



**IDNR Lake Michigan Coastal Program
Coastal Advisory Board Meeting
October 17, 2007 6:15 PM CDT
Draft Minutes**

Dorreen Carey, CAB Chair, opened meeting with the Pledge of Allegiance and welcomed all who attended – 6:17 PM CST

ATTENDANCE

Board Members: Hala Kuss, Bruce Woods, Gerald Hodges, Dorreen Carey, Paul Labus, Dave Pilz, Laurie Eberhardt, Bob Daum, Jeff Jones, Charolette Read, Brandt Baughman, Spike Peller, Mayor Chuck Oberlie, Bill Moran, Becky Fox, Frank Seilheimer

Interested Parties: Mike Esher, Kathy Luther, Linda Cook, Guy Windorf (Speaker), Dr. Ellen Szarleta (Speaker)

Lake Michigan Coastal Staff present: Jenny Orsburn (LMCP Program Specialist), Joe Exl (LMCP Coastal Nonpoint Coordinator), and Jenni Newman (Program Assistant)

APPROVAL OF MINUTES

The minutes from the September 19, 2007 minutes were approved.

NEW BUSINESS

IDEM Beach Act Program Notification Survey – Dr. Ellen Szarleta provided overview.

During the summer of 2007 a survey of beach-goers was conducted at selected beaches in Lake, Porter, and LaPorte counties. The study was created to assess the effectiveness in accordance with the Beach Act of the current warning signs posted to notify the public of water quality issues within the beach-waters. The Beach Act consists of 2 (two) components: 1) monitoring water quality and 2) public notification/ communication. Within the survey, beach-goers were asked about their knowledge that such signs exist and are posted, they were asked about the adequacy of the signage, and they were asked what they would recommend for improving the warning system. The preliminary results are as follows:

Whihala Beach and Dunes State Park Beach currently utilize the sign system. Of those surveyed, only 8% of the people saw the signs at the Dunes SP and only 2% of the people saw the signs at Whihala. Of those surveyed who did see the signage, 80% of the people at the Dunes found it helpful and 100% of the people at Whihala found it helpful. Furthermore, the majority at both beaches did not have contact with the water on the day surveyed as there were signs posted stating that bacteria levels were high.

At Washington Park in Michigan City they currently use the flag system. Of the 180 respondents a total of 24% reported that they did see the flag at the entrance and 61% thought that was the best location for the flag.

The current “Stop” sign is colored pink. Many surveyed suggested changing the color to red as it is recognized as the universal “danger” sign. The current “Warning” sign is yellow, which seems to comply. The flags at Washington park are colored red for the “Stop” and white for the “Warning”.

Furthermore, when participants in the survey were asked why they came to the beaches, it was not just to get into the water. A majority of respondents reported that they were at the beach to relax or to sunbathe, etc. Therefore they reported that the condition of the water would not have effected their decision to visit the beach that day.

The current signage is state-approved and supplied to beaches that have received state funds. The signs are provided and created by IDEM. In turn, this program and the use of the signs are a tool given to the beach managers at each location to post the advisory(s) or close at their discretion. The signs were also created as a learning tool. Each sign lists a toll free phone number and the “Warning” sign lists IDEM’s website that provides details on the Beach Act, water quality, and other information about E.Coli, etc.

The complete results of the survey are to be disclosed on November 1, 2007 at 9:00AM (CDT) at NIRPC.

Indiana Clean Marina Program – Joe Exl provided overview.

The Clean Marina Program is a volunteer, incentive based program that provides information and technical assistance to marina operators, boaters, and local governments on Best Management Practices. The goal of the program is to protect and improve the water quality of Indiana’s waterways by reducing pollutants, including addressing habitat protection and aquatic invasive species.

The Clean Marina Initiative currently consists of 23 states and when Indiana joins, we will be the 3rd coastal state to join (preceded by Michigan and Ohio).

The localized effects of clean marinas are that of cumulative and secondary impacts. For example, one may see a single boater cleaning their hull at their slip or in the parking lot of a marina and think that it is not a problem. But take into consideration that there are 10s or 100s of other boaters doing the same thing. Then imagine that they are all within the same body of water and all of the possible pollutants that can be spread. Some examples of potential pollutants are petroleum hydrocarbons from fuel and oil, pathogens from overboard sewage discharge, sediments from parking lot and construction runoff, etc. With over 214,000 registered boaters in Indiana, there is a need to protect water quality.

Some reasons that marinas should participate are that the program can reduce waste disposal costs, the marina will receive free technical assistance as well as free publicity as each marina will receive a “Clean Marina” flag, become published in a press release, and they will be listed within the Clean Marina website. Each marina will receive the “Clean Marina Guidebook” which consists of a summary of relevant laws and regulations, BMPs, boater tip sheets, contact information, and other pertinent information. The guidebook is also to be broken down into 2 components that are consistent with 6217 as this is who the Coastal Non-Point Program is being implemented within the Clean Marina Program.

In order to become a designated clean marina, each marina must meet all federal and state regulatory requirements. They must also implement 80% of the recommended list consisting of approximately 60 BMPs. They will need to schedule a confirmation visit for compliance verification. If a marina does not meet the standards, they will need to sign a pledge sheet to improve.

This program is also based on educating boaters as well. Boaters will receive clean boater tip sheets regarding environmentally friendly boat operation and will also receive a pledge sheet to sign.

