



G.L.A.H. News

Great Lakes Aquatic Habitat

GREAT LAKES: CONNECTING COMMUNITIES

WINTER 2007 VOLUME 15 ISSUE 4

IN THIS ISSUE:

Director's Notes 2

Grassroots Profile 3

Stormwater Wetland Proposed
Lake Superior 4

Indiana Steps Backward with US Steel
Lake Michigan 5

Lake Huron Stewardship Guide
Lake Huron-Canada 6

Changes to the Lake Huron Fishery
Lake Huron-US 7

Incentives to Improve Shoreline Habitat
Lake Erie-Canada 8

Ohio Stalls on Great Lakes Compact
Lake Erie-US 9

Canadian Environmental Laws Guide
Lake Ontario-Canada 10

Chemical Waste Management Expands
Lake Ontario-US 11

Regional Action Center 12

Thanks You's! 13

Holiday Gift Ideas 14

Action Alert Update 15

Calendar 16

SUSIE SCHREIBER WINS 2007 ADVOCATE AWARD



Susie Schreiber (middle) with her Award is joined by Jill Ryan, GLAHNF Executive Director and Tom Chefalo, Lake County Planner and member of the Waukegan Harbor Citizen's Advisory Group

Susie Schreiber has some good advice for grassroots citizen efforts, "Be nice. Be patient. Be persistent." This approach has gotten Susie far. It also got her the 2007 Grassroots Advocate Award from the Great Lakes Aquatic Habitat Network and Fund, presented at the Grassroots Symposium on October 19.

For over a decade Susie has led the Waukegan Harbor Area of Concern Citizen's Advisory Group. Through her leadership much has been accomplished to clean up Waukegan Harbor including the removal of tremendous amounts of contaminated sediments from the harbor and adjacent industrial sites. But Susie has extended her work to the community – by successfully developing and implementing hands-on service learning educational projects with local elementary schools to build awareness and appreciation of local waterways. Her

work has connected students in Waukegan to the incredible resource in their backyard – Lake Michigan and across the world to Lake Baikal in Russia, where a partnership allows the students to share results from research projects.

"Susie truly deserves this award for her infinite energy and resolve to protect, restore, and educate about Waukegan, Illinois waterways," stated Jill Ryan, Executive Director of Great Lakes Aquatic Habitat Network and Fund when giving the award.

Susie's kindness, patience, and persistence have reached out beyond the students including their families, elected officials and businesses. Susie is an incredible champion for both the people and the water resources in her community. Congratulations to Susie for her well-deserved award!



Note Cards for the Holidays

Green Earth Greetings
Helping the environment through art

HOME
ORDER CARDS
SERVICES
ENVIRONMENTAL ORGANIZATIONS
ARTISTS
WHY?
ABOUT US
CONTACT US
TERMS & CONDITIONS

Welcome to Green Earth Greetings!

We sell greeting cards that use art to promote environmental and environmental issues. We aim to assist both our Environmental Organizations and our Featured Artists by accepting beautiful, customizable greeting cards to our customers.

Our goal is to bring together artists and support artists' great ideas and those who would like to help educate others about these issues in a user-friendly manner, using art as the delivery vehicle for the message.

If you would like to share a thought, it would be welcome. Please email us at cards@greenearthgreetings.com.

Customize Your Cards
Click Here

See Page 15

DIRECTOR'S NOTES

TIME TO CLEAR OUR INNER POLLUTION



JILL RYAN

Our recent Grassroots Symposium was a wonderful gathering of people working to protect and restore our lakes, rivers and wetlands. While

most of us attended the event with the goal of increasing our skills and to meet new people and find new resources, which I believe we did, one of the most important aspects of the event for me was the time to look inside.

Although I was kept busy much of the time with logistics and discussions about projects and strategies, I also found a few moments to wander on the beach and contemplate the vastness of the lakes. This opportunity, even if momentary, provides us with the perspective to continue our work and find the creativity and inspiration we hold inside.

Sometimes due to the nature of our work, which often entails stopping something such as pollution, destructive development or harmful resource extraction, I think we can hold in a great deal of internal "pollution" in the form of concern, fear and anger. When we are able to stop and reflect we clean out that internal discord and replace it with the positive energy of the wonderful communities and resources we are working to protect. It is difficult to create a healthy external environment without creating the same internally.

So during this beautiful change of seasons I hope you will make the time to get out and do some personal introspection and cleaning.

*If humans clear inner pollution,
then they will also cease to create
outer pollution*

– Eckhart Tolle

Jill M. Ryan



Organization News

GLAHNF HAS A NEW NAME – FRESHWATER FUTURE!

"To exist is to change, to change is to mature, to mature is to go on creating oneself endlessly."

– Henri Bergson, French Philosopher

The Great Lakes Aquatic Habitat Network and Fund is maturing. We have a new name, Freshwater Future, to celebrate our successful first-year as an independent organization. Freshwater Future emboldens the heart of our mission and who we are – a powerful resource investing in the people and communities caring for our Great Lakes waters.

In the next few months, you will have a chance to witness our transformation to Freshwater Future. Our next newsletter will look different and in the future we will be modifying our website.

We would like to thank all of those who participated in our branding process, including the Board of Directors, several members, and CML Marketing Communications from Traverse City, Michigan.

Welcome Kate



Kate Duggan has joined the staff for a one-year position as an AmeriCorps Member. Kate will be working on implementation of our membership program, database management, and developing our new Advocate Mentor program. Kate is a native of San Antonio, Texas but has lived in the Petoskey, MI area for over 10 years. She is a recent graduate of Marquette University, Wisconsin, where she received her bachelors in political science and her juris doctorate, and is licensed to practice law in Wisconsin.

ADVOCACY CALENDAR LAUNCHED

Democracy works best with citizen participation and there is no better time to get involved in Great Lake issues. The new Advocacy Calendar provides up-to-date information on federal, state, and local issues that need action from citizens like you. Find out what is happening and how you can get involved on our new Advocacy Calendar. The link to the Advocacy Calendar can be found at our website, www.glahabitat.org, then click on the Calendar in the left menu. Your input and suggestions are welcome too! Please send them to cheryl@glhabitat.org. Thanks in advance for taking the time to get involved – it truly makes a difference.

SAVE A TREE



SUBSCRIPTION INFORMATION:

Please e-mail to info@glhabitat.org if you have any changes to your contact information. If you wish to receive GLAHNF publications electronically, please include your email address and be sure to note "electronic subscription" in the subject of your e-mail.

