



# Huron River Report

Published quarterly by the Huron River Watershed Council  
1100 North Main St., Ann Arbor, MI 48104

Spring 2007

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## Ann Arbor's Greenbelt

*A progress report and strategic direction*

Across America, more than 2 million acres of the nation's most important farmland, forests, coastal land and scenic vistas are lost to inappropriate development and sprawl each year. Working farms and other agricultural lands are among the most vulnerable. In fact, nationwide, more than 15 million acres of agricultural land has been developed into housing in the last five years. Today, on average America loses two acres of farmland per minute.

The Ann Arbor area is no different. Driven by a concern that the region was losing the scenic rural heritage that is an integral component of living in southeastern Michigan, Ann Arbor residents passed a referendum in November 2003 by a 2 to 1 margin to do something about it. The Open Space and Parkland Preservation Millage, commonly known as the Greenbelt Initiative, extended an expiring tax for the purchase of parkland inside the city. The purpose of

the Greenbelt Initiative is to provide funds to preserve and protect farmland, open space, natural habitats, and the City's source waters inside, as well as outside the city limits. The millage is expected to raise approximately \$84 million over its 30-year life.

Those dollars are being used to purchase land and development rights on land within the city limits and in portions of eight surrounding townships in an attempt to curb sprawl. The Park Advisory Commission advises City Council on the acquisition of parkland while the Greenbelt Advisory Commission advises City Council on the purchase of open space and purchase of



*The Bloomer Farm, part of Ann Arbor's Greenbelt Program*

development rights on farmland within the Greenbelt District.

Since City of Ann Arbor residents passed the Greenbelt millage, other communities across Washtenaw County also are taking the initiative to conserve land. Currently four out of the eight townships (Scio, Webster, Ann Arbor and Pittsfield town-

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## Take a Walk on the Wild Side

*HRWC needs help identifying and protecting natural areas*

HRWC is seeking volunteers to help identify and assess the remaining natural, undeveloped lands in the watershed. The health of a river is dependent on the health of the land that surrounds it. Natural areas provide a host of "ecological services" that help keep our lands and waters healthy. For example, natural areas intercept and store rainwater and snowfall. Instead of rushing directly off the ground and into surface water, as it would



*HRWC wants to get a closer look at sites we have delineated using only aerial maps. —photo: HRWC*

