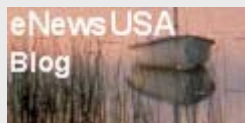


# Michigan Waste Report

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### Groups Continue Push To Slow Down Great Lakes Agreement

Feb 16: Environmental organizations are warning that the public is at risk of being shut out of renegotiation of the Great Lakes Water Quality Agreement, the landmark policy that since 1972, has driven critical public health and water quality improvements in the region. In a letter sent to the governments three weeks ago, over 30 groups expressed concern that "this oversight would seriously undermine confidence in the final Agreement, depriving the governments of public input now and public support later." They said to date, government negotiators have failed to acknowledge the letter and its recommendations.

John Jackson, Director of Clean Production and Toxics with Great Lakes United said, "Canada and the United States have created a process that stifles public involvement and shuts out constructive input. Ultimately, this will fail their citizens, fail the communities dependent on the lakes for their livelihood, and fail the Great Lakes themselves." The groups said in a release that the letter of concern was sent after the governments outlined steps for the renegotiation that would rush the process through by the end of the year. The first step of that process, a "governance" comment period, closed yesterday -- giving the public just a month's notice to offer input on a complex set of issues and no hint of what either nation is proposing.

In comments on governance issues submitted on February 15, to the governments the groups argued that "if we fail to reform governance issues -- the rules and systems by which the U.S. and Canada and their agencies work together on Great Lakes challenges -- then our ability to make genuine progress on specific issues such as toxics, invasive species, and climate change will fall far short of what the lakes need." The groups said they are concerned that if this comment period is any example, the whole process of renegotiating the Agreement could fail. The Agreement has been renegotiated twice in the past and they point out that in each instance, public and scientific input has been critical in better defining the agreement's scope, and in setting strong obligations that have "dramatically improved the health of the Great Lakes." They cite, for example, in 1987 more than 30 citizen hearings were held across the region.

The letter to the governments included six recommendations to improve the process: (1) Release a draft government position or options paper on governance issues. (2) The release of the draft government position or options paper should set off a 60-day public comment period. (3) Once the governments have negotiated draft language on governance, release it again for a public comment period. (4) For the "issues" consultations, follow a process similar to recommendations 1-3, with the release of a draft position or options paper followed by a 60-day public comment period followed by another opportunity for comment after the governments have completed their first round of negotiations on the topic. (5) Compile a web-posted summary of comments received from public input at each stage of the consultations. (6) Release a final draft of the complete revised Great Lakes Water Quality Agreement for comment prior to completing negotiations and hold public hearings in both countries on this draft.

[Access a release from the groups with links to more information on the recommendations and the letter \(\*click here\*\).](#)

### MDOT Reveals Transportation "Financial Crisis"

Feb 12: the Michigan Department of Transportation (MDOT) announced that the State's recently approved 2010-2014 Five-Year Transportation Program has been posted online. MDOT also has also posted a new document entitled, "Financial Crisis Key Messages" on its website. The document identifies funding strategies for a department that is faced with the reality that there will be insufficient State revenues available to match all of the estimated available Federal funds beginning in 2011. The 2010-2014 Five-Year Program was approved by the State Transportation commission at its January 28 meeting. The department was required to submit the Five Year Program to the Michigan Legislature by March 1.

State Transportation Director Kirk Steudle said, "If Michigan cannot match federal funds, over a half a billion dollars each year in Federal fuel taxes already paid by Michigan residents and businesses will be lost to us. Our money will go to other states that are able to provide the needed match. This will have a devastating effect on

job creation and Michigan's economy. All modes of transportation are being affected by declining state revenues and decreased buying power, including highway, aviation, bus, rail and marine programs."

Steudle stated further that the transportation system will continue to deteriorate even if the department is able to match Federal funding, as it will in 2010. Steudle said, "Unless state revenue for transportation increases, Michigan will experience substantial decline in road and bridge conditions, and our rail freight, passenger transportation and aviation programs also will suffer. The message of The Transportation Funding Task Force was clear in November 2008. Michigan needs to double its current investment in transportation to provide an adequate level of service, let alone an improved one."

According to a release from MDOT, the Financial Crisis Key Messages document contains charts and graphs illustrating the reduced program of each mode of transportation compared to the previous (2009-2013) Five-Year Transportation Program. The highway program total is reduced most dramatically by more than 35 percent, compared to the previous Five-Year Program total. Projects in the plan for 2010 are fully funded and will not face delays. However, MDOT says that if the current return on federal gas tax revenues falls in 2011 as expected, 256 highway projects will be delayed. The 256 projects break down as: 129 bridge preservation projects, 118 road preservation projects and 10 capacity/new roads projects. Steudle said, "We will have to implement a reduced road and bridge program investment strategy in 2011 and cut approximately \$600 million annually, if federal funding continues to go unmatched."

Access a release from MDOT ([click here](#)). Access links to the Five-Year plan and the Crisis document on the MDOT website ([click here](#)).

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### **MPSC Notice Of Renewable Energy Surcharge Tax Credit**

Feb 11: The Michigan Public Service Commission (MPSC) announced that certain residential electric customers are eligible for a renewable energy surcharge tax credit. The tax credit, required by Public Act 295, is available to certain electric customers who have been charged a renewable energy surcharge on their monthly electric bills. The credit is based on an itemized surcharge (maximum \$3 per month) that appears on residential bills as a renewable energy surcharge. The renewable energy surcharge tax credit is unrelated to the power supply cost recovery factor, which appears as a separate line item on electric bills.

The MPSC notes that only three Michigan electric utilities charged a renewable energy surcharge in 2009: Detroit Edison (\$3 per month); Consumers Energy electric (\$2.50 per month); and Alpena Power Company (\$3 per month). The fee was not billed prior to September 2009 and is only available for those months in which it was actually billed (maximum four months). The credit is located on the 2009 Michigan Schedule 2 Nonrefundable Credits form, under "Energy Cost Recovery Surcharge Credit." Those who qualify for the credit must have a gross income equal to or less than \$65,000 for single/married filing separate and \$130,000 for joint filers. The credit cannot be claimed if the utility did not bill for the surcharge or for months that the surcharge was not billed.

Access a release from MPSC ([click here](#)).

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### **MI Chief Energy Officer Discusses Wind Energy Development**

Feb 16: In a lengthy and informative response to a discussion on a Michigan environmental listserv, Stanley "Skip" Pruss Director and Chief Energy Officer of the Michigan Department of Energy, Labor and Economic Growth (MDELEG) addresses several issues relating to wind energy development in the State. An earlier posting referred to an ABC News article of February 9, 2010, entitled, "New Wind Farms in the U.S. Do Not Bring Jobs Millions Have Been Invested in Wind Farms, but That Hasn't Brought Jobs." Following that posting several additional postings discussed the pros and cons of the article and issues surrounding wind energy development. Below are excerpts from the posting by Pruss. The complete posting is available from the link below.

In his post, Pruss said he felt compelled to respond to the arguments relating to job creation stemming from the article. He said, "We are just getting started in the transition to clean, emission free energy technologies. . . . As the world becomes more concerned with reducing the greenhouse gasses, and as Americans become more

concerned about making our country less dependent on foreign energy sources, the growth prospects in clean energy are astounding.

"Consider: The 194 sovereign countries of the world are nearing (a quite remarkable) consensus on the need to reduce greenhouse gases to avoid the worst effects of global warming. The target reductions for industrialized countries are 80% by 2050. At the same time energy experts project that despite benefits accruing from large scale adoption of energy efficiency measures, the world's energy demand will double by 2050, largely attributable to the energy demands of the developing world. To even come close to meeting such dramatic reductions during a time of escalating energy demand requires a radical rethinking of how we generate and use energy. . .

"Wind energy, in particular, holds significant job creation potential for Michigan. According to U.S. Department of Energy (DOE), Michigan is 1 of 4 states that will create more than 30,000 manufacturing jobs in the wind sector alone. . . Within the wind industry, Michigan's greatest potential for creating jobs lies not just in the deployment of wind energy systems, but in the advanced manufacturing of wind turbine components.

"Unlike automobiles, which have been fabricated using sophisticated advanced manufacturing techniques for years, wind turbine manufacturers currently rely on legacy manufacturing systems from the 1960's. At this very moment, wind turbine manufacturers across the globe are racing to be the first to modernize the production of wind turbine components. With our state's engineering expertise and modernized machining, robotics and advanced materials production, Michigan is positioned to meet the booming global demand for wind turbines and wind turbine components.