Grassroots Profile



EFFORTS TO SAVE COASTAL PARKLAND ARE PAYING OFF



Since 1917, the Jean Klock Park has provided a wonderful place for the public to access Lake Michigan to enjoy the lake, the scenery, and community. The loss of public lands to private uses will detract from this enjoyment.

In 1917, John Nellis Klock and his wife Carrie deeded a stellar 90-acre parcel of Lake Michigan frontage property to the City of Benton Harbor, Michigan and surrounding communities. There was one primary restriction: the property was to be used explicitly and forever as a public park and bathing beach. Still, with little opportunity for public input, the City of Benton Harbor recently signed a lease agreement with Harbor Shores for three holes of a privately owned Jack Nicklaus Signature golf course on this publicly owned Lake Michigan Park.

Friends of Jean Klock Park and supporters have been working diligently for over four years to protect the park and ensure the Klock family's wishes are honored.

In mid-October, the City of Benton Harbor learned that its proposal to perpetually lease Jean Klock Park to private interests was rejected by the National Park Service (NPS). Since restricted federal funds have been used at the park, NPS approval is required.

The City of Benton Harbor received \$1.74 million in federal and state grants for the park over the years, including a grant from the federal Land and Water Conservation Fund (administered by the National Park Service) with strict guidelines against taking public parkland away from the public. Jean Klock Park also was developed using grants from the Michigan Natural Resources Trust Fund,

the Clean Michigan Initiative and other public programs.

This National Park Service's rejection of the development proposal is a major victory. Hard work has finally paid off with a step in the right direction.

Congratulations, Friends of Jean Klock Park!

Although this is a major accomplishment, there is more work to do. Governor Granholm and the developer of Harbor Shores plan to appeal the decision. You can help!

**Keep Jean Klock
Park Public!**

Go to www.savejeanklockpark.org and sign the petition to request that Governor Jennifer Granholm withdraw the State of Michigan's support for the Harbor Plan to convert public land to a privately-owned golf course.

.....

**Contact Carol Drake, Friends of
Jean Klock Park, for more info:
(269) 925-4880 or
info@savejeanklockpark.org**

GLAHNEWS:

Great Lakes Aquatic Habitat News is published four times a year and distributed by the Great Lakes Aquatic Habitat Network and Fund, a 501 (c) (3) nonprofit organization.

Funding for the publication is provided by reader's subscriptions, contributions, and a grant from the C.S. Mott Foundation.

Staff:

Jill Ryan, *Executive Director*
jill@glhabitat.org

Ann Baughman, *Outreach Specialist*
ann@glhabitat.org

Kate Duggan, *AmeriCorp Member*
kate@glhabitat.org

P.O. Box 2479

Petoskey, MI 49770
(231) 348-8200

Cheryl Mendoza, *Regional Policy
and Network Advisor*
cheryl@glhabitat.org

700 Fulton St., Suite A
Grand Haven, MI 49417
(231) 571-5001

Board of Directors:

Paul Bubelis, *Sustainability Network*
Wendy Cooper, *Georgian Bay Land Trust*

Mary Jo Cullen,
Gravel Watch Ontario

Bonnie Danni, *Great Lakes United*

Molly Flanagan,
National Wildlife Federation

Betsy Lawrence,
Wisconsin Community Fund

Annette Marshall,
Lake Erie-Allegheny Earth Force
Cheryl Mell, *John G. Shedd Aquarium*

Disclaimer:

The Great Lakes Aquatic Habitat News is intended to provide a forum for the free exchange of ideas among citizens and organizations working to protect aquatic habitats in the Great Lakes Basin. The interpretations and conclusions presented in this newsletter represent the opinions of the individual authors. They in no way represent the views of the Great Lakes Aquatic Habitat Network & Fund, the C.S. Mott Foundation, subscribers, donors, or any organization mentioned in this publication.

Lake Superior Basin Update



ST. MARY'S RIVER IMPROVED BY MODEL STORMWATER WETLAND

By Carol Martin, Lake Superior Conservancy and Watershed Council



Sault Ste. Marie's waterfront will soon be home to a demonstration pond and wetland with secondary benefit to the St. Mary's River. Clergue Park is the location of a development that will include a paving-stone walkway along the shoreline, a separated bike path, and two viewing platforms, as well as an entrance plaza along Russ Ramsey Way. The

centerpiece of this development is a created wetland that serve as a demonstration, says city planner Steve Turco.

The demonstration wetland area is one technique for managing stormwater and will provide city engineering and planning staff with information on which to base stormwater management standards for new subdivision developments.

The City Council plans to commission a stormwater management study in 2008. City Director of Engineering Don Elliot is looking for funding for the study, expected to cost about \$200,000. Among other things, the study will investigate the feasibility of incorporating a combination of wet ponds and dry ponds to achieve standard of removing 70% of particulate matter before the stormwater hits the river.

In his report to Council Elliot said, "It is becoming evident that the city needs to formalize a plan for addressing storm water quality as well as quantity. One of our own interpretations of the early results of the St. Mary's River bacteriological sampling program this summer appears to indicate that the stormwater outfalls are a significant source of bacteria in the river, as elevated bacteria counts are experienced near the outfalls, especially after rain events."

The demonstration wetland part of the Clergue Park development was funded by a grant from Brookfield Power, and its installation is being overseen by project manager Doug Leask of Wm. R. Walker Engineering Inc. Leask says the wetland will include plantings of both submergent and emergent species such as cattails that naturally remove toxins and metals through their metabolism. Water in the wetland, which will be located behind the boat slip on St. Mary's River, will flow through these plantings directly into St. Mary's River. The physical design of the area will promote a self-sustaining, fully functioning wetland.

Jennifer Hallett, a fish habitat biologist with Fisheries and Oceans Canada, said the process will take some time and a lot of work but designers of the wetland hope to establish plants such as cattails, bulrushes and lily pads. The plants and wildlife are interdependent and promote each other's establishment, said Hallett, who is hopeful that the people managing the wetland will be able to nurture it to self-sustenance.



Clergue Park development, Sault Ste. Marie, Ontario. Photo courtesy of Carol Martin, Lake Superior Conservancy and Watershed Council.

Part of the demonstration wetland will be established over a large stormwater sewer outflow pipe that Hallett said is being re-engineered so that significant and sudden increases in water volume through the pipe will not threaten the wetland. She also says that the plantings above the pipe should help to clean some of the water that would have flowed directly into the river around the pipe.

"Some municipalities and mines are using wetlands as a final polishing pond to treat effluent," said Hallett. "The mix of all the plants and wildlife work together to clean the water of a variety of contaminants. Some contaminants are food for some plants while other plants sequester contaminants in their tissues or put it into the soil."