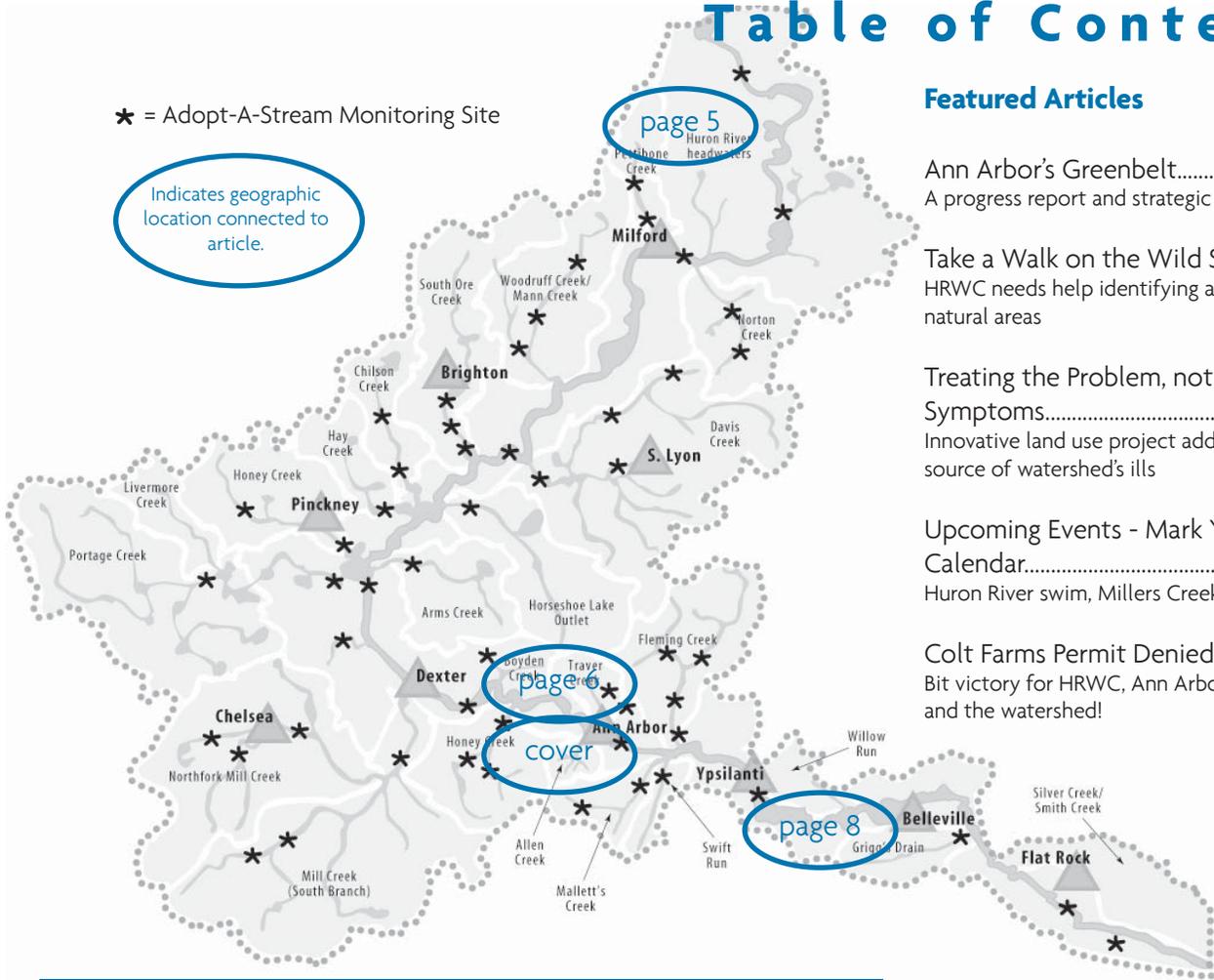
in developed areas, this water percolates through the soils and into the ground to replenish groundwater supplies. This cleansed groundwater eventually flows into streams, lakes, and wetlands -- keeping the surface water cleaner, cooler, and at more consistent levels. Wetlands filter pollutants from water as it flows into streams, rivers, and lakes. They also absorb excess water, preventing flooding. In addition, forests and prairies produce oxygen and remove greenhouse gases from the atmosphere. All natural areas provide

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Indicates geographic location connected to article.



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## EVENTS

Saturday, March 24, 1 - 5 pm  
**Training - Rapid Field Assessment of Natural Areas (see cover article)**  
NEW Center, Ann Arbor  
Call Kris (734) 769-5123 x 16

Tuesday, March 27, 4:30 - 5:30 pm  
**Millers Creek Film Festival - FREE**  
Michigan Theater (Ann Arbor)

Saturday, March 31, Noon - 5 pm  
**Adopt-A-Stream Leadership Training**  
NEW Center, Ann Arbor  
Call Joan (734) 769-5123 x 11

Saturday, April 21, 9 am - 5 pm  
**Adopt-A-Stream River RoundUp**  
Entire Watershed  
Call Joan (734) 769-5123 x 11  
Sign up by April 9

Sunday, April 29, Noon - 5 pm  
**Adopt-A-Stream ID Day**  
NEW Center, Ann Arbor  
Call Joan (734) 769-5123 x 11

Thursday, April 26, 5:30 pm  
**HRWC Annual Meeting**  
Matthaei Botanical Gardens, Ann Arbor  
Call Laura (734) 769-5123 x 12

More events and updates on the web at: [www.hrwc.org](http://www.hrwc.org)

HRWC offices are located at the NEW Center  
1100 N. Main Street in Ann Arbor  
Call (734) 769-5123 or visit the HRWC website for directions

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# Ann Arbor's Greenbelt

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ships) within the Greenbelt District have passed their own millages or designated general funds to protect farmland and open space in the area, providing opportunities for collaboration among the local governments. These local programs are providing a vision and strategy for protecting the lands that sustain the Huron River Watershed.