"Soon, a new Michigan company, Astraeus, will begin using newly designed advanced tooling machinery to produce wind turbine hubs faster and with more precision than anywhere in the world. Thereafter, new tooling machinery will be designed and fabricated in Michigan to improve quality and reduce costs for a variety of next generation turbine components.

"Additionally, through yet to be announced exciting new collaborations, Michigan will create the next generation of light weight, carbon fiber materials that will improve quality and performance, enabling wind turbines to become more powerful and efficient, cutting the unit cost of producing energy and catapulting Michigan to the forefront of innovation and design in wind energy systems. Thanks to game-changing innovations by Michigan companies, our state will soon be the birthplace of the lightest, strongest, most efficient, most durable and cost-effective wind turbine components in the world. . .

"The Michigan Economic Development Corporation (MEDC) estimates that Michigan will see \$8.6 billion in new investment in the wind, solar and advanced energy storage technology sectors in 2010. This new investment, obviously, portends huge further opportunities for Michigan. As I stated, we are just getting started. . ."

Access the complete posting from Pruss ([click here](#)). Access the ABC news article, "New Wind Farms in the U.S. Do Not Bring Jobs Millions Have Been Invested in Wind Farms, but That Hasn't Brought Jobs" By Jonathan Karl, Feb. 9, 2010 ([click here](#)). Access the EnviroMich list serve archives for recent postings relating to this article ([click here](#), Note: Search with web browser for "Wind" and review approximately 20 postings from February 15 to February 17.)

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### Michigan Wind Energy Conference

Feb 17: The Great Lakes Renewable Energy Association has announced that it is accepting sponsors and exhibitors for the 2010 Michigan Wind Energy Conference, to be held April 20 & 21, 2010, at COBO Hall in Detroit. The two-day event will unite people from throughout Michigan and the Great Lakes region to learn about wind energy. Attendees will have the opportunity to attend breakout sessions, meet small and large wind manufacturers, installers, consultants and other industry professionals. In 2009, the Michigan Wind Energy Conference drew an attendance of over 1500 people and over 25 exhibitors.

Access complete information on the conference ([click here](#)).

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The logo for Honigman, Miller, Schwartz, and Cohn LLP, featuring the name "HONIGMAN" in a serif font, centered between two horizontal lines.The logo for the Environmental Law Department, featuring the text "Environmental Law Department" in a bold sans-serif font, with "Honigman Miller Schwartz and Cohn LLP" and "Attorneys and Counselors" in a smaller sans-serif font below it.

### Second Annual Green Chemistry Conference

Feb 17: MDNRE issued an announcement for the second annual Michigan Green Chemistry Conference: A Catalyst for the Economy, being held on October 20, 2010, at the Kellogg Conference Center on the campus of Michigan State University in East Lansing. The goal of this event, initiated by Governor Granholm, is to promote green chemistry and protect Michigan's environment and public health while catalyzing our economy. The Michigan Green Chemistry Roundtable recently released a Call for Presentations and invites business leaders, engineers, chemists, researchers, teachers, policymakers, and anyone else interested in moving green chemistry forward in Michigan to participate in this conference. The deadline for submitting the Call for Presentations speaker form is April 16, 2010.

Access a release from MDNRE ([click here](#)). Access complete conference information ([click here](#)).

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### Agencies Begin Intensive Sampling For Asian Carp

Feb 17: Fisheries biologists from the Illinois Department of Natural Resources (IDNR) and the U.S. Fish and Wildlife Service (USFWS) have begun intensive sampling operations in multiple locations within the Chicago Area Waterway System (CAWS). The sampling efforts include using commercial fishing nets and electro fishing gear in an attempt to locate either silver or bighead Asian carp above the U.S. Army Corps of Engineers Electric Fish Barrier System. The sampling operation will also include the use of commercial fishermen and is scheduled to take place in the CAWS over the next few weeks.

Sampling crews will concentrate their efforts near warm water discharges created by various industrial operations along the waterway system. These areas of warm water serve as a place of congregation for fish during the winter when water temperatures drop significantly. The agencies said, "The sampling effort on the CAWS is an important step in the Asian Carp Control Strategy Framework, which includes both short and long term actions to stop the migration of Asian carp into the Great Lakes."

Access a release from IDNR ([click here](#)). Access the WIMS Great Lakes Environment Blog for recent postings regarding the Asian Carp issue ([click here](#)). Access the 46-page draft Asian Carp Control Strategy Framework ([click here](#)). Access the Asian Carp Coordinating Committee website for extensive details and background ([click here](#)).

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### Judge Orders Fines & Restoration In Gladwin Co. Wetland Violation

Feb 18: MDNRE announced that Ingham County Circuit Court Judge Joyce Draganchuk recently signed an order affirming her findings that developer John Mercer and contractor Derald Marsh dredged and filled State regulated wetlands for private road construction on property located in Billings Township, Gladwin County. The Department of Attorney General filed the lawsuit at MDNRE's request after the Department's attempts to resolve the matter were unsuccessful. Staff of the MDNRE conducted a 2004 inspection of the Billings Township property owned by Mercer which showed that significant areas of State regulated wetlands were impacted by filling and dredging activities, without having the necessary state wetland permits.

Additional investigations of the property by MDNRE staff and evidence displayed during the court hearings clearly demonstrated that forested wetland conditions existed on the property prior to the dredge and fill activities and that the private road was constructed within State regulated wetland areas. In addition, evidence presented during the court hearings indicated that Mercer was advised by local authorities to seek MDNRE review of the property for the presence of wetlands, which he failed to do.

The Judge's ruling orders Mercer to apply for an after-the-fact permit for portions of the roadway; reconstruction of the roadway to Billings Township road standards; to preserve existing wetlands and create areas of new wetlands in accordance with MDNRE permitting requirements; and to pay a civil fine in the amount of \$157,500. Marsh was ordered to pay a civil fine of \$31,500.

Access a release from MDNRE ([click here](#)).

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### MI Farmers Discuss Climate Change & Clean Energy

Feb 17: According to a release posted by Michigan 1Sky and Clean Water Action, a group of Michigan farmers declared their support for Federal legislation that would boost clean energy production in the United States -- "citing its necessity to ensure the future of America's farming industry." Four Michigan farmers, from western to southeast Michigan, joined a press call to discuss their "support for legislative action on climate change and to oppose attempts by some members of Congress to weaken the authority of the federal Environmental Protection Agency to regulate dangerous greenhouse gas emissions."

Maynard Beery, owner of Beery Farms in Mason, said extreme weather caused by climate change is already impacting crop yields, and that undercutting the EPA would have disastrous effects for his farm. He said, "It's obvious what's happening and why. But we aren't going to solve anything by sticking our heads in the sand. We need to act on climate change, or else we're going to be in a world of hurt."

The press call, hosted by Jesse Worker of Clean Water Action and 1Sky, provided the farmers with an opportunity to discuss how their practices could contribute to greenhouse gas reduction through carbon sequestration in the soil and through low-impact practices. Worker said that American farmers can be part of the solution to climate change and reap the benefits of powerful incentives for producing biofuels. Farmers could also gain income by leasing their land for the placement of solar panels and wind turbines. The farmers also discussed how they see their role in helping to revitalize rural Michigan communities. Paul Weideman of Mirror Lake Organics said, "I helped feed 55 families in my community last year. A clean, stable supply of energy that is not a detriment to the environment where I live is very important for the future of my farm."

Access a release from the groups with links to additional information ([click here](#)). Access the 1Sky website for more information ([click here](#)).

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### Enviros Join In Supreme Court Request To Stop Asian Carp

Feb 19: Three major environmental groups -- Alliance for the Great Lakes (Alliance), National Wildlife Federation (NWF), and Natural Resources Defense Council (NRDC), filed a friend of the court brief urging the U.S. Supreme Court to take up a Michigan lawsuit, filed by Attorney General Mike Cox that calls for a long-term permanent solution to keep the destructive Asian carp from entering Lake Michigan through Chicago's artificial navigational channels. The brief indicates that the nation's highest court is the proper venue for deciding a dispute that affects everyone who lives in a Great Lakes state.

Lyman Welch, attorney and Water Quality Program manager for the Alliance said, "An issue of this magnitude and consequence for all of the Great Lakes states should land squarely in the Supreme Court. We're asking the Court to intervene in an unprecedented crisis that, left unchecked, will impact the livelihoods of all who depend on a healthy Great Lakes." Alliance President Joel Brammeier, who co-authored a study on the subject in 2008 said, "The permanent solution is not technology, but what we call 'ecological separation' -- or no movement of live organisms between the Great Lakes and the Mississippi River via the canals."