The demonstration wetland shaping up in Clergue Park and behind the boat slip on St. Marys River will be closely monitored as it develops and many valuable lessons about how best to establish a working wetland will be learned. Lake Superior Conservancy and Watershed Council, Clean North, Sault Field Naturalists and the local Conservation Authority are among the groups maintaining an interest in how the demonstration wetland is managed and how well it performs.

.....

Contact Carol Martin, Lake Superior Conservancy and Watershed Council for more info:
(705) 946-0044 or info.lscwc@ontera.net

Lake Michigan Basin Update



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TAKES ANOTHER STEP BACKWARD WITH U.S. STEEL

By Jamie Cross, Alliance for the Great Lakes



In July, the Indiana Department of Environmental Management (IDEM) and the U.S. Environmental Protection Agency (EPA) approved a permit for BP to discharge 50% more pollutants into Lake Michigan from their Whiting, IN Plant. Outraged by the approval environmental groups and elected officials called on BP to eliminate increased discharges from

their expansion proposal. Their quick action resulted in thousands of signatures on petitions and resolutions at the local, state and federal level being passed opposing BP's proposal. Due to public pressure, in August BP publicly stated that it would not discharge pollutants beyond previously permitted levels – a tremendous victory for the Great Lakes and an awesome demonstration of the difference that grassroots action makes. (For how to help, visit glhabitat.org/takeaction.html.)

Environmental groups in Indiana had little time to rest after BP's decision. Shortly afterward, the community was alerted to a permit extension application for U.S. Steel allowing them to continue to use outdated water quality standards for another five years at their Lake Michigan facility in Gary, Indiana.

In an effort to keep the pressure on IDEM to ensure that pollution discharge permits meet stringent requirements laid out by the Clean Water Act, 12 environmental groups have requested that EPA hold a public hearing to discuss U.S. Steel's proposal. Although the company has made strides in recent years to enhance its operational efficiency and environmental compliance, it is operating under outdated wastewater standards that are a detriment to water quality, human health and aquatic life.

In written comments submitted to IDEM, the Alliance for the Great Lakes urged that U.S. Steel's Gary Works facility rapidly move into compliance with stricter water quality standards. Requests include:

- Eliminating the "five-year pass" compliance schedule U.S. Steel proposes for several pollutants, including mercury, and instead requiring specific interim pollution discharge limits.

- Requiring substantial reductions in the discharge of free cyanide, oil, grease, and thermal pollution to the Grand Calumet River (which flows into Lake Michigan).
- Reducing stormwater runoff, which contains unknown quantities of pollution, into Lake Michigan.

Since these comments were submitted, EPA has officially objected to the U.S. Steel permit. This action legally prevents IDEM from issuing the permit and provides an opportunity for the public hearing.



Portion of the U.S. Steel facility in Gary, IN, with channelized segment of Grand Calumet River in the foreground and Lake Michigan in the background. Photo courtesy of Sandra Wilmore.

Groups in the region will continue to monitor U.S. Steel's permit application and keep a close watch on other pending permits to encourage IDEM and EPA to reduce the amount of pollutants entering Lake Michigan. As evidenced by the BP debate, the court of public opinion is an essential tool in reducing and preventing pollution from entering Lake Michigan.

.....
To get involved, visit www.glhabitat.org

Contact Jamie Cross, Alliance for the Great Lakes for more info:
(616) 850-0745 x12
or JCross@greatlakes.org

PUBLIC HEARING

EPA announced the public hearing – December 11, 2007, Indiana University Northwest's auditorium in Gary from 3 p.m.-5 p.m. and 6 p.m.-8:30 CST

Thanks to the following groups that called for a public hearing, including: • Environment Illinois, • Environmental Law and Policy Center, • Hoosier Chapter of Sierra Club, • Hoosier Environmental Council, • Indiana Wildlife Federation, • Indiana Division-Izaak Walton League of America, • League of Women Voters of Northwest Indiana, • Legal Environmental Aid Foundation of Indiana, • Natural Resources Defense Council, • People Opposed to Wastewater Without Enough Review, • Save the Dunes Council and • Alliance for the Great Lakes.

Lake Huron Basin Update - Canada Side



A STEWARDSHIP GUIDE FOR THE LAKE HURON COASTLINE

By Geoff Peach, Lake Huron Centre for Coastal Conservation
Kathy Grechuta, Stewardship Manual Coordinator



Geoff Peach

Great concern over the declining health of the Lake Huron coastline in recent years has prompted local community organizations to develop innovative tools for improving the coastal environment. Water quality impairments have been consistently linked to agricultural runoff, sewage plant discharges, faulty septic systems, and property management practices. While farm programs existed

to help farmers make environmental improvements, and sewage plant upgrades were underway in many localities, few resources existed for coastal residents to learn about and adopt best stewardship practices.

The Stewardship Guide for the Lake Huron Coastline was developed as a workbook and resource for lakeshore landowners to adopt best stewardship practices to improve water quality, habitat, and stewardship of the natural shoreline corridor. The overriding goal of the Lake Huron Stewardship program is to encourage sustainable use of the coast that maintains the quality of our water - both groundwater and surface water - and the natural landscape features that support our coast's ecosystems. While the Guide was developed to help individuals to adopt practices on their property, community

based organizations like local beach associations were encouraged to become involved in order to promote collective adoption and implementation of the Guide.

From its conception to implementation, a high level of community engagement was instrumental in the success of the Stewardship Guide. Over the past two years, the project has worked with a number of lakeshore and cottage associations and community groups. Twenty-seven workshops were held in various communities along the lakeshore, with over 390 participants each receiving their own guide. The focus has been as much on engaging lakeshore residents as it has on community capacity-building. Various participants initiated, promoted, organized and engaged others in their communities. This aspect of the program has been vital in fostering a long-term stewardship ethic within the greater community.