The Greenbelt Commission and staff developed a Strategic Plan to guide the Greenbelt Initiative. The Strategic Plan focuses on three primary areas: the purchase of development rights on farmland; protecting land along the Huron River; and protecting natural areas and open space throughout the Greenbelt District, as it fits into a broader regional focus.

One overarching goal of the program is to preserve large blocks of land that include farmland. Purchase of Development Rights easements with natural areas within those blocks. Agricultural land is the most endangered type of land within the Greenbelt District. Not only is agricultural land threatened by the sale of individual parcels for development, but also by a lack of large blocks of land needed to sustain agricultural production. Therefore, the Greenbelt Program will focus on forming 1,000-acre



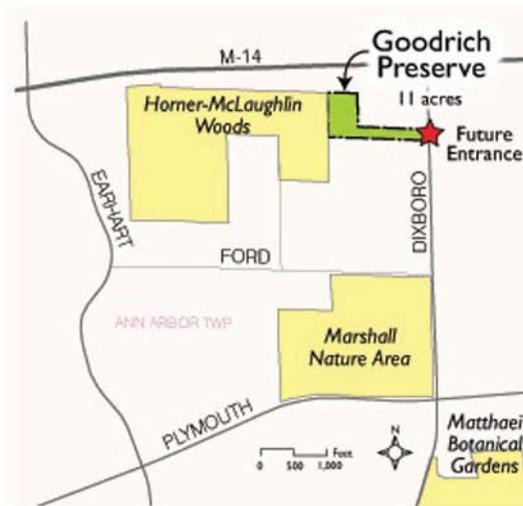
Farm on a fall day. — photo: Dan Ezekiel

blocks of protected farmland to help make agriculture viable for local producers.

Another primary focus area identified in the Strategic Plan is to protect land along the Huron River. Over the last decade, the City has focused on greenways along the Huron River and HRWC is excited that the

Huron River is specifically highlighted and that source water protection is a goal.

The remaining funds will be used to acquire additional natural area and open space parcels with exceptional view-shed or ecologic value and/or where they fit



Directions to a spring hike in Washtenaw County. — illustration: Washtenaw County

into broader regional land conservation efforts in collaboration with partner organizations and other units of government.

In November 2005, the Greenbelt Program acquired the first Farmland Purchase of Development Rights (PDR) on a 152-acre farm in Webster Township. The acquisition of this property launched the PDR component of the program with a huge success. The landowners are leaders in the area, provide their specialty products to local markets, and have been catalysts for the local farmland preservation effort. A USDA Farm and Ranch Lands Protection Program (FRPP) grant in the amount of \$190,642 also was awarded to the Greenbelt Initiative for a portion of the purchase price.

In April 2006, the Greenbelt Program acquired two additional PDR easements on a 41-acre farm in Salem Township and a 116-acre farm in Superior Township. A federal FRPP grant also was awarded for a portion of both purchases, totaling \$791,100 in match dollars for the purchase of the two easements. In August 2006 another PDR easement was acquired on a 180-acre farm

in Webster Township.

To date, the Ann Arbor Greenbelt program has received \$1,783,042 in federal match dollars from USDA's FRPP for PDRs on five working farms. In total, the Ann Arbor Greenbelt has purchased the development rights on four farms, protecting a total of 489 acres. The City of Ann Arbor also collaborated with Ann Arbor Township, who also received a FRPP grant, for an additional 147 acres of protected farmland.