Built to divert Chicago's wastewater away from Lake Michigan and into the Illinois River, the groups indicated that the City's complex system of rivers and canals creates an "aquatic superhighway for the jumbo-sized Asian carp and other invasives to travel between the Lake Michigan and Mississippi watersheds." The environmental groups have called for a physical separation of the two watersheds -- essentially returning them to their natural status -- as the only permanent way to protect both basins. The Great Lakes Fishery Commission and U.S.-Canadian International Joint Commission (IJC) have commended the Alliance for leading the separation initiative, and the concept is now supported by most experts, states and the international community as the only long-term solution.

The Supreme Court, on January 19, rejected Michigan's request for a preliminary injunction to temporarily seal off two Chicago-area locks and waterways leading into Lake Michigan. The court has not yet ruled on another Michigan request to reopen a nearly century-old case in which the high court allowed Chicago to divert its wastewater from Lake Michigan to the Illinois River, despite the protests of the other Great Lakes states. Thom Cmar, attorney with NRDC said, "The Asian carp invasion is a crisis, but it's also an economic opportunity

for Chicago and the entire Great Lakes region. By investing in a real solution to stop this army of fish, at the same time we can create new jobs and move toward sustainable transportation and wastewater infrastructure. The multi-billion dollar Great Lakes fisheries, tourism and recreation industries are at stake. The Supreme Court should take this case so we can bring the states together to solve this problem."

Michigan and the environmental groups argue that the Supreme Court should appoint a "special master" -- an expert in water law, shipping, or related fields -- to decide whether to temporarily close the locks on Chicago-area canals and create an ecological separation between the Mississippi River and Great Lakes basins. NRDC's Cmar said, "Having the Supreme Court available as this neutral arbiter of disputes among states would take it out of this world we're in now where we're being asked by the state of Illinois and the Army Corps to just trust them. There are all sorts of reasons why we're concerned we can't simply trust them."

Access a release from the groups ([click here](#)). Access the 31-page amicus brief to the Supreme Court ([click here](#)). Access a blog posting by NRDC with further explanation of the legal action ([click here](#)). Access a release and link to the Alliance study on ecological separation ([click here](#)). Access links to all Michigan filings in the Supreme Court case ([click here](#)). Access the Michigan, Illinois and all legal filings in the case ([click here](#)).

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### FEIS For US-31 Holland to Grand Haven Project

Feb 19: The U.S. Department of Transportation (DOT), Federal Highway Administration issued a Federal Register announcement [75 FR 7536-7537] providing a Notice of Availability (NOA) of the Final Environmental Impact Statement (FEIS) for the US-31 Holland to Grand Haven Project. The action is pursuant to the National Environmental Policy Act (NEPA) of 1969 and the Council on Environmental Quality Regulations. Comments on the FEIS should be received on or before March 22, 2010. Substantive comments received by March 22 that address new concerns or fatal flaws in the FEIS analysis will be responded to in the ROD. FHWA cannot issue the Record of Decision (ROD) any sooner than 30 days after publication of the final EIS notice in the Federal Register.

The FEIS identifies the Preferred Alternative which proposes improvements to US-31 from East Lakewood Boulevard north to Quincy Street, in Holland; and from south of Franklin Street north to north of Jackson Street in Grand Haven. The new M-231 route would be constructed west of 120th Avenue, from M-45 (Lake Michigan Drive) north to the I-96/M-104 interchange, including a new crossing of the Grand River; improvements to M-104, near I-96; new ramps at the I-96/M-231 interchange; and improvements to the I-96/112th Avenue interchange. The project is located in Ottawa County. The FEIS summarizes the planning basis; the process used to determine the Preferred Alternative and associated impacts, describes the anticipated environmental impacts and proposed mitigation, and addresses comments received on the Draft Environmental Impact Statement.

Access the FR announcement from DOT ([click here](#)). Access complete information from MDOT ([click here](#)).

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### Near \$1 Million Grant To Flint Energy Center

Feb 18: Governor Granholm applauded a \$951,500 grant from the U.S. Department of Energy (DOE) to advance the production of biogas and biomethane at the Flint Center of Energy Excellence. The Governor said, "We are working hard to make Michigan the clean-energy capital of North America, and today's DOE award of nearly \$1 million moves us closer toward that goal. Our investments in green, clean-energy manufacturing are creating jobs and helping Michigan transition to a new 21st century economy." Joining the Governor in today's celebration were Flint Mayor Dayne Walling, Kettering University Provost Dr. Michael Harris, and Swedish Biogas International CEO Tom Guise.

The project is a collaborative effort among Swedish Biogas International, the city of Flint, Kettering University, and the Michigan Economic Development Corporation on a waste-to-energy/biomethane center at the city of Flint's wastewater treatment facility. The grant will fund applied research and development activities conducted by Kettering University in coordination with Swedish Biogas International and the city of Flint to improve the availability and quality of biogas at the wastewater treatment facility and explore opportunities for using biogas in transportation and power generation applications in Michigan.

The Flint Center of Energy Excellence is one of six Centers of Energy Excellence (COEE) throughout the State originally chartered with \$43 million from the 21st Century Jobs Fund. The COEE program, signed into law

by the Governor in 2008, brings companies, academic institutions, and the State together to support cutting-edge research and development and pioneer new alternative- energy technologies. The state's additional centers are A123Systems, Inc. and Sakti3 in Ann Arbor (advanced batteries), Working Bugs LLC in East Lansing, American Process, Inc. in Alpena, and Mascoma Corporation in Kinross in the eastern Upper Peninsula (advanced biofuels). Last month the governor announced an investment of \$30 million to launch a second round of the COEE program.

[Access a release from the Governor \(click here\).](#)

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### DOE Announces \$8 Million For Local Energy Planning

Feb 19: Department of Energy (DOE) Secretary Steven Chu announced \$8 million in awards for and the selection of 43 cities and towns across the country to develop or expand local energy assurance plans that will improve electricity reliability and energy security in the communities. The emergency preparedness plans, funded under the American Recovery and Reinvestment Act (ARRA), will help ensure local governments can recover and restore power quickly following any energy supply disruptions.

DOE indicated that this is the first time it has provided grants to local communities for energy assurance planning. The Recovery Act awards will benefit almost 15 million citizens in 25 states by focusing on improved emergency planning for the entire energy supply system, including the electricity grid, refining, storage, and distribution of fossil fuels and renewable energy sources. Plans will include how to ease the impacts of short-term energy disruptions along with strategies to deal with sustained energy outages.

The Local Energy Assurance Planning (LEAP) funds will allow local governments to hire and train staff and expand their capabilities to respond to a variety of energy emergencies such as blackouts, hurricanes, floods, ice storms, or possible terrorist attacks. Each community will identify and assess energy supply disruption scenarios; train personnel on energy infrastructure and supply systems; and increase their knowledge of local energy interdependencies to reduce their response, restoration and recovery time. Additionally, the LEAP funding will facilitate information sharing and coordination between states, local jurisdictions, and industry, reducing duplication and decreasing the time required to recover and restore the energy infrastructure. In Michigan, the city of Flint will receive \$199,814 and Mayville, a village in Fremont Township; Tuscola County will receive \$60,000.

[Access a release from DOE with a full list of communities and awards \(click here\).](#)

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### Administration Releases Great Lakes Restoration Plan

Feb 21: U.S. EPA Administrator Lisa Jackson unveiled the Obama Administration's Great Lakes Restoration Initiative (GLRI) Action Plan at a press conference on Sunday, February 21, at 10:30 AM in Washington, DC. The Plan, developed in collaboration with 15 other Federal agencies, describes how the Initiative will be executed from 2010 through 2014. In February 2009, President Obama proposed \$475 million for the Initiative's FY 2010 funding and recently announced \$300 million for the FY 2011 budget.

According to an announcement of the Plan, the Initiative is not intended to be "another grand statement about the Great Lakes; it is intended to operationalize those statements. It builds on countless hours by elected, agency, business, public interest and other leaders, which resulted in the Great Lakes Regional Collaboration Strategy (GLRC Strategy). The GLRC Strategy provides a framework for the Action Plan, and the Action Plan is just that: an *action* driver. It articulates the most significant ecosystem problems and efforts to address them in five major focus areas."

