leveraging of funds with other grant programs.

Education, Outreach, Michigan Sea Grant	Accomplishment: The MCMP has supported successful local education and outreach programs as well as a beneficial relationship with Michigan Sea Grant that complements the current focus of work in coastal communities, education, and providing science for coastal decision-making.
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In addition to the accomplishments listed above, the evaluation team identified several areas where the program could be strengthened. Recommendations are in the forms of Program Suggestions (PS) and Necessary Actions (NA). Areas for improvement include:

Issue Area	Recommendation
Program Document	Necessary Action: OCRM is requiring DEQ to submit a final draft Program document within the timeframe of two years of the date of the final evaluation findings document. Included in the document should be: an internal analysis of the MCMP, Routine Program Changes and/or Program Amendments.
Coastal Permitting	Necessary Action: The MCMP cannot use CZM funding (or match) to support permitting staff working outside of the approved CZM boundary. Michigan should consider seeking additional revenue sources to support permit functions in non-coastal areas
Program Strategy	Necessary Action: The MCMP should direct resources towards the development of a Program strategy including how to meet CZMP objectives, priorities to achieve greater capacity, a process to prioritize pass-through grants in conjunction with program objectives, and an established communications process with LWD.
GIS	Program Suggestion: OCRM is encouraging the exploration of sources of resources to support a GIS manager and the technical capabilities to develop and house within DEQ data sets needed to improve coastal decision-making.

Appendix B. Response to 2003 Evaluation Findings

Finding 1: Financial Assistance Management

Program Suggestion 1:

- 1. The Michigan Department of Environmental Quality (MDEQ) should take steps to update the program document, pending finalization of the Department reorganization.**
- 2. The MDEQ should work with the Office of Ocean and Coastal Resource Management/Coastal Program Division (OCRM/CPD) staff to develop and maintain a submission schedule with CPD to assure that the Michigan Coastal Management Program (MCMP) is up to date.**
- 3. The MCMP should work on providing comprehensive program information in its performance reports.**

The MCMP Response:

The MCMP submitted a revised program document after the creation of the MDEQ and the transfer of the Land and Water Management Division to the MDEQ. The revised document also described other changes that occurred with the Governor's 1995 Executive Order including the abolition of several commissions and boards.

In fall of 2002, the MDEQ underwent another organizational restructuring and the MCMP was transferred from the Land and Water Management Division (LWMD) to the Environmental Science and Services (ESSD). With the election of a new Governor in January 2003, the MDEQ gained a new Department Director and two new Deputy Directors.

There was a great deal of speculation that the new administration would restructure the MDEQ. In 2003, Director Steven Chester appointed a committee to review the existing organization and to make recommendations for change. Several of the committee's recommendations were implemented through a small scale restructuring.

In 2005, the MCMP applied to the NOAA Coastal Services Center for a NOAA coastal fellow (fellow) to update the MCMP Program Document and develop a Federal Consistency Manual. Unfortunately, very few slots were open to the states and Michigan's proposal was not selected. Cognizant of the need to update the Program Document, the MCMP has set aside sufficient funding to contract out the Program Document revision and Federal Consistency Manual development. The intention is to rewrite the entire document, rather than just update the program organization components. The collection of new data on the geomorphology, land

uses, and ownership will assist us in tracking our progress on the NOAA national performance measures.

This is the proposed schedule for the updating the Program Document:

- **Develop and issue a Request for Proposals (RFP) - Summer 2006**
- **Review proposals and select contractor - Fall thru Winter 2006**
- **Contractor meets with the MDEQ management to establish work plan - Winter 2006**
- **Draft Program Document prepared and submitted to the MDEQ for review - Summer 2007**
- **Draft Program Document updated to reflect comments - Fall 2007**
- **Program Document finalized and submitted as a RPC - Winter 2007**

The staffs of the MCMP and the LWMD have initiated a review of Routine Program Changes (RPC) since the last evaluation. All RPCs will be included in the new Program Document.

The MCMP has continued to report on program and organizational changes in timely a consistent manner in the semi-annual reports.

Finding 2: Grants Application Management

Program Suggestion 2:

The state is encouraged to schedule site visits prior to submission of the grant application. A plan should be developed to guide the submission of the MCMP grant application in entirety, and search for solutions to the problems causing the delay of the complete applications.

The state of Michigan is on an October 1 to September 30 fiscal year. The state's annual grant application to the NOAA is due on June 8, 2006.

The MCMP releases its annual RFP's for local projects in January with an April 1 or May 1, due date. Site reviews are scheduled once all applications have been received, and are typically conducted during the month of May. The MCMP staff conducts between 70 to 115 site visits during those months. The site visits are a critical component of the project review process. Once site visits have been completed, staff meets to discuss and further evaluate proposals, and make funding recommendations. Recommended projects are then reviewed by the Division and

Department Management. At the least, the project review and selection process takes approximately two to three months.