## A SPRING HIKE ON THE GOODRICH PROPERTY

See one of the parcels of land recently acquired by taking a hike this spring on the Goodrich Preserve. The Preserve, an 11-acre parcel on Dixboro Road, is adjacent to the University of Michigan's Horner-McLaughlin Woods, increasing the area of protected land to a total of 107 acres. The Horner Woods complex, used primarily by U-M for research, teaching and fieldwork, is dominated by old growth forest that grades from hilltop oak-hickory on the eastern Goodrich property to maple-mixed hardwoods covering rich central valleys. Native shrubs, predominantly buttonbush, surround several small wetlands and fill a large swamp which separates much of the woodland from the M-14 freeway. The central portion of this forest, known for its outstanding spring wildflower displays, is preserved by U-M as a plant sanctuary. In October, Washtenaw County Natural Areas Program, with the help of the Greenbelt Commission, purchased a conservation easement which allows for public access; the Goodrich family retains title to the land. The Goodrich Preserve is located on Dixboro Road just south of M-14, in Ann Arbor Township. A small gravel parking area and entrance sign are planned future developments at the site. Feel free to visit the property this spring for a hike.

Thanks to the Conservation Fund and Washtenaw County Parks and Recreation for contributing to this article.

— Laura Rubin

Laura is Vice-Chair of the Greenbelt Commission.

# Take a Walk on the Wild Side

*continued from cover*

habitat for wildlife and plants, and, of course, give us places to relax, recreate, and enjoy nature.

The Huron is the cleanest urban river in Michigan. This distinction is due mostly to the substantial amount of natural areas that remain throughout the watershed - about 44% of it is open space. The river also flows through some of the hottest real estate markets in the state, putting much of this open land at risk for development.

It is imperative that communities and land preservation officials act now to identify the best places to encourage development and to protect the most important natural areas.

Using a computer model, HRWC has mapped 237,000 acres of potentially precious natural land that lies within the Huron's watershed, called the "bioreserve map" (see "Preserving the Watershed," Huron River Report, Spring 2006). This year, HRWC staff and volunteers will begin to visit these areas, highlighting those most crucial to the river's health. Your help is needed with this survey of nearly 1,700 parcels.

The survey has two phases. The first phase is a roadside survey that is currently underway. Volunteers have been visiting sites and answering general questions about the sites and their surrounding areas in order to screen out sites that have undergone development since the bioreserve map was completed; make corrections to the map; and gather other information.

For the second phase, beginning this spring, volunteers will more thoroughly

survey those sites identified as having high preservation potential in the first phase, recording their observations on field assessment worksheets.

HRWC, with the help of Michigan Natural Features Inventory staff and a distinguished Advisory Committee composed of professional ecologists and naturalists, developed the assessment worksheets and an accompanying training session and manual. Until now, natural area assessments in Michigan were conducted mostly by professional ecologists, and only performed as detailed, multi-day inventories. These thorough assessments are vital to understanding the ecological value of a parcel, but time consuming and expensive. Cost and time estimates range in the tens of thousands of dollars and an entire growing season for one township. With 1,700 sites throughout 63 townships to inventory, a more general, rapid assessment is required that:

- identifies high-quality natural areas as candidates for the more detailed, "professional" inventory;
- sets priorities about which natural areas to target for protection; and
- contributes to land use planning efforts at the township and county level.

## WE NEED YOUR HELP

HRWC is looking for volunteers to complete a 4-hour training session that covers the ecology of the watershed, some basic ecological concepts, and detailed instructions about how to fill out the worksheet. These intrepid volunteers will then team up and visit the sites, armed with a manual that will provide pictures of the kinds of plants and other features they will need to be able to identify in order to complete the worksheet. The rapid field assessment is meant to be general enough that volunteers with a half-day of training and a field guidebook will be able to complete it, but detailed enough that we will be able to glean meaningful information about the ecological quality of the site. Each site visit will take about 3 - 4 hours.



*The field assessment will help us identify important natural areas like bogs and fens (after some training, you will be able to determine if this site is a bog or a fen!).* —photo: J. Courteau

A background in field ecology and plant identification is helpful, but not necessary to volunteer.