The five areas of major focus include: (1) Toxic Substances and Areas of Concern, including pollution prevention and cleanup of the most polluted areas in the Great Lakes; (2) Invasive Species, including efforts to institute a "zero tolerance policy" toward new invasions, including the establishment of self-sustaining populations of invasive species; (3) Nearshore Health and Nonpoint Source Pollution, including a targeted geographic focus on high priority watersheds and reducing polluted runoff from urban, suburban and agricultural sources; (4) Habitat and Wildlife Protection and Restoration, including bringing wetlands and other habitat back to life, and the first-ever comprehensive assessment of the entire 530,000 acres of Great Lakes coastal wetlands for the purpose of strategically targeting restoration and protection efforts in a science-based manner;

and (5) Accountability, Education, Monitoring, Evaluation, Communication and Partnerships, including the implementation of goal- and results-based accountability measures, learning initiatives, outreach and strategic partnerships.

The Action Plan identifies goals, objectives, measurable ecological targets, and specific actions for each of the five focus areas identified above. The announcement indicates that, "The Action Plan will be used by federal agencies in the development of the federal budget for Great Lakes restoration in fiscal years 2011 and beyond. As such, it will serve as guidance for collaborative restoration work with participants to advance restoration. The Action Plan will also help advance the Great Lakes Water Quality Agreement with Canada."

Access the announcement ([click here](#)). Access the 41-page Action Plan ([click here](#)). Access the GLRI website for complete information ([click here](#)).

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### Grants Awarded To Clean Up Nearly A Million Tires

Feb 19: MDNRE announced that \$967,152 in grants have been awarded for the complete cleanup of 23 scrap tire sites in order to reduce potential public health and environmental concerns at those locations. These cleanup projects will remove more than 960,000 passenger tire equivalents (PTEs), a measure used to account for different weights and sizes of tires that may be present at a cleanup site. The grantees will have until August 31, 2010, to complete contract requirements for having the tires removed and processed in accordance with a MDNRE-approved tire removal plan.

The scrap tire management program regulates transportation, storage and disposal of scrap tires under Part 169 of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. An annual registration is required for scrap tire transporters and collection sites. The tire disposal surcharge fee was increased from \$.50 to \$1.50 in July 2002 and currently remains at \$1.50. The fee generates revenue of \$3.5-\$4 million per year. These fees provide funding for Scrap Tire Cleanup and Market Development Grants and administration of the Program.

Access a release from MDNRE with a listing of grant awards ([click here](#)). Access more information on the MDNRE Scrap Tire Regulatory Program ([click here](#)). Access the 2009 report to the legislature on the program ([click here](#)).

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### Urban Green Summit 2010 In Detroit

Feb 22: Sponsors have announced the conference, Urban Green Summit: Empowering Urban Citizens through Green Education and Employment, to be held March 25-26, at the Double Tree Hotel (Downtown Detroit) 525 W Lafayette Blvd. The conference is sponsored by the Highland Park NAACP, University of Phoenix, & Rainbow Push Detroit. The Keynote Speaker is Van Jones the former Obama Administration green jobs czar and author of The Green Collar Economy. Special Invited Participants include: Wayne County Executive Robert Ficano and City of Detroit Mayor Dave Bing.

Access complete details ([click here](#)).

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### League Of Conservations Voters Scores MI Delegation

Feb 22: The Michigan League of Conservations Voters (LCV) joined the national organization in releasing the 2009 National Environmental Scorecard, revealing scores for the Michigan delegation in the first session of the 111th Congress. Michigan LCV's Executive Director Lisa Wozniak said, "We applaud those members of the Michigan delegation who fought in 2009 to bring clean energy jobs to the state and reduce our national dependence on foreign oil, such as Senators Levin and Stabenow and Representatives Kildee, Schauer, Peters, and Kilpatrick. The 2009 Scorecard clearly exposes some members of our delegation as putting corporate polluters and other special interests ahead of a cleaner, more secure energy future for Michigan." The 2009 Scorecard ranked members based on their votes on 11 Senate and 13 House measures mostly on clean energy and climate issues but also encompassing other environmental issues such as public lands, water and wildlife conservation.

The Michigan delegation scores were as follows: Senate: Carl Levin (D-MI) 100%; Debbie Stabenow (D-MI) 100%. House: Bart Stupak (D-01) 93%; Pete Hoekstra (R-02) 7%; Vern Ehlers (R-03) 50%; Dave Camp (R-04) 21%; Dale E. Kildee (D-05) 100%; Fred Upton (R-06) 36%; Mark Schauer (D-07) 100%; Mike Rogers (R-08)

21%; Gary Peters (D-09) 100%; Candice Miller (R-10) 50%; Thaddeus McCotter (R-11) 36%; Sandy Levin (D-12) 100%; Carolyn Cheeks Kilpatrick (D-13) 100%; John Conyers, Jr. (D-14) 93%; and John Dingell (D-15) 93%.

Access a release from the Michigan LCV ([click here](#)). Access the LCV Scorecard website for complete details and ratings ([click here](#)).

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### EPA & NREL Partner On "Green" Energy At Contaminated Sites

Feb 23: U.S. EPA and the U.S. Department of Energy's (DOE's) National Renewable Energy Laboratory (NREL) are evaluating the feasibility of developing renewable energy production on Superfund, brownfields, and former landfill or mining sites. EPA is investing more than \$650,000 for the project that pairs EPA's expertise on contaminated sites with the renewable energy expertise of NREL. The project is part of the RE-Powering America's Land initiative, which aims to decrease the amount of green space used for development, reduce greenhouse gas emissions, and provide health and economic benefits to local communities, including job creation.

The project will analyze the potential development of wind, solar, or small hydro development at 12 sites. The analysis will include determining the best renewable energy technology for the site, the optimal location for placement of the renewable energy technology on the site, potential energy generating capacity, the return on the investment, and the economic feasibility of the renewable energy projects. The 12 sites are located in CA, FL, KS, MA, MI, MN, PA, Puerto Rico, RI, WV, and WI. Some of the sites under consideration for renewable energy projects have completed cleanup activities, while others may be in various stages of assessment or cleanup. Renewable energy projects on these sites will be designed to accommodate the site conditions.

In Michigan, the Keweenaw Bay Indian Community (KBIC) has several tribal brownfields properties in Baraga County. NREL visited three of these sites on Jan 21, 2010. The sites were evaluated for wind power potential based on several factors including: amount of ground clutter (buildings, trees, etc.) in the direction of the prevailing winds (N-NW); proximity to loads for more cost effective behind-the-meter wind applications; exclusion areas due to environmental sensitivity, cultural/historical significance, etc.; road suitability and available space for Met tower and turbine construction/installation; elevation relative to surrounding terrain; and proximity to existing residences, businesses, roads, etc. NREL is conducting a study on the potential for wind power generation on one of the brownfield sites. Continued discussion with the KBIC regarding the results of the site visit will finalize site selection in the very near future. Met tower erection will begin after the site has been finalized. The feasibility study will evaluate the technical and economic opportunities and challenges at the site.

Access a release from EPA ([click here](#)). Access a fact sheet on the Michigan project ([click here](#)). Access more information on the RE-Powering America's Land initiative and links to fact sheets on the remaining projects ([click here](#)). Access more information on NREL ([click here](#)).

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### GLC Calls For Ecological Separation To Stop Asian Carp

Feb 23: The Great Lakes Commission (GLC) has called on Congress and the U.S. Army Corps of Engineers to embrace a clear goal of ecological separation of the Great Lakes and Mississippi River watersheds as the key, permanent strategy in the war against Asian carp and their threatened invasion of the Great Lakes. The resolution, approved by the Commission, asks Congress to provide the Corps with authority and substantial resources to complete the study of ecological separation -- defined as prevention of the movement of invasive species between the watersheds -- and to accelerate completion of the Chicago Sanitary and Ship Canal portion of the study to September 2011.

The resolution also calls for accelerating the timetable for full operation of the Asian carp barrier system on the Chicago Ship and Sanitary Canal and to establish structural measures to prevent the inadvertent introduction of Asian carp from floodwaters of the Des Plaines River into the canal, and ultimately the Great

Lakes. The action took place at the Commission's 2010 Semiannual Meeting in Washington, DC where the eight member states of the Commission, along with associate Canadian member provinces of Ontario and Québec, voiced consensus on the need to inhibit further movement of Asian carp northward to the Great Lakes.

In other Commission business, implementation and ongoing support for the Great Lakes Restoration Initiative (GLRI) were key focal points of the Great Lakes Commission's federal legislative priorities for FY 2011, formally released at the meeting. The Commission's federal priorities, outlined in the publication "Fulfilling the Promise for the Great Lakes: Advancing Great Lakes Restoration and Economic Revitalization," are largely driven by the GLRI's five focus areas: aquatic invasive species, contaminated sediments, nonpoint source pollution, degraded wetlands and threatened fish and wildlife resources. Enacted by Congress with full funding of \$475 million for FY 2010, the GLRI is planned as a five-year program to restore and protect the Great Lakes. The Administration has proposed funding at a level of \$300 million for FY 2011. The complete GLC 2011 legislation program is available from the Commission's website indicated below.