Program development partners consist of IDEM, Illinois-Indiana Sea Grant, IDNR, and NOAA. NOAA is the LMCP’s federal partner and assists with the funding for the program. More than likely, more partners will be added as the program moves forward. Furthermore, a challenge that can occur with the Indiana Clean Marina Program partnering with other states is that each state has their own requirements; therefore compliance issues could be a factor.

The current status of the implementation of this program is that the Guidebook has been created and is being compiled into a final document. A website is going to be created and listed on the LMCP website. The goal is to have the program in place before the next boating season. Also, currently the Clean Marina Program is strictly a coastal area initiative as the LMCP (and therefore Joe) is restricted to this area. Therefore if the program becomes a state-wide initiative, there will need to be another “driver” for the program.

Regarding a question about pump stations...pump out (or dump stations) are already set-up and controlled via the state code, so they are mentioned within the Indiana Clean Marina Guidebook as BMPs. If a marina does not have a pump out station, they are to sign an agreement with another facility that states that boats will be permitted to use their station. In the future, the program would possibly like to work with IDEM to provide more dump stations.

As a note...a mobile, heated trailer was acquired through the Illinois-Indiana Sea Grant. The trailer is currently located at the Michigan City DNR office for education and outreach purposes next season.

Indiana Underwater Resources – Overview given by Guy Wendorf.

Guy Wendorf is an Indiana Conservation Officer; his discussion covered the laws regarding underwater resources.

There are different definitions of “underwater resources”. Ohio, Wisconsin, and Michigan define it as submerged watercraft, aircraft, and artifacts. Illinois defines it as submerged remains of human life. This does not mean actual human remains, it defines underwater resources as something that a human has done. And Indiana has no definition for “underwater resources”, but does protect each site, not each item within a geographically protected or historic site. However, not all shipwrecks are considered to be historic sites.

The issue with the historic sites is, do you preserve or restore the site; and how to protect it. The following is how the coastal states penalize for violating the laws and regulations covering underwater resources:

Illinois has adopted the Resource Protection Act. The first offense can result in a \$5000 fine. The second offense is considered a felony.

Ohio penalizes violators with a misdemeanor and a fine up to \$500.

Michigan categorizes the penalties based on the value of the item(s) taken. Value below \$100 is considered a misdemeanor with fines up to \$500 and possibly 6 months in jail. If the value is above \$100, it is a felony with fines up to \$5000.

Wisconsin enforces fines up to \$5000, including fines up to TWICE the value to replace the object(s).

Indiana considers violations “disturbing a historic site”, which is a misdemeanor and carries a fine up to \$5000 and 1 year in jail. A felony results in fines up to \$10,000 and 3 years jail for theft charges.

Note: the value is what it would cost to replace an item, not what the items claims to be worth. For example, if a coin is found in the denomination of 1 dollar, the coin is not worth only 1 dollar. The coin is assessed and all fees and charges that are accrued are incorporated within the value.

Michigan and Wisconsin also have Progressive Programs designed to educate the public by supplying printed materials to dive shops, boat shows, etc. MI and WI also buoy their sites.

In 1978 there was a lot of government talk regarding protecting underwater historic sites. And in 1987 the Abandoned Shipwreck Act was established which gave the states sole rights to their shipwrecks. Prior to 1987, S.A.V.E (Submerged Artifact and Vessel Evaluation Program) was established. Gary Ellis, the first Indiana archeologist, used this

program to train conservation officers on how to conduct archeology surveys underwater. With Gary's guidance the group surveyed 14 ships. It is estimated that there are 30-50 shipwrecks in Indiana waters.

The Indiana Underwater Resources is tied to the LMCP through education of historic sites and the existing laws. Now is a good time to implement a management plan due to technical advancement and affordability. With extended knowledge there is the fear that the shipwrecks will possibly become vulnerable to destruction. However, hopefully education will assist in protecting the sites. Also, many divers are "pro-protection" with the philosophy of look, but don't touch. And though Indiana does have diver laws, there are no state laws pertaining to archeological diving sites. Violations are permit violations.

OLD BUSINESS

Grants Update – overview provided by Jenny Orsburn.

Grant applicants that were approved by the CAB will receive their full applications on October 18, 2007. The applications are due back to the Coastal Program in December.

There were issues with 2 grants following the CAB pre-proposal meeting. Both grant pre-proposals were submitted by the Lake County Parks and Recreation Department. One was titled the "Three Rivers Lagoon & Lake Enhancement for Natural Area Restoration" (Federal Request: \$50,000) and the other was titled "Three Rivers Bio-Swale Installation for Recreational/ Public Access Improvement" (Federal Request: \$50,000). The decision was made to not support either project. Therefore, no application will be sent to Lake County Parks and Recreation for the grant proposal submission for either project.

NEXT MEETINGS

CAB Retreat

The CAB Retreat is to be held on October 24, 2007 at the Portage City Yacht Club. The meeting begins at 7:30 AM CDT with breakfast and concludes at 11:00AM CDT. There will no longer be an optional hike of Deer Trail afterwards due to it being under construction and not accessible.

CAB Meeting

The next CAB meeting will be held on January 16, 2008 in LaPorte County. The location has not yet been determined. The agenda for the CAB meeting will consist of grant updates, the nomination of officers, and committee reports.

ANNOUNCEMENTS

The Welcome to the Lake Michigan Watershed sign unveiling will be held October 31, 2007 at the Dunes State Park. Invitations are available, if anyone did not already receive one. There will be no admission fee to enter the park to attend the unveiling.

ADJOURNMENT

Meeting adjourned at 7:47 PM CDT.