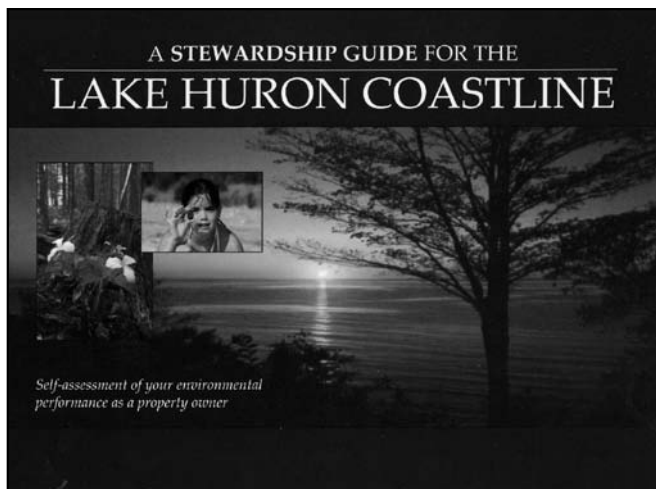
The Stewardship Guide process encourages participants to think about how they care for their property and the broader beach community from a new perspective. Participants are asked to think from a new point of view about the land, the buildings and structures on their property, and how actions affect the larger landscape. They then rate how they affect the environment and water quality around their property. Finally, participants consider ways of using and maintaining their property in order to decrease the risks to precious natural resources. Topics addressed include but are not limited to proper disposal of pesticides and chemicals, septic tank maintenance, and more environmentally conscious gardening and landscaping.

The Lake Huron Stewardship Guide Project has forged links between economy, environment, and community. The guide is a tool to help shape healthier attitudes towards the environment. A clean environment ensures that the tourism industry on which many of these coastal municipalities are reliant remains vibrant and healthy. For many of these communities, Lake Huron is their greatest asset and that asset loses its appeal if it can no longer retain its recreational value due to declining water quality. Bacteria and algae pollution have become issues that coastal residents are seeing with greater frequency. The motivation to act has helped people to see the value of the Guide as a useful resource to bring about positive change.

For a copy of the Lake Huron Stewardship Guide go to www.huronstewardship.on.ca/images/stories/stewardshipmanual.pdf.

.....
Contact Geoff Peach, Lake Huron Centre for Coastal Conservation
for more info: (519) 523-4478 or geoff.peach@lakehuron.on.ca

“Participants are
asked to think from
a new point of view
about the land”



Lake Huron Basin Update - U.S. Side



LAKE HURON FISHERY CHANGES AND HOW YOU CAN HELP: *Q & A with Tammy J. Newcomb, Ph.D., Lake Huron Basin Coordinator for the Michigan Department of Natural Resources*

By Chris Grubb, National Wildlife Federation



Tammy Newcomb

What is unique about Lake Huron compared with the other Great Lakes?

Lake Huron is less productive than Lake Michigan, and until recently, more productive than Lake Superior. Productivity is a measure of the lakes nutrient availability that can transfer up a food web and eventually be measured as fish biomass in the lake. Recent findings show that Lake Huron is now more similar to Lake Superior than Lake Michigan in its overall productivity for zooplankton -the tiny organisms used as food by small fish.

How has Lake Huron's food web historically been characterized?

Formerly, Lake Huron had a thriving "pelagic" food web, meaning an open water environment supporting species like bloater chub, lake herring and exotic or invasive species like alewife or smelt. These pelagic fish in turn provided forage for pelagic predators such as lake trout or Chinook salmon. In the mid 1980s, the fish forage base was dominated by smelt. Later in the 1990s, the forage base became dominated by alewife.

How has that been changing and why?

The pelagic environment has seemingly become less productive and through a series of events, both alewife and smelt populations became suppressed. There are few alewife found in Lake Huron presently. In spite of the absence of these species, other forage fish do not appear to be filling the vacant niche, leading some experts to believe that a "benthic shunt" is occurring as a result of invasive species such as zebra mussels and round gobies in the nearshore areas. This "benthic shunt" hypothesis suggests that nutrients that were formerly available offshore are now entrained (kept) in the nearshore environment.

What do you consider the biggest threats to the Lake Huron ecosystem?

Zebra mussels, quagga mussels, round gobies, bloody red shrimp, spiny water flea, asian carp and all the other invasive species that aren't here yet, but their introduction remains a risk. The Great Lakes research and management communities collectively spend millions of dollars a year investing in monitoring and collection of Great Lakes data over time to understand the ecosystem for better management and policy decision making. However, this investment is marginalized by new species continuing to enter the environment and shift dynamics in areas such as the food web. In essence, our knowledge becomes "reset" each time an invasive species becomes a significant component in the food web of the Great Lakes.

Is there anything positive occurring in Lake Huron?

Yes, there are some tremendous things that are occurring. In the absence of alewives, we are seeing record numbers of sport fish such as young walleye and perch. Lake trout are showing

evidence of natural reproduction throughout the lake. Lake Herring, a native forage species that also provides fishing opportunity, also appears to be expanding in its range and abundance throughout Lake Huron.

How long have you been working on Lake Huron and what keeps you coming to work everyday?

I've worked as the Lake Huron Basin Coordinator for five years and it's a tremendous privilege to coordinate fisheries management for the World's fourth largest lake. The Great Lakes Fishery management and aquatic scientific community is an exceptional group of professionals dedicated to protecting and rehabilitating our amazing freshwater resources. The synergy of working with these professionals combined with the stakeholders who are passionate about this resource is what keeps me coming to work every day.



The R/V Chinook research vessel has seen more than 50 years surveying Lake Huron. Photo courtesy of Dave Kenyon, Michigan Department of Natural Resources.

What can people do to protect Lake Huron?

I strongly encourage citizens to make known to their state/province and federal legislators what is important to them about the Great Lakes and what they value. Individual letters are meaningful to our elected representatives. Furthermore, support efforts for habitat rehabilitation and aquatic ecosystem management. In Michigan, fisheries managers are supported 100% by license dollars and yet our primary role is protecting the habitat upon which the aquatic community depends. Even if you don't fish, the purchase of a fishing license is one way to contribute financially to the effort. Finally, figure out which watershed you live in and how you can contribute to efforts to rehabilitate or protect water quality or habitat in your area. All inland efforts eventually benefit the Great Lakes!

.....

**Contact Tammy Newcomb,
Michigan Department of Natural Resources for more info:
(517) 373-3960 or newcombt@michigan.gov**

Lake Erie Basin Update - Canada Side



ONTARIO INCENTIVES FOR IMPROVING SHORELINE/RIPARIAN HABITATS

By Cherish Elwell, Niagara Restoration Council



It is an environmental issue threatening all of Ontario's watersheds draining into the Lake Erie basin. Specifically, it is a lack of "it" that is the issue. "It" is an area of vegetation that occurs where land meets water (commonly known as riparian buffers), and includes streamside or riverbank grasslands, forests or wetland areas.

- Riparian vegetation helps to slow the flow velocity of the stream, and control floods by soaking up excess water through root systems.