Access a release from GLC ([click here](#)). Access links to the Resolution details ([click here, to be posted soon](#)). Access the GLC FY11 Legislative Priorities ([click here](#)).

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### Great Lakes Advocates In DC For Funding & Carp Action

Feb 23: According to a release from the Healing Our Waters (HOW) Coalition, more than 100 citizens from the Great Lakes states of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin were traveling to Washington, DC on February 23-24, to ask U.S. Senators and Representatives to support three priorities: (1) Fund the Great Lakes Restoration Initiative at \$475 million; (2) Take aggressive action to prevent the Asian carp from taking hold in the Great Lakes while working toward the permanent separation of the Mississippi and Great Lakes basins; and, (3) Pass Great Lakes restoration legislation that propels restoration forward by establishing a restoration framework to ensure transparent priority-setting, accountability, and most importantly action. The groups action comes immediately following U.S. EPA release of its 5-year, \$2.2 billion Great Lakes Restoration Initiative (GLRI) Action Plan on February 21.

Jeff Skelding, campaign director for HOW Coalition said, "Congress and the Obama Administration have demonstrated that the Great Lakes are a priority for the nation. What's most needed now is an all-out effort to beat back the Asian carp and a commitment by Congress to restore funding for successful restoration programs that create jobs, while laying the foundation for long-term prosperity. It's time for the nation to roll up its sleeves and get to work, before the problems get worse and more costly."

While the Obama Administration has proposed only \$300 million for GLRI in its FY 2011 budget -- down \$175 million from FY 10 -- the Coalition is pushing for continuing the \$475 million funding level. The Administration explained the reduced funding in budget documents indicating that, "In 2009, the President announced a new Great Lakes Restoration Initiative, committing the Federal government to significantly advance Great Lakes protection and restoration. In FY 2011, EPA is increasing the relative funding for the Invasive Species focus area in recognition of anticipated new demands such as fighting incursion of Asian Carp. FY 2011 funding has been reduced to reflect ramp up period, allowing time for the program to absorb the initial influx of FY 2010 \$475 million in resources."

However, the Coalition points out that U.S. EPA recently requested proposals for approximately \$120 million in restoration projects as part of the GLRI. The Agency received more than 1,050 proposals totaling more than \$940 million -- a level of demand more than 7 times the supply of available funds. They said many projects will not be funded. Skelding said, "After decades of assault and abuse, the Great Lakes will not be healed overnight. The backlog of work is enormous. It's going to take a sustained, multi-year effort to nurse the Lakes back to health, which is why we need Congress' support now. This is good to do for the environment and the economy."

Access a release from the HOW Coalition ([click here](#)).

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### Meeting On Legacy Act St. Marys River Project

Feb 23: The Binational Public Advisory Council for the St. Marys River held a public information meeting about the Great Lakes Legacy Act cleanup of the river near MCM Marine. The meeting was held February 25, 2010, at

7 PM, at Lake Superior State University, Cisler Center, Ontario Room, Sault Ste. Marie, MI. The goal of the \$4 million project is to reduce impacts to human health and the environment and improve water quality in the St. Marys River.

On February 1, 2010, U.S. EPA and Consumers Energy Co. signed a project agreement to begin the cleanup of a section of the river. With \$2.4 million provided by the Legacy Act and \$1.6 million from Consumers Energy, EPA and the utility will remove approximately 26,000 cubic yards of sediment contaminated with polycyclic aromatic hydrocarbons, or PAHs, from the river adjacent to the property currently operated by MCM Marine. The site was formerly a manufactured gas plant. The project will be undertaken in two stages with dredging in the inner boat slip area scheduled to begin this spring and cleanup in the adjacent river area to be completed either this fall or spring 2011.

[Access a release from EPA Region 5 \(click here\)](#). [Access more information on the project \(click here\)](#).

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### **\$5 Million In Transportation Enhancement Grants To 8 Counties**

Feb 22: Michigan Department of Transportation (MDOT) announced a total of \$5,011,915 in federal Transportation Enhancement (TE) funding that will benefit a diverse range of transportation-related projects in eight Michigan counties. The projects include reconstructing two historic cobblestone streets in Grand Rapids; beautifying several downtown areas throughout the State; constructing exhibits at the Detroit Science Center; rehabilitating the historic Quincy and Torch Lake Railroad Engine House in the Upper Peninsula; constructing a bridge for bicyclists and pedestrians over the Clinton River in Utica and enabling Suburban Mobility Authority for Regional Transportation (SMART) to purchase and install bike racks at several locations in Wayne, Oakland and Macomb counties.

Under federal law, 10 percent of Federal surface transportation funds are set aside for TE projects. TE funds cannot be used to build or repair roads. Administered by MDOT, TE grants enable communities to invest in projects such as streetscapes and bike paths. TE grants provide a maximum of 80 percent of the money required for each project, with the remainder coming from state and local government, and the private sector.

[Access a release from MDOT with a brief overview of each of the projects \(click here\)](#).

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### **Input Workshop For Bay City State Recreation Area**

Feb 23: MDNRE announced a public input workshop to provide information and seek input on the proposed management plan for the Bay City State Recreation Area in Bay County. The workshop will be held on March 16, from 6:30 to 8:30 PM at the Saginaw Bay Visitor Center, located within the Bay City State Recreation Area, at 3582 State Park Dr. in Bay City. The planning process is being facilitated by the consulting firm of Birchler Arroyo Associates, with assistance from MDNRE staff.

The Bay City State Recreation Area provides approximately 2,100 acres of public recreational property with frontage on Saginaw Bay, and contains significant natural and cultural resources. The Tobico Marsh and adjacent uplands comprise nearly 90 percent of the recreation area. It is one of the largest remaining freshwater coastal wetlands on the Great Lakes. The park also offers public educational and interpretative sessions, as well as a variety of recreational opportunities including camping, trails, fishing, hunting, trapping, and birding, and serves as a gateway to Saginaw Bay.

[Access a release with further details on the meeting \(click here\)](#).

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### **Meetings & Comment On St. Clair River Water Level Study**

Feb 22: The International Joint Commission (IJC) announced that it will hold public consultations from March 22-31, 2010 to invite comment on the report of its International Upper Great Lakes Study Board (IUGLSB) entitled Impacts on Upper Great Lakes Water Levels: St. Clair River, which was released on December 15, 2009. IJC indicates that the report concludes the first phase of the International Upper Great Lakes Study and examines the physical changes in the St. Clair River since 1962. It recommends that measures to remediate the increased conveyance, or water-carrying capacity, of the river not be undertaken at this time. It also recommends that

mitigation measures in the St. Clair River be examined as part of the comprehensive assessment of the future effects of climate change in the second phase of the study.

The Study Board concluded that: The difference in water levels between Lake Michigan-Huron and Lake Erie has declined by about 23 centimeters (cm) (9 inches) between 1963 (following the last major navigational channel dredging in the St. Clair River) and 2006. They also concluded that Three key factors contributed to this 23 cm (9 inches) change including: (1) A change in the *conveyance* (water-carrying capacity) of the St. Clair River accounts for an estimated 7 to 14 cm (2.8 to 5.5 inches) of the decline. (2) *Glacial isostatic adjustment* (the uneven shifts of the earth's crust since the last period of continental glaciations ended) accounts for about 4 to 5 cm (1.6 to 2.0 inches) of the fall. (3) Changes in *climatic patterns* account for 9 to 17 cm (3.5 to 6.7 inches); this factor has become even more important in recent years, accounting for an estimated 58 to 76 percent of the decline between 1996 and 2005.

The organization Georgian Bay Forever (GBF), a Canadian environmental charity which has been the leading voice in raising concerns about the impact of low water levels on the unique ecology of Georgian Bay said the IUGLSB "missed a historic opportunity to recommend environmentally sound solutions to the serious water levels situation facing the middle Great Lakes." The group is now calling on IJC Commissioners to reconsider and overrule the "do nothing" recommendations" of the IUGLSB.

Access a release from IJC with details on the meeting locations, two teleconferences and commenting procedures ([click here](#)). Access a 28-page summary report ([click here](#)). Access more background and additional information on the report and study ([click here](#)). Access a release from GBF ([click here](#)). Access the GBF website for links to a critique of the report and extensive background information ([click here](#)).

