



MACDC PRESIDENT'S MESSAGE

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LIVINGSTON COUNTY DRAIN COMMISSIONER

It is fair to say that the hot and steamy summer was not wholly attributable to the weather. Other issues, such as funding for the intercounty drain program and State regulatory reforms, also provided their share of the heat.

Part 301/303

Several weeks ago, and with little fanfare, new permit categories were officially adopted by the MDEQ for activities within wetlands and inland lakes and streams. One may wonder how this came to pass, considering the decade long on-again, off-again discussions with the State regarding amendments to Part 301 and 303 of Act 451. Even for those who have been involved in the various revision iterations with the State, the answer isn't altogether clear.

The newest resurgence in the Part 301/303 debate began back in 2010, with the enactment of PA 120 of 2009. The State Legislature mandated that the DEQ, among other things, develop minor and general permit categories for the two statutes. This was done, in part, to comply with the EPA audit of Michigan's enforcement program under Part 404 of the Clean Water Act. Act 120 directed the DEQ to develop and implement General and Minor Permit Categories, within certain parameters. The DEQ began discussions with the MACDC and other groups in hope of developing the permit categories in a fashion that would work with all involved

MACDC's Part 301/303 Committee, headed by Tuscola County Drain Commissioner Bob Mantey, has done a wonderful job communicating the concerns of our membership to the State. That communication has resulted in significant positive changes in the regulations. The Committee believes that more work needs to be done and the DEQ appears interested in working with us to successfully implement the rules. The net effect to our jobs as Drain and Water Resource Commissioners remains to be seen, since the efficacy of the rules will only be understood once the State has fully

implemented them. The next stage of the DEQ regulatory overhaul will be a move to formally amend Parts 301 and 303.

It is important to note the exceptional amount of time that has been devoted to this issue by the Part 301/303 Committee. A few members, in particular, have expended a tremendous effort and time in reviewing proposed rules; they ultimately contributed to significant positive changes to the technical framework of the rules. These Committee Members include: Bob Mantey, Ron Hansen, Brian Cenci, Tom Bennett and Gary Osminski. Thank you, guys, for all of your effort.

MDARD Intercounty Drain Program

The intercounty program, in the meantime, appears to be holding its own, as members of that committee are tasked with the evaluation of financial and operational reforms aimed at assuring the program's continued viability. The approved budget for the program included language pledging a cooperative effort by the Department in working with the MACDC for final solution prior to the next budget cycle. That committee is currently working on those issues.

Recently, a survey was circulated asking members about their opinions regarding the program and potential avenues for sustainability of the program. It is imperative that the committee understand the concerns of the membership regarding the program and I encourage your participation in that survey. You can also make your opinions known to District Chairs and the Committee Chairman, Bill Byl.

In closing, I wish to express my thanks for all of the Committees working on improving programs for the MACDC, and to encourage Committee Chairs to tap into the wealth of experience within your committees to help build a better program. It is in this environment of building internal consensus that the impact made by the Association is so acutely demonstrated. Best of luck to all of you currently involved in the annual assessment and day of review ritual! Hope to see you soon!