The MCMP is committed to expediting the review and selection process and will take specific steps to ensure that projects are submitted in a timelier manner. Applications will be reviewed for missing documentation earlier in the process to avoid delays in submitting complete information. The MCMP will coordinate staff schedules to allow for earlier project evaluation and selection meetings

The MCMP will schedule site visits as early as weather conditions allow. The NOAA must recognize that weather is a critical factor in our ability to conduct site reviews in early spring. There are times when snow conditions do not allow for an adequate review of development projects

Finding 3: Assignment of Grants and Regulatory Functions within LWMD

Program Suggestion 3: The NOAA Recommends that the MCMP remain in the same department with the regulatory functions of the LWMD

On September 15, 2002, the MDEQ was reorganized. The program management and grant administration functions of the MCMP were transferred to the ESSD. The regulatory functions of the MCMP remain in the LWMD.

The LWMD and the ESSD operate under a Memorandum of Agreement that specifies the MCMP responsibilities and procedures for coordinating responsibilities and financial transactions. Although program functions have been assigned to separate divisions, staffs of the ESSD and the LWMD continue to coordinate closely on issues related to federal consistency, public trust, and permit requirements for Coastal Zone Management funded projects. Management of the MCMP annual grant by the ESSD requires coordination on budget and financial issues between the LWMD, the ESSD, and the Financial and Business Services Division.

Moving the MCMP to the ESSD yielded a number of benefits. The 2002 restructuring brought several other community assistance and grant programs to the ESSD including the Section 319 Nonpoint Source Pollution, Clean Michigan Initiative, and Brownfield Redevelopment Programs. Bringing these programs together has improved communication and collaboration. A vastly improved relationship with the Section 319 Nonpoint Source program has greatly benefited the MCMP Coastal Nonpoint Source program.

The MCMP's location in the ESSD has also resulted in new opportunities for program staff to be more involved in innovative statewide initiatives such as the Michigan Land Use Leadership Council, the Governor's Cool Cities Initiative, the Centers for Regional Excellence, and the Governor's Cabinet Council on Tourism.

It is hoped that the process of updating the MCMP Program Document will increase the MDEQ Executive Office's knowledge of the MCMP, and provide an opportunity for them to consider the optimum permanent location of the MCMP. The multi-disciplinary aspects of the MCMP would allow it to reasonably be located in several locations within the MDEQ or the Department of Natural Resources.

Finding 4: Increase Outreach to Build Local Planning Capacity

Program Suggestion 4: The NOAA supports the MCMP's efforts towards a comprehensive outreach program targeting local communities to build capacity for local planning

Development of a strategy to plan, design, and effectively use coastal management performance indicators to help meet strategic coastal management goals is encouraged as a program enhancement.

Given the size and diversity of Michigan's coast, the MCMP will continue its community-based approach to coastal management. Coastal communities are experiencing more residential development pressure than most of their inland counterparts which have created a need for improved land use planning and management tools. We appreciate the NOAA's support for our efforts to improve community planning and resource management.

The MCMP has made great strides since the last 312 Evaluation in increasing the capacity of coastal communities to manage growth and protect coastal resources. This has been accomplished through education and outreach on land use and environmental protection; development of new or revised community master plans, watershed plans, waterfront redevelopment plans; development or updating of zoning ordinances; and other projects that support local decision making. Those support tools include biological inventories, geographic information systems, community information systems, and community visioning.

Appendix C. Persons and Institutions Contacted

John Hartig, U.S. Fish and Wildlife Service

Doug Dennison, JJR, LLC

Pat Dohr

Susan Phillips, Dave Sanders, Metropolitan Affairs Coalition

Skip Pruss, Amy Butler, Karen Best, Lisa Pennington, Christy Fox, Annette Nealey,

Dave Kenaga, Mary Ellen Cromwell, Wil Cwikiel, Martin Jannereth, James Milne,

Matthew Warner, Penny Holt, Peg Bostwick, Tom Graf, Chris Antieau

Don Scavia, Director, and Jennifer Read, University of Michigan Sea Grant Extension

Robert Tucker, Charlie Simon, ACOE Detroit District Staff

Barbara Kreuzer, Michigan Maritime Museum

John Scholtz, Ottawa County Parks and Recreation

Sandeep Day, Nan Emmer, Erin Kuhn, West Michigan Shoreline Regional Development
Commission

Tim Ervin, Manistee Community Foundation

Russ Soyring, City of Traverse City

Joe VanderMeulen, Land Information Access Association

Appendix D. Persons Attending the Public Meeting

A public meeting was held on Thursday, May 11, 2006, at 7:00 p.m. at Northwestern Michigan College, Great Lakes Campus, Great Lakes Water Studies Institute, Room 112, 715 East Front Street, Traverse City, Michigan 49686.

Amy Beyer, Director, Conservation Resource Alliance
Becky Ewing, Great Lakes Studies Institute

Appendix E. NOAA's Response to Written Comments

NOAA received no written comments.