In June of 2002, the Nutrient Management Act was passed. Administered by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and the Ministry of the Environment (MOE), the purpose of the act is to "provide for the management of materials containing nutrients in ways that will enhance protection of the natural environment and provide a sustainable

As the Niagara region developed with agriculture, cottages, and urban areas – vegetation adjacent was removed for access to the water and views of the water without concern for environmental sustainability.

You would be hard pressed to find a remedial action plan or watershed strategy for watersheds draining into Lake Erie that does not mention the lack of riparian buffer zones contributing to poor water quality, erosion and sedimentation, nutrient loading, poor wildlife habitat, and increased human health risks.

The benefits of riparian buffers, thanks to numerous conservation and restoration initiatives and organizations, have been widely publicized and taught in the past two decades. These benefits include, but are not limited to the following.

- Submerged, aquatic and emergent plants along waterways have extensive root systems that help hold sediment in place, thus decreasing erosion.
- Woody stems from trees and shrubs help trap sediment before it can enter the watercourse.
- Streams with natural shoreline vegetation provides more in-stream habitat for fish and invertebrates.
- Riparian vegetation shades the waterway, moderating in-stream temperatures and providing fish, molluscs and invertebrates cover from airborne predators.
- Through biological processes, many species of plants help to fix excessive nutrients present in run-off, helping to decrease nutrient pollution.
- Riparian zones provide food for all trophic levels of the food chain.



Shoreline golf course buffer planted with native wildflower species by Niagara Restoration Council. Photo by Corey Burant.

future for agricultural operations and rural development." Under the Act, a three-meter vegetated buffer strip is required where agricultural nutrient spreading is occurring, and for those properties that fall under the Nutrient Management Act.

In response to this Act and the issue of the lack of riparian buffers, a number of funding initiatives were created to help stewards and private landowners create riparian buffer areas on public and private properties. While the following does not represent a complete list of currently available initiatives, they represent some

of the most common and accessible initiatives to private landowners along Ontario's Lake Erie shore. ***If you are a landowner whose property features, or is adjacent to a waterway, the following programs may be of interest.***

Ontario Environmental Farm Plans (OEFPP)

www.ontario.soilcrop.org, 1-800-265-9751

Community Fisheries and Wildlife Involvement Program (CFWIP)

www.mnr.gov.on.ca/fishing/cfwip.html, 1-800-667-1940

Conservation Ontario

www.conservation-ontario.on.ca/, (905) 895-0716

.....

For more information of the Natural Heritage Inventory, please contact: Brianna Wilson, Project Coordinator (905) 788-3135, Ext. 237, bwilson@conservation-niagara.on.ca.

Lake Erie Basin Update - U.S. Side



GREAT LAKES STATES PLEDGE TO PROTECT WATER QUANTITY, BUT OHIO CONTINUES TO LET THE LAKES BLEED

By Kristy Meyer, Ohio Environmental Council



No need to imagine – this is the reality of our Great Lakes water supply. The fact is, there are no legally-enforceable, basin-wide water management rules governing the use of Great Lakes water. This leaves the Lakes vulnerable to export outside the basin and to wasteful overuse within the basin.

A balanced, bipartisan solution exists – the Great Lakes Compact. Like a legal contract, the Compact proposes fair and consistent rules to protect against out-of-basin diversions and overuse and uncontrolled withdrawals within the region. But after five years of good-faith negotiations and thoughtful give and take, the Compact remains bogged down in the Ohio Senate. There, a handful of lawmakers are frustrating the wide support that exists for the Compact in Ohio – support evidenced by a landslide, 87-5 vote by the Ohio House last December to ratify the Compact.



"Life on Lake Erie" 2004 Award Winner by Michael Lake, courtesy of Ohio Environmental Council.



"Life on Lake Erie" 2004 Award Winner image by Pat Villanucci, courtesy of Ohio Environmental Council.

Instead, these naysayers are attempting to derail the Compact. They allege that the Compact suffers from inadequate input, violates private property rights, and gives away state sovereignty. Their solution? A mere fourteen "technical changes" to the Compact—anyone of which may topple the delicate balance reached amongst the competing states and various stakeholders.

Let's cut through the spin. The reality is that the Compact does protect established private property rights - Ohio actually will gain, not lose rights, and that current federal law is not adequate to protect the Lakes. Here's a closer look:

Private Property Rights

Under well established case law, landowners in Ohio enjoy the right to make reasonable use of the water flowing along their property (riparian rights)¹ and the groundwater below their property.² The Compact explicitly protects private water rights in the use of surface and groundwater while reinforcing the obligation of the state to protect and conserve the resources within its borders.

State Sovereignty

By ratifying the Compact, Ohio actually will gain – not lose – rights. In fact, the Compact guarantees Ohio the right to a secure, consistent set of Great Lakes water use rules that everyone must follow.

Federal Water Resources Development Act

Under the Water Resources Development Act WRDA, a Governor need not give a reason for vetoing a proposed water diversion. Under the Compact, each state has authority over water use within the basin, and is subject to the decision-making standard for diversions to straddling communities or straddling counties. As such, the Compact places objective standards over subjective politics.

Bottom line: the Compact will help us to sustain the Great Lakes – so they can continue to sustain us.

.....
Contact Kristy Meyer, Ohio Environmental Council for more info:
(614) 487-7506 or Kristy@TheOEC.org

¹See 3 Kent Comm. 439 (3d ed., 1836); see also VI-A Amer. L. of Prop. § 28.55, 1954; City of Canton v. Shock, 66 OS 19, 1902; 1994 Op. Atty Gen. Ohio 30.

²McNamara v. Rittman, 107 Ohio St.3d 243 (2006); Cline v. Am. Aggregates Corp., 15 Ohio St.3d 384 (1984).

Lake Ontario Basin Update - Canada Side



NEW PRIMER ON CANADIAN ENVIRONMENTAL LAWS AND TOOLS AVAILABLE

By Kent Elson, Avi Grand, and Krystyn Tully: Lake Ontario Waterkeeper

In October, Lake Ontario Waterkeeper released the finalized *Clean Water Primer #2: Federal Environmental Laws and Tools: A Canadian's Guide to key policies, rules, and procedures that protect the nation's waterways.*

The *Clean Water Primer #2* is meant to help citizens and environmental groups use existing laws to protect their waterways. The *Clean Water Primer #2* is geared towards people ranging from law students to policy makers to activists with no prior legal experience. Wherever possible, Waterkeeper tried to write in a simple style and avoid technical jargon. The *Clean Water Primer #2* is not legal advice - it is a handbook meant to help you identify some of the legal tools that are available to every Canadian concerned about water quality issues and to help you develop a strategy for action.