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### Comments Wanted On Scope Of Huron-Manistee Drilling Proposal

Feb 24: The U.S. Department of Agriculture's Forest Service provided notice in the Federal Register [75 FR 8297-8299] of its intent to prepare an environmental impact statement for the project known as Huron-Manistee National Forests, Michigan, USA and State South Branch 1-8 Well. The Huron-Manistee National Forests (Forest Service) and the Bureau of Land Management (BLM) as a Cooperating Agency will prepare an environmental impact statement (EIS) to assess the environmental impacts of a proposal from Savoy Energy, LP to drill one exploratory natural gas well (the USA & State South Branch 1-8 (SB 1-8) well) on National Forest System lands.

The EIS will also assess the impacts of constructing necessary infrastructure including production facility and flowline, to develop the well should it be capable of producing hydrocarbons in commercial quantities. This analysis will allow the agencies to make their respective decisions on this proposal in accordance with Federal regulations. Comments concerning the scope of the analysis must be received by April 12, 2010. The draft environmental impact statement is expected in December, 2010 and the final environmental impact statement is expected by July 2011.

The agencies indicate that an Application for Permit to Drill (APD) including a Surface Use Plan of Operation (SUPO) from Savoy has been received and a response to the application is needed because Savoy has lawful oil and gas rights to three State and three Federal leases in a 640 acre drilling unit. The BLM ultimately renders a decision on the APD, and the Forest Service must review and decide upon the SUPO before the BLM can make its APD decision.

Access the FR announcement with additional details ([click here](#)). Access further information on the project ([click here](#), should be posted soon).

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### Report Highlights Consumer Savings From Energy Efficiency

Feb 24: A report released by Michigan Environmental Council (MEC) and the Consumer Federation of America (CFA) shows that "robust state and federal energy efficiency policies could dramatically reduce energy consumption and save Michigan residents an average \$438 on their energy bills every year. These policies would drive down energy costs in every state while invigorating a clean energy economy that is putting Americans back to work."

According to a release from MEC the report, *Building on the Success of Energy Efficiency Programs to Ensure an Affordable Energy Future*, concludes that energy efficiency programs "dramatically cut energy waste. Strong federal energy efficiency policies could reduce overall energy use by 20 to 30 percent." The report outlines specific policies that would maximize cost savings. The policies include: a federal standard requiring utility companies to provide efficiency programs for customers; strengthened building codes and appliance efficiency improvements; and proper funding for retrofitting or improving the efficiency of existing buildings. Other efficiency proposals -- including "BuildingSTAR," a program that would provide tax credits for retrofitting commercial and apartment buildings -- would help businesses cut costs and allow clean energy businesses to expand.

[Access a release from MEC and link to the complete report \(click here\).](#)

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### **MPSC Chair To Co-Chair Smart Grid Collaborative**

Feb 23: Orjiakor Isiogu, Chairman of the Michigan Public Service Commission (MPSC), was appointed co-chair of the National Association of Regulatory Utility Commissioners (NARUC) -- Federal Energy Regulatory Commission (FERC) Smart Grid Collaborative by NARUC President David Coen, of Vermont. The NARUC-FERC Smart Grid Collaborative, launched in February 2008, serves as an important forum for discussing technological and other issues to facilitate the transition to a smart electric grid. Isiogu said, "Having served on this collaborative since its inception, I am excited to now co-chair this effort. The smart grid has the potential to dramatically change how customers use electricity, and this collaborative is serving as an excellent resource to the state utility commissions that are weighing the costs and benefits of this kind of technology."

[Access a release from MPSC \(click here\).](#) [Access the NARUC website for more information \(click here\).](#)

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### **2009 Cooperative Lakes Monitoring Program Report**

Feb 22: The Michigan Clean Water Corps (MiCorps) released its 2009 Annual Summary Report of the Cooperative Lakes Monitoring Program (CLMP). The monitoring includes: Secchi disk transparency; Spring total phosphorus; Summer total phosphorus; Chlorophyll a; Dissolved oxygen and temperature; and Aquatic plant identification and mapping.

MDNRE and Michigan Lake and Stream Associations, Inc. (ML&SA), recently joined by the Great Lakes Commission and the Huron River Watershed Council, have partnered to implement the CLMP. The purpose of this effort is to help citizen volunteers monitor indicators of water quality in their lake and document changes in lake quality. The CLMP provides sampling methods, training, workshops, technical support, quality control, and laboratory assistance to the volunteer monitors. Michigan State University's Department of Fisheries and Wildlife supports the partnership with technical assistance.

[Access an announcement from MiCorps \(click here\).](#) [Access links to the 2009 report and previous years \(click here\).](#)  
[Access the MiCorps website \(click here\).](#)

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### **Report Indicates Damages From 31 More Coal Ash Waste Sites**

Feb 24: The Environmental Integrity Project (EIP) and Earthjustice, the nonprofit environmental law firm released a report entitled, *Out of Control: Mounting Damages From Coal Ash Waste Sites*, which they say strengthens the need to act on the U.S. EPA coal-ash site contamination rule. They called for the Office of Management and Budget (OMB) "to stop sitting on a delayed" rule. Their analysis identifies 31 additional coal-ash contamination sites in 14 states, which they say "when added to the 70 in the EPA's justification for the pending rule, brings the total of coal-fired power plant waste storage sites with poisoned water to 101."

With data showing arsenic and other toxic metal levels in contaminated water at some coal-ash disposal sites at up to 1,450 times federally permissible levels, the EIP/Earthjustice report identifies 31 coal-ash waste sites where they say groundwater, wetlands, creeks, or rivers have been polluted with "wastes [that] contain some of the earth's most deadly pollutants, including arsenic, cadmium, lead, selenium, and other toxic metals that can cause cancer and neurological harm [in humans] or poison fish." The 31 sites are located in the following 14 states: Delaware (1); Florida (3); Illinois (1); Indiana (2); Maryland (1); Michigan (1); Montana (1); Nevada (1); New Mexico (1); North Carolina (6); Pennsylvania (6); South Carolina (3); Tennessee (2); and West Virginia (2).

According to a release from the groups, U.S. coal-fired power plants generate nearly 140 million tons of fly ash, scrubber sludge, and other combustion wastes every year. The EPA has indicated that coal ash dumps significantly increase risks to both people and wildlife. For example, EPA's 2007 risk assessment estimated that up to one in 50 residents living near certain wet ash ponds could get cancer due to arsenic contamination of drinking water. Lisa Evans, senior administrative counsel with Earthjustice said, "The data are overwhelming: these unregulated sites present a clear and present danger to public health and the environment. If law and science are to guide our most important environmental decisions, as EPA Administrator Lisa Jackson has promised, we need to regulate these hazards before they get much worse."

In Michigan, the report identifies the Karn/Weadock Generating Facility, Consumers Energy and indicates, "The Karn and Weadock landfills are two adjacent coal ash disposal sites constructed on a narrow strip of land between the Saginaw River and Saginaw Bay of Lake Huron. Groundwater monitoring at the site detected high levels of boron (up to 19.4 mg/L) and arsenic (up to 0.997 mg/L, more than 99 times the primary MCL) in the groundwater surrounding the site. Studies found that the landfills are a major contributor of arsenic to the Saginaw Bay Area. State Action: Consent Order under negotiation to require construction of slurry walls to stop landfill leakage."

[Access a lengthy release from the groups and link to the complete 142-page report \(click here\).](#)



### **USDA Announces \$128+ Million Rural Development Water Funding**

Feb 19: Agriculture Secretary Tom Vilsack announced the funding of 47 projects designed to protect public health by improving water quality and public sanitation services in 19 states. The projects, funded through the American Recovery and Reinvestment Act (ARRA), are expected to provide construction jobs and create infrastructure needed to support community growth. Vilsack said, "These investments in water and wastewater infrastructure will deliver safe drinking water and protect the quality of our environment. A safe, reliable water supply is vital to economic growth and development. Through these projects, we are helping to achieve the Obama Administration's economic recovery goals to rebuild and revitalize the nation's infrastructure."

The loan and grant funding announced total \$128.1 million. To date, USDA has announced \$2.2 billion in Recovery Act funds for water and environmental projects. The funding announced on February 19 is being administered by USDA Rural Development's Water and Environmental Program which provides loans and grants to ensure that the necessary investments are made in water and wastewater infrastructure to deliver safe drinking water and protect the environment in rural areas. Funding of individual recipients is contingent upon their meeting the terms of the loan or grant agreement.