HRWC expects to make the rapid assessment methodology and training materials available to:

- **local communities**, who can use it to determine which natural areas in their jurisdiction are the most important to preserve as development encroaches;
- **land trusts, conservancies, and parks departments**, who can use it to assess their own properties as well as potential properties;
- **private property owners**, who can learn more about their own land; and
- **natural area acquisition and purchase of development rights programs**, such as the Ann Arbor Greenbelt and the Washtenaw County Natural Areas Preservation Programs, who can use it to assess potential areas and track the status of existing properties.

The first training session for the rapid field assessment will be **March 24, 1 - 5pm**, at the NEW Center. An indoor training presentation will be followed by a visit to Barton Park to conduct a group field assessment. Contact Kris Olsson at (734) 769-5123 x 16, or [kolsson@hrwc.org](mailto:kolsson@hrwc.org) to register or ask questions.

More information about the Bioreserve Project is at [www.hrwc.org/text/bioreserve.htm](http://www.hrwc.org/text/bioreserve.htm).

— Kris Olsson



*Typical oak savanna community* —photo: J. Courteau

# Treating the Problem, not the Symptoms

Innovative land use project addresses main source of watershed's ills

In 2006, HRWC defined the single message that would focus the work of the organization over the next few years: To save the Huron River Watershed from irreparable damage, we will

- change current patterns of development toward more river-friendly choices
- encourage higher density where the infrastructure exists
- encourage open space and farmland preservation in rural areas

Of all of HRWC's current projects, the Transfer of Development Rights in the Huron project most closely illustrates that message in action.

## WHAT ARE DEVELOPMENT RIGHTS?

Property owners have a "bundle" of different rights. Rights in the bundle include the ability to use and enjoy, exclude others, sell, lease, bequeath, mine, and also develop. These rights may be limited or regulated through laws enacted by government, such as zoning or environmental regulation. A development right is defined as the difference between the existing use of the parcel and its potential use as permitted by existing law. For example, if current local zoning laws allow one single-family home for every 10 acres of land and a property owner holds 30 acres, then he or she owns three development rights. In other words, a development right is equal to the unused development potential of a parcel of land.

## INNOVATIVE LAND PRESERVATION TOOL

A transfer of development rights (TDR) program is premised on the idea that legally certain property rights can be separated from one property owner's bundle and transferred to another owner's bundle to achieve certain community growth management goals. In the context of protecting the Huron River Watershed, TDR is a market-based approach to shift development from natural or agricultural areas to designated growth zones with existing municipal services. Johnston and Madison (1997) describe TDR as the sale of one parcel's development rights to the owner of another parcel, which allows more development on the second parcel while reducing or preventing development on the originating parcel. Under a TDR program,

development rights are severed from a lot designated for protection (sending area), and the severed rights are transferred to a lot in an area where additional development is permitted (receiving area).

## WHAT IS THE GOAL OF HRWC'S PROJECT?

HRWC, through a grant award from People And Land of the W. K. Kellogg Foundation, is studying and promoting the use of TDR as a land preservation technique for protecting priority natural areas and agricultural lands. The goal of the 18-month project is to provide an educational tool that will help communities, developers, and residents of the Huron River Watershed – and beyond – understand the benefits and workings of a TDR program. Nearly 125 units of government throughout the country have TDR programs. To date, no Michigan communities have developed a TDR program, but a few are trying.

## THE METHOD

With a team of TDR experts, planners, and developers, HRWC is conducting three case studies on current or recent land developments in the watershed. The criteria for the case studies includes the following: development and surrounding land that has potential "sending" and "receiving" zones; choosing high quality natural or agricultural landscapes for sending areas; urban versus rural; and intra- and inter-jurisdictional density credit transfers. HRWC is examining the short-term and long-term fiscal, environmental, and societal impacts of these developments, and then is comparing these to impacts that

would have resulted under a hypothetical TDR program. HRWC will create up to three scenarios varying in density credits and measure the same impacts for these scenarios.

## CASE STUDY #1