Legislation and environmental regulations are changing constantly. In some cases, the rules are improved for clarity and to reflect growing knowledge of environmental matters. In other cases, substantial changes are proposed that would dramatically change the way environmental laws protect Canadian waters.

The *Clean Water Primer #2* explains the procedural tools that give citizens access to the decision-making process, including environmental assessments, access to information, and petitions and submissions to government agencies. The *Clean Water Primer #2* also explains the rules that dictate what is and what is not allowed in Canada, including prohibitions on industrial pollution, shipping pollution, and interference with migratory birds.



Federal laws provide tools that help individuals like the commercial fishermen of Wolfe Island. Photos courtesy of Lake Ontario Waterkeeper.

In all, eleven different legal tools are covered:

- Access to Information,
- Canada Shipping Act,
- Canadian Environmental Assessment Act,
- Canadian Environmental Protection Act,
- Citizen Submissions under NAFTA,
- Environmental Petition to the Auditor General,
- Fisheries Act,
- Judicial Review,
- Migratory Birds Convention Act,
- Private Prosecution, and
- Species At Risk Act.

Waterkeeper Mark Mattson and his co-host Krystyn Tully discussed the Primer on the October 10 episode of their weekly radio show and podcast, *Living at the Barricades*. The radio show provides an easy-to-follow overview of the different tools, the strengths and weaknesses of some of the individual laws, and more detail about some of the threats to environmental justice in Canada. You can download the podcast, *Living at the Barricades*, from www.waterkeeper.ca

The *Clean Water Primer #2* and the accompanying podcast help Canadians learn about their environmental rights and understand how to use the tools and processes available to them. They also serve as a backgrounder for policymakers and administrators seeking to understand the importance of legal tools to the general public - and what's at stake if these tools are weakened or lost.

.....
You can get a copy of the *Clean Water Primer #2* at no charge: visit www.waterkeeper.ca/primer.

Contact Krystyn Tully, Lake Ontario Waterkeeper for more info: (416) 861-1237 or krystyn@waterkeeper.ca



Federal laws prohibit the deposit of pollutants into public waters.

Lake Ontario Basin Update - U.S. Side



EXPANSION OF HAZARDOUS WASTE FACILITY THREATENS LAKE ONTARIO

By Charles Lamb, Residents for Responsible Government



This discharge to the Niagara River was ongoing for weeks during October 2007, across from Joseph Davis State Park entrance, Lewiston, NY. Photo courtesy of Residents for Responsible Government.

Chemical Waste Management (CWM), a subsidiary of the giant Waste Management Inc., has filed an application with the New York Department of Environmental Conservation for a new hazardous waste landfill, which is essentially an “expansion” of their existing facility in Model City, New York near Niagara Falls—only three miles from Lake Ontario. Ironically, this is 10 miles north of Love Canal, where the discovery of toxic waste buried beneath the neighborhood led to an evacuation of 700 families in the late 1970s.

Residents for Responsible Government (RRG) is organizing an opposition to the “expansion” starting with efforts to alert the public to the problem and to bring pressure on our lawmakers and governmental agencies to help us protect the Great Lakes and make our communities healthier. Specifically, Residents for Responsible Government concerns with the CWM expansion include:

- Health threats to the community;
- Impacts to Lake Ontario; and
- Lack of oversight and enforcement of regulations at the facility.

The rate of many types of cancers near the CWM facility is greater than statewide averages. We are a residential and farming community with health statistics more resembling a chemical or nuclear area. Dr. David Carpenter of the Institute of Health and the Environment of the State University of New York at Albany says, “Our research studies have clearly demonstrated that living near to a hazardous waste site poses a danger of exposure to chemicals and the development of adverse health effects.”

The site also contains unexamined atomic bomb production wastes from the Manhattan Project. RRG believes that further expansion of the CWM site poses an unfair risk to those who live near this site.

CWM has a pollution permit from the NY Department of Environmental Conservation to discharge pollution to the Niagara River. Recent discharges resulted in large areas of foam as shown in the photograph. The Department of Environmental Conservation responded to the “foam” stating that “this is clearly violating permit conditions and we are considering whether or not to take action.” The impacts to the Niagara River from the discharge are not known. RRG is hopeful that the NY Department of Environmental Conservation will make the right choice to enforce permit requirements.

Although the NY Department of Environmental Conservation hasn’t acted strongly on the “foam” incident yet, RRG has definitely seen an improvement of better enforcement and more strict requirements for radiation testing and monitoring. Trucks entering the landfill must pass by a school, but are prohibited from passing during hours when the students are in school. With the school board’s request to local law enforcement the “black out” time for waste trucks is being enforced, helping to protect the students in the area. These small victories show that public involvement makes a difference.

RRG is hopeful that we will be able to prevent the expansion. If enough people rally to the cause, we know we can win, stop the pollution of the Great Lakes and protect our environment. We believe that the CWM expansion is not just a local issue but of international concern to all of the Great Lakes.

You Can Help!

Publicity: Alert your community to the threats and send letters to let the NY Department of Environmental Conservation know that this is an international concern.

Alliances: With the help of the Great Lakes Aquatic Habitat Network and Fund and the Sierra Club, we are getting the word out. We would welcome your help too.

Funds: Contributions will help us with communications and attorneys fees.

.....
*To lend a hand or for more information contact:
Charles Lamb, Residents for Responsible Government*

P.O. Box 262 • Youngstown, NY 14174

clambg@roadrunner.com;

716-745-7037 • www.rrg-wny.org



Regional Action Center

WATER RESOURCE COMPACT AND AGREEMENT PROGRESS MADE

In an effort to prevent sending Great Lakes water to far off places and make sure we are using water responsibly, the Great Lakes and St. Lawrence River Basin Water Resources Compact and companion Agreement were developed between the eight Great Lakes Governors and Premiers of Ontario and Quebec.

The Compact and Agreement provide guidelines for sound water management and stopping far off diversions. For the Compact to become legally binding, each of the eight Great Lakes state legislatures must pass the Compact and gain approval from Congress. On the Canadian side, the provinces have agreed to implement similar laws to ensure the entire Great Lakes basin is protected.

What is happening and what can you do?

On June 1st, 2007 the **Ontario** Legislature passed the Safeguarding and Sustaining Ontario's Water Act, which implements the historic Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement. It also enables the province to start charging commercial and industrial users for the water they take and use. For more information, contact John Jackson from Great Lakes United at (519) 744-7503 or jjackson@glu.org.