In Michigan funding is provided for four projects including: Gogebic Range Water Authority: \$5,106,000 loan; \$3,552,000 grant for water system improvements; Village of Bloomingdale: \$1,307,000 loan; \$3,918,000 grant for wastewater system improvements; Village of Hesperia: \$918,000 loan; \$625,000 grant for water system improvements; and City of Reed City: \$3,012,000 loan for wastewater system improvements.

[Access a release with links to further information from USDA \(click here\).](#)

### **Senate Hearing On Asian Carp Control**

Feb 25: The Senate Energy & Natural Resources Committee, Subcommittee on Water and Power, Chaired by Senator Debbie Stabenow (D-MI) held a hearing to examine the science and policy behind the Federal framework and non-Federal efforts to prevent introduction of the aquatic invasive Asian carp into the Great Lakes. Witnesses and organizations testifying at the hearing included: Nancy Sutley, White House Council on Environmental Quality (CEQ); United States Geological Survey (USGS); Ken DeBeaussaert, Michigan Department of Natural Resources & Environment (MDNRE); Illinois Department of Natural Resources; Kansas Department of Wildlife & Parks; Supply Chain Management Programs Wayne State University; Illinois Chamber of Commerce; the National Wildlife Federation & Healing Our Waters (HOW)-Great Lakes Coalition.

In an opening statement, Chairman Stabenow described the seriousness of the threat of the Asian Carp invasion and said, "I have introduced S.2946, the CARP ACT (along with Senators Brown, Schumer, Gillibrand, Franken, and Feingold), that includes many of the same short-term actions included in the framework, with one notable exception: our bill calls for the immediate closure of the Chicago canal locks until a permanent strategy is developed. For thousands of years, the Great Lakes and Mississippi River ecosystems were separated, until the construction of artificial canals and locks connecting them. Continuing threats of invasive species, especially the Asian carp, make it clear that we need to return to a permanent separation of the two ecosystems. This strategy was endorsed Monday by the Great Lakes Commission, a group made up of the eight states and two Canadian provinces that border the Great Lakes."

CEQ's Sutley testified that the recently announced Asian Carp Control Strategy Framework (Framework) is "guided by the latest scientific research encompasses more than 25 short and long-term actions at an estimated cost of \$78.5 million to keep Asian carp from becoming self-sustaining in the Great Lakes. The scale of the effort described in the Framework is unprecedented for invasive species control, unifying Federal, State, and local action and introducing a multi-tiered defense of the Great Lakes to immediately prevent Asian carp from developing self-sustaining populations in the Great Lakes while longer term control methods are developed." She concluded saying, "the best scientists have said that we can be successful in this effort and prevent Asian Carp from invading the Great Lakes."

The Illinois Chamber of Commerce submitted 23-pages of testimony and said it "shares the concern of the State of Michigan and others who want this invasive species stopped before it can enter the Great Lakes. We offer recommendations, which have been submitted to the United States Environmental Protection Agency and the Asian Carp Workgroup, for action to stop the Asian Carp. We believe these suggestions can protect Lake Michigan from an invasion of Asian Carp via Illinois waterways and simultaneously provide for commerce to continue uninterrupted. . . This discussion needs to move from the courtroom to the conference room. The common objective is to stop the carp. However, in the process we do not believe the Solutions should pit Illinois Tow Boat operators like John and Jacque Kindra of Kindra Lake Towing of South Chicago against Michigan fisherman and Charter Boat Captains like Paul Jensen of Muskegon. . ."

The HOW Coalition called on Congress to declare the Asian carp an imminent threat to the Great Lakes and direct Federal agencies to separate the "carp-infested" Mississippi River system from Lake Michigan. HOW said, "Ecological separation is essential for the Great Lakes -- it is the only way of safeguarding the lakes from Asian carp. Anything short of separation will fail sooner or later."

Access the hearing website for links to all testimony and a webcast ([click here](#)). Access the opening statement from Senator Stabenow ([click here](#)).

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### **2009 Summary Of Great Lakes Ballast Water Management Report**

Feb 25: The U.S. Coast Guard has announced that the 2009 Summary of Great Lakes Seaway Ballast Water Management report compiled by the Great Lakes Ballast Water Working Group (BWWG) is now available. The BWWG is comprised of representatives of the Coast Guard, Transport Canada - Marine Safety, the Saint Lawrence Seaway Development Corporation, and the Saint Lawrence Seaway Management Corporation.

According to a brief announcement, "Preventing the introduction of aquatic invasive species into the Great Lakes through stricter ballast water standards and a comprehensive enforcement policy is a top priority for the U. S. Coast Guard. In 2009, 100% of ships bound for the Great Lakes via the Seaway received a ballast tank exam. A total of 5,450 ballast tanks onboard 295 different ships were sampled and had a 97.9% compliance rate. Ships that failed to properly manage their ballast tanks were required to either retain the ballast water and residuals on board, treat the ballast water in an environmentally sound and approved manner, or return to sea to conduct a ballast water exchange. The BWWG anticipates continued high ship compliance rates for the 2010 navigation season."

The report indicates that, "Today, ballast water management requirements in the Great Lakes and the St. Lawrence Seaway System are among the most stringent in the world. Mandatory ballast water regulations that include saltwater flushing, detailed documentation requirements, increased inspections, and civil penalties provide a comprehensive regulatory enforcement regime to protect the Great Lakes Seaway System. USCG regulations, and the Seaway no ballast onboard (NOBOB) regulation, require all vessels destined for Seaway and Great Lakes ports from beyond the exclusive economic zone (EEZ) to exchange all their ballast tanks at sea. As a result, the risk of a ballast water mediated introduction of aquatic invasive species into the Great Lakes has been mitigated to extremely low levels."

Access the announcement ([click here](#)). Access the 13-page summary report ([click here](#)).

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### RRD Notice On Contamination In MDOT Right of Way

Feb 25: MDNRE Remediation and Redevelopment Division has issued a notice to provide information regarding a forthcoming change in the Michigan Department of Transportation (MDOT) process for managing contamination left within an MDOT right of way. The notice indicates that "within the next week the MDOT will begin implementation of a new application procedure, including additional requirements, to leave contamination in place within a MDOT-controlled right-of-way as part of any response activity or corrective action proposed pursuant to Part 201, Environmental Remediation, and Part 213 Leaking Underground Storage Tanks, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA)." All applicable forms and application instructions will be available from MDOT upon request.

The applicant will be required to enter into an environmental license agreement with MDOT that specifies the conditions under which the contamination may remain in place. This may also include bonding (financial assurance) from the applicant to assure MDOT worker protection and proper management of hazardous substances if the contamination in question is within the construction zone of the road right-of-way. The use of a newly developed institutional control titled "Notice of Environmental Conditions Affecting Property Controlled by the Michigan Department of Transportation" (Notice) will also be required to be recorded on the right-of-way property to describe the nature and extent of the contamination and provide information as to those activities that may result in unacceptable exposure to hazardous substances. The form and content of the Notice will require review and approval by the Department of Natural Resources and Environment (MDNRE) before MDOT will give consent to record the Notice on the right-of-way property.

MDNRE has approved use of the Notice as a "preapproved institutional control" and has determined that the use of this alternate institutional control mechanism is appropriate under Part 213 (Section 21310a(4) of the NREPA). "Use of the Notice as a preapproved institutional control under these authorities is considered acceptable to allow groundwater contamination that exceeds residential drinking water cleanup criteria to remain in place within the right-of-way. The Notice replaces the use of the former MDOT Individual Permit Process as an acceptable alternate institutional control mechanism as described in RRD Operational Memorandum No. 6, Part 213 Institutional Controls and Notice Requirements, dated December 2007. Consistent with RRD Operational Memorandum No. 6, use of this Notice as an alternate institutional control to allow contaminated groundwater or soils that pose exposure risks other than drinking water use to remain in place in a right-of-way will require a site-by-site MDNRE determination on whether the Notice would be effective and reliable to address the pathway(s) in question."

Access the MDNRE RRD Notice which includes links to related information and contacts ([click here](#)).

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### New Great Lakes & St. Lawrence Cities Initiative Website

Feb 26: The Great Lakes and St. Lawrence Cities Initiative (GLCI), a coalition of U.S. and Canadian mayors and other local officials, has announced its new website which it says is more user friendly and informative with the

most current news on the Great Lakes and St. Lawrence. David Ullrich, Executive Director of the Chicago based organization said, "In less than seven years, the Cities Initiative has established itself as a major, positive presence on the Lakes and Rivers with strong leadership in actions and results to protect, preserve, and restore the resource. . . we look forward to working with all our partners and stakeholders to create a more sustainable future with economic, social, and environmental balance. With the largest freshwater resource in the world as our 'front yard,' we want to help provide economic well being and a quality of life that is unmatched anywhere.

