

Permit Issuance Status for Chain of Lakes project

Update from Washtenaw County:

Washtenaw County has been in communications with MDEQ regarding project permits on a regular basis most of this spring. At this time, it is unclear when the permit process will be complete, and we are not able to get a clear picture to share of all the steps and timing to resolve the permits.

The primary issue is an initiative by MDEQ and MDNR that we understand to be new to the permitting process this year, across the state. As we understand it, this initiative is intended to bring more consistency between permits on different water bodies where there have been documented reports of endangered species, through a scientific process. At issue for the Chain of Lakes are two species of endangered mussels and the analysis needed to determine whether these sensitive species could potentially be impacted partially based on modelling that would account for projected amount of aquacide application, total lake volume, and general flow patterns. A wide range of options are being considered that would help us move forward.

We understand that several different divisions of MDEQ and MDNR are working on their respective technical work to contribute to a decision, currently, we have been advised that the next meeting of this technical team will be on June 8th. We anticipate that there will be more information available after this meeting in Lansing, and would hope to be able to update this website on or about June 12th with the status at that time.

We apologize for this unexpected development. While 4 of the 9 lake permits had been issued last August, we recently learned that these have also been suspended pending the resolution of application limitations near potential endangered species and/or their habitat. For particularly severe areas, we have obtained quotes for mechanical harvesting if necessary. As with 2017, when applications were performed but not as extensively as proposed by this office, assessments will be reduced if actual expenditures are less due to limitations on invasive species management that may result from the permitting process.

Update from Michigan Department of Environmental Quality:

Thank you for the offer to provide clarification regarding the review process of the Huron River Chain of Lakes Aquatic Nuisance Control (ANC) application. The US Fish and Wildlife Service (USFWS), Michigan Department of Environmental Quality (MDEQ) and Michigan Department of Natural Resources (MDNR) are working together on the review of information pertaining to threatened and endangered species of mussels that inhabit the Huron River proper and the Chain of Lakes. Information included in the review are the geographic extent of treatment using aquatic pesticides, the relevant populations and habitat of the threatened and endangered species in question (i.e., *Lampsilis fasciola* and *Epiblasma triquetra*), the toxicological profile of the aquatic pesticides proposed for use, and their effects on the threatened and endangered species in question.

Based on the outcome of the review and analysis of information cited above, a determination on the extent and timing of aquatic plant treatments will be made by MDEQ. Because there are

several lakes with Aquatic Nuisance Control permits in effect, we are asking that treatments for those lakes be suspended until after the review is complete in order to evaluate the impact of additional treatments to the mussel populations and their habitat.

In addition, Section 10 of the Endangered Species Act (ESA) regulates a wide range of activities that affect endangered and threatened plants and animals and the habitats upon which they depend. Some activities that affect endangered and threatened plants and animals, and their habitats, require an "incidental take permit" if the organisms and/or their habitat are negatively impacted. As part of the review process above, an evaluation will be made by USFWS and/or MDNR as to whether or not an "incidental take permit" will be necessary.

We appreciate your continued patience and willingness to work with the various departments in protecting these important threatened and endangered mussels and their habitats. The MDEQ will keep you apprised of the status of the ANC application and in effect permits as we move forward through the review process.