The **Quebec** National Assembly approved the Agreement on November 30, 2006. The Ministry of Environment has forwarded the Agreement on to drafters to develop the appropriate articles of law, which should take about four to five months. For more information, contact Marc Hudon from Nature Quebec at hudo@videotron.ca.

In **Michigan**, a package of bills (HB5065-HB5073) has been introduced into the house that will bring Michigan into compliance with the eight-state Great Lakes Compact. The bills are largely supported by the environmental community. For more information, check out the "Great Lakes, Great Michigan" website at: www.greatlakesgreatmichigan.org/index.htm or contact: James Clift from Michigan Environmental Council at jamesmec@voyaget.net or (517) 487-9539.

The **New York** Assembly has shown overwhelming support for the Compact, but due to an administrative error they must pass it one final time before it can go to Gov. Spitzer's desk. For more information, contact Katherine Nadeau from Environmental Advocates of New York at knadeau@eany.org or (518) 462-5526.

In **Pennsylvania**, State Rep. Pat Harkins and several sponsors have introduced Great Lakes Compact (House Bill 1705) which has been referred to the House Intergovernmental Affairs Committee. For more information, contact Mark Gorman from Pennsylvania Environmental Council at 814-332-2946 or mgorman@pecpa.org



Wisconsin Governor Doyle, Chair of the Council of Great Lakes Governors, and GLAHNF policy specialist Cheryl Mendoza

Wide support for the compact in **Ohio** is being stalled by a handful of lawmakers. See the preceding article on page 9 by Kristy Meyers, Ohio Environmental Council for more details (Contact Kristy at Kristy@TheOEC.org or (614) 487-7506).

The Compact was brought to three **Indiana** legislative study committees over the summer. The Department of Natural Resources is hoping for endorsement from all three committees in anticipation of a 2008 introduction, putting a significant number of legislators in support of the Compact. You can help educate your legislator during "Conservation Day at the Statehouse" on Thursday, January 10, 2008 with members of the Indiana Conservation Alliance. To register, contact Angela Hughes at (317) 951-8818. For more information on what is happening with the Compact in Indiana, contact John Goss from Indiana Wildlife Federation at (317) 875-9453 or goss@indianawildlife.org.

In September, the **Wisconsin** Legislative Study Committee on the Great Lakes Compact was disbanded by its Chair, State Senator Neal Kedzie (R-Elkhorn). Because of a handful of naysayers, it was unable to reach agreement. To Governor Doyle's credit, he is moving forward and setting up a working group to develop legislation. For more information, contact Melissa Malott from Clean Wisconsin at mmalott@cleanwisconsin.org or (608) 251-7020.

Minnesota was the first state to ratify the Compact on February 20, 2007. Way to go Minnesota! The **Illinois** Governor signed the Compact on August 17th, making Illinois the second state to adopt the Compact. Way to go Illinois!

Thank You



Thanks to our 2007 contributors!



GLAHNF Symposium Group

Symposium Sponsors:

National Wildlife Federation
John G. Shedd Aquarium
Ohio Environmental Council
Waldvolgel Insurance, Inc.
First Community Bank, Inc.
Super Girl Designs

Symposium Raffle Donors:

David Wells
Naturally Superior Adventures
Rock Island Lodge
Island House Hotel
Star Line Mackinac Island Ferry
Mackinac Island Carriage Tours

Symposium Silent Auction Contributions:

Ann Baughman
Paul Bubelis
Cabela's
Wendy Cooper
Mary Jo Cullen
Bonnie Danni
Betsy Lawrence
Cheryl Mell
Melanie Napoleon
John G. Shedd Aquarium
Jill Ryan

Petoskey-Harbor Springs Area
Community Foundation for a grant
to enhance our membership program.

Thank you to the following Retired Senior
Volunteer Program (RSVP) volunteers for
helping with our last newsletter mailing.

- Doris Fedus
- Alice Hill
- Effie & Lester Stevens

Contributors:

Kendra Axness
Ann Baughman
John Beckman
Sharon Behar
Rob and Russ Bonfiglio
Paul and Catherine Bruce
John Beckman Edith Chase
Kristina Clark
Ruth Clausen
Steven and Perpetua Crawford
Mary Jo Cullen
Bonnie Danni
Vicki Deisner
Bob and Helen Esford
Molly Flanagan
Tony & Victoria Fleming
Margaret Frisbie
Steven Garske
Jan Green
Chris Grubb
Don Gunning
Emily Hartz
Bonnie Hay
William and Betty Henne
John Hutto
Marilyn John
Mr. & Mrs. Kallio Jr.
Sydney Lea
Ray Letheren
Maria Maybee
Edith Maynard
Cheryl Mell
Kristy Meyer
Dennis and Marsha Mollard
Tim Montague
William Neal
Marion Olson
Carla and Kris Pillai
Carolyn Pillai
Jerry Pinney
Thomas V. Potts
Clyde and Karen Ritchie
Jamie Romeo
Carol Schneider
Bill Schnitker
Joan Schumaker
Marilynn Smith
Valerie Spale
Donald Sporleder
Ed and Diane Strzelinski
Joan Sturtevant
Jill Whelan
Sandra Wilmore

Organizations:

American Rivers
Atlantic States Legal Foundation
Beaver Island Property Owners' Association
Blue Mountain Watershed Trust Foundation
Calumet Ecological Park Association
Cedar Creek Wildlife Project
Citizens Concerned for Michipicoten Bay
Clean Wisconsin
Chicago Botanic Garden, Library
Environment Illinois
Environmental Research Foundation
Firelands Audubon Society
Gathering Waters Conservancy
Indian Mission Conservation Club
Kent Environmental Council
Lake St. Clair Advisory Committee
Maumee Bay Association
Michigan Environmental Council
Ohio Environmental Council
Presque Isle Audobon Society
Residents for Responsible Government
Save Lake Superior Association
Save the Prairie Society
Waukegan Harbor Citizen's Advisory Group
Watershed Watchers
Whole Foods Community Co-op, Inc.
Wisconsin Land and Water
Conservation Association



*Khris Dodson (Environmental Advocates of New York)
and Jaclyn Goodwillie (Friends of the Coves
Subwatershed, Ontario) enjoy casual conversation
and the great outdoors before heading
home Saturday afternoon.*



Give the Gift of Helping Great Lakes

Is there someone on your gift list that is difficult to buy for? Most of us have at least one on our list – that person who has it all. We have the perfect gift idea – a one-year gift membership to the Great Lakes Aquatic Habitat Network and Fund (soon to be Freshwater Future). We will send your recipient a beautiful card (on recycled paper, of course) with Diane Marie Mahn’s artwork (see page 15) on the cover and a special note inside informing them of your thoughtful and generous gift. It will include a description of the membership benefits they receive.