Access a brief announcement GLCI ([click here](#)). Access the website at the same web address ([click here](#)).

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### Dow Near Billion In Green Energy Projects In Michigan

Feb 25: Governor Granholm hailed clean-energy expansions by the Dow Chemical Company in wind, solar, advanced-battery manufacturing, and other projects in Midland, totaling more than \$1 billion, that will create more than 6,900 new jobs. The company plans to invest \$952 million in future projects and has leveraged an additional \$161 million from the Federal Department of Energy. This week, the State of Michigan, through the Michigan Economic Development Corporation (MEDC), approved key incentives to help win Dow's projects over competing national and global sites.

Granholm said, "We have worked hard to make Michigan the clean-energy capital of North America and focused our initiatives to grow these industries here. Dow's decisions to locate these facilities here demonstrate that our investments in green, clean-energy manufacturing are creating jobs and helping Michigan transition to a new 21st century economy." Rich Wells, Dow vice president for government affairs and public policy said, "Dow is one of the leaders in energy innovation and appreciates being able to work with the state of Michigan to secure support for alternative-energy technology opportunities. The collaboration between business and government is allowing Dow to create affordable, renewable-energy solutions and sustainable jobs."

On February 24, the Michigan Strategic Fund (MSF) board approved a Centers of Energy Excellence designation and \$5 million grant for Dow to establish operations focused on cost-effective carbon-fiber materials for application in the wind-energy and transportation sectors. The Oak Ridge National Laboratory (ORNL), a global leader in the development of new materials and processes for the manufacture of carbon fibers, will collaborate with Dow. Through ORNL's participation, the U.S. Department of Energy will provide a \$5 million match, and Dow will contribute up to \$10 million of in-kind resources.

On February 25, the Michigan Economic Growth Authority (MEGA) board approved a new job-creation State tax credit valued at \$61.3 million over 15 years for Dow projects, which includes the full-scale production facility in Midland for the company's DOW™POWERHOUSE™ Solar Shingle, subject to finalizing local, state and federal funding. The solar project is expected to generate \$249 million in private investment and create 6,100 new jobs in the value chain, including 1,275 direct Dow jobs. Additional projects over the life of the tax credit could create up to an additional 425 jobs and \$351 million in additional investment.

In addition, the MEGA board approved an advanced-battery tax credit valued at \$42 million to support Dow Kokam's advanced-battery manufacturing operations. The advanced-battery credit will support phase II of the project involving the manufacture of lithium ion packs. The company is investing \$342 million in this phase of the project, which is expected create 480 total jobs. Phase I and phase II of the Dow Kokam project is expected to generate \$670 million in new private investment and 800 new jobs. To support the project, the MSF board approved a 15-year state Renaissance Zone for the 56.22-acre site.

Access a release from the Governor ([click here](#)). Access a release from Dow Chemical which contains further details and links to additional information ([click here](#)).

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## Legislators Introduce Bills To Increase RES

Feb 25: Speaker Pro Tempore Pam Byrnes (D-Lyndon Twp, Washtenaw Co.) introduced a plan to make Michigan a top destination for alternative energy companies and a magnet for clean, renewable energy jobs. The plan builds on legislation passed in 2008 and positions Michigan to attract new businesses and investment by offering powerful incentives for renewable energy development, production and manufacturing. Byrnes said, "Building the wind turbines and solar panels that will power our nation's future can be a catalyst that turns our economy around and gets our workers back on the job. To do that, we need to show businesses that Michigan is serious about bringing them here. Let's open Michigan for business and ensure that these renewable energy companies are creating jobs right here at home."

In a release, Representative Byrnes indicated that the legislation will position Michigan as a leader in producing alternative energy, as well as manufacturing energy-efficient products and components for renewable energy systems, by building on legislation passed in 2008, which currently requires that 10 percent of Michigan's electricity come from clean, renewable sources by 2015 (i.e. renewable energy standard or RES). The two-phase plan will: Create powerful incentives for alternative energy companies to come to Michigan by requiring that 20 percent of our electricity come from renewable energy sources such as wind and solar energy by 2020 ([H.B. 5907](#)); and expand the requirement to 30 percent of electricity from renewable sources by 2025 ([H.B. 5906](#), sponsored by Dan Scripps (D-Leland)).

The plan received praise from *ReEnergize Michigan!*, a coalition of consumer, citizens, faith, labor, environmental and other groups. Gayle Miller, Michigan Chapter of the Sierra Club legislative director, a member of the coalition said, "Clean energy is the future and we applaud the legislators behind this plan for recognizing that we cannot stand still and that we must continue to grow clean energy jobs. Raising Michigan's renewable energy standard will help make our state a leader in one of the fastest growing sectors in today's economy. It will give us the tools we need to jumpstart our economy and protect our Great Lakes for generations to come."

The coalition indicated that other states have already approved higher renewable energy standards compared with Michigan, including Colorado (20 percent by 2020), Illinois and Minnesota (both 25 percent by 2025), and California (33 percent by 2030). Maine has an RES set at a whopping 40 percent by 2017. Michigan adopted its statewide 10-percent-by-2015 RES in 2008.

Access a release from Representative Byrnes ([click here](#)). Access legislative details on the bill by clicking on the bill numbers above. Access a release from ReEnergize Michigan ([click here](#)).

## National Highlights

Note: Get complete daily reporting on National and Michigan events in WIMS Daily. Click for a 30-day free trial or to subscribe ([click here](#)).



## Michigan Legislation

Note: Complete daily Michigan Legislative reporting is available with WIMS Daily. For a 30-day free trial or to subscribe ([click here](#)).

The following link provides a summary of environmental bills we are tracking during the 2009-2010 session. Access the listing and movement of new legislation and link to complete legislative details ([click here](#)).



## Federal Register

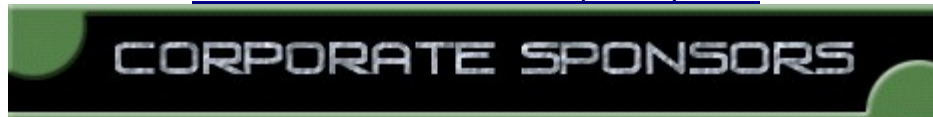
Note: Complete daily Federal Register tracking, delivered before 8 AM, is available for Michigan Waste Report subscribers for just \$139 per year. See information on REGTrak ([click here](#)).



## Meetings

- \*\*\* MDEQ has various workshops and training scheduled in the upcoming weeks and months. Access the Latest MDEQ Workshops ([click here](#)). Check out dates and details for these upcoming events... Also access the latest MDEQ Calendar publication, Part II: Environmental Conferences, Workshops, and Training Programs ([click here](#)).
- 3/9 Southeast Michigan Environmental Conference: Environmental Regulations Affecting Municipalities. Clinton Township. Fee: \$25. Details: ([click here](#)).
- 3/10 Varnum's 4th Annual Water Law Seminar. Grand Rapids. 8 AM - 12 noon. Details: ([click here](#)).
- 3/16 Southeast Michigan Environmental Conference: Environmental Regulations Affecting Municipalities. Canton Township. Fee: \$25. Details: ([click here](#)).
- 3/24 ESD/MWIA 20th Annual Solid Waste Technical Conference. The Kellogg Hotel and Conference Center in East Lansing. Details: ([click here](#)).
- April 2010 SARA TITLE III TIER TWO AND TOXIC CHEMICAL RELEASE INVENTORY REPORTING WORKSHOP. Marquette, Gaylord, and Mt. Pleasant. Details: ([click here](#)).
- 4/20-21 Michigan Wind Energy Conference, Detroit, COBO Hall. Details: ([click here](#)).
- 4/28-30 MICHIGAN SUSTAINABLE BUSINESS FORUM CONFERENCE AND EXPO, GRAND TRAVERSE RESORT AND SPA, ACME (Near Traverse City). Details: Contact: Patty O'Donnell, Email ([click here](#)); or 231-929-5039.
- 5/6 Toxics Chemical Release Inventory Reporting (EPCRA Section 313). Lansing. Details: ([click here](#)).
- 6/3 Michigan Environmental Compliance Conference. Gaylord. Details: ([click here](#)).
- 6/10 Michigan Environmental Compliance Conference. Grand Rapids. Details: ([click here](#)).
- 6/17 Michigan Environmental Compliance Conference. Livonia. Details: ([click here](#)).

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