A membership gift to GLAHNF is truly a gift to many. It provides your friend or family member a chance to learn more about the exciting work of grassroots citizen efforts throughout the Great Lakes basin. It provides extremely valuable support to GLAHNF so we can support those citizen efforts – helping to insure a healthy Great Lakes community. And hopefully, it will provide you with a warm feeling inside that your gift was appreciated by many.

To order a gift membership, please feel free to call our office at 231-348-8200, or email us at info@glhabitat.org. You can also send a check to P.O. Box 2479, Petoskey, MI 49770. Please specify gift recipient and mailing address.

HELP US GROW!

The Great Lakes Aquatic Habitat Network and Fund depends on individual financial support to build effective community-based citizen action for protecting and restoring the water quality of the Great Lakes basin. Your contribution today will help us help you. Together we can achieve the ultimate goal of a healthy, sustainable Great Lakes community! Please call or visit our website for details on membership benefits.

Membership Levels:

- Student \$25
- Member \$50
- Supporter \$100
- Organization \$100
(budget under \$200,000)
- Sponsor \$250
- Friend of the Lakes \$500
- Founder’s Circle \$1,000
- Organization \$250
(budget over \$200,000)
- Sustainer’s Circle Pledge \$84 or greater a month

Name: _____ Organization: _____

Address: _____

City: _____ State: _____ Zip: _____

Country: _____ Lake Basin: _____

Phone: (_____) _____ Email: _____ Amount: \$ _____

Yes, I want to receive update emails from the Great Lakes Aquatic Habitat Network and Fund.

Please don't print my name in the newsletter or annual report.

Check enclosed (Please make checks payable to GLAHNF or Great Lakes Aquatic Habitat Network and Fund)

Charge to VISA MC (circle one)

Card Number: _____ Security Code: _____ Exp. Date: _____

Signature: _____ Phone: (_____) _____

The Great Lakes Aquatic Habitat Network and Fund is a 501 (c) (3) nonprofit and all donations are tax deductible in the United States. Sorry, Canadian tax receipts are not available.

Mail to: Great Lakes Aquatic Habitat Network and Fund P.O. Box 2479, Petoskey, MI 49770 or donate online at <http://www.glhabitat.org/donation.html>

Action Alert Update



KENNECOTT METALLIC SULFIDE MINE UPDATE *Now that the DEQ comment period is closed, what's next?*

THANK YOU for speaking out and sending in comments during the public comment period, which ended on October 17th. A decision from the DEQ is not expected until early 2008. What can we do until then you might ask? Now we need to contact our elected officials. Why? Because they need to hear that this problem belongs to all of Michigan. Ultimately, this is a political issue and the politicians can make a difference. Let them know there has never been a metallic sulfide mine that has not polluted its watershed across the United States. And don't forget to send letters to the editor of your newspaper! Check out Save The Wild UP's website where you can learn more about Kennecott's proposal to mine in the headwaters of the Salmon Trout River, a pristine tributary of Lake Superior and home to the endangered coaster brook trout: www.savethewildup.org. Then contact your legislators and Governor Granholm.

You can also support the effort by donating and downloading a new song written by Daisy May Erlewine on Save the Wild UP's website. It is a touching tribute and a reminder of why we all work so hard to protect the spectacular waters that make this region so special. One stanza is below.

*A Letter from Downstream
by Daisy May Erlewine*



*Me and my babies, we're gonna
live downstream
From that sulfide mine in the UP
And all that poison will run
through our veins
Like it will run through the river
on the Yellow Dog Plains*

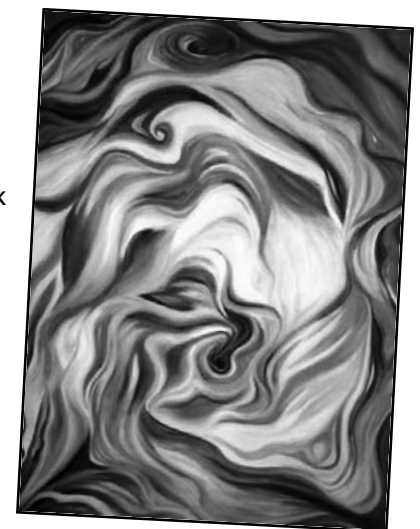


Recycled Note Cards Available



Even in this computer era – everyone needs some beautiful note cards to send a thank you or a happy birthday greeting. We have the perfect notecards for you with artwork that is colorful and cheerful (Diane Marie's Down the Drain). The cards are produced by Green Earth Greetings on recycled paper. You can also customize the cards with a personal message or a photo – perfect for a personalized holiday greeting card. The cards are sold in boxes of ten and are \$29.99 plus shipping. An

extra bonus is that a portion of the sales benefits the Great Lakes Aquatic Habitat Network and Fund (soon to be Freshwater Future). You can order the cards by visiting our website www.glahabitat.org or go to Green Earth Greetings website, www.greenearthgreetings.com.





Calendar



The Stewardship Network's The Science, Practice & Art of Restoring Native Ecosystems

East Lansing, MI – January 25-26, 2008

The two-day event offers presentations from leading scientists on the applications of research on ecological restoration and natural areas stewardship.

For more information go to www.stewardshipnetwork.org.

GLAHNF Grant Applications Due March 31, 2008!

GLAHNF's Project and Technical Assistance grants offer assistance for grassroots river, lake, and wetland protection efforts throughout the Great Lakes. Grants range from \$500 to \$3,500 USD for specific project expenses and/or technical expertise to build your group and improve the success of your efforts. Visit our website www.glahnf.org/grant1.html to learn about eligibility requirements, the types of activities we fund, and past projects, and how to apply!

River Network's River Rally comes to the Great Lakes!

Sawmill Creek Resort, Huron, Ohio – May 31, 2008

The River Rally is an exceptional training opportunity for Great Lakes conservation organizations and watershed partnerships. Participants inspire each other, teach each other, and celebrate efforts for healthier, sustainable communities and cleaner waters.




Look for our Photo Contest coming soon!



Great Lakes Aquatic Habitat News
PO Box 2479
Petoskey, MI 49770

Address Service Requested

 Printed on Recycled Paper

Non Profit
U.S. Postage
PAID
GLAHNF
Petoskey, MI 49770
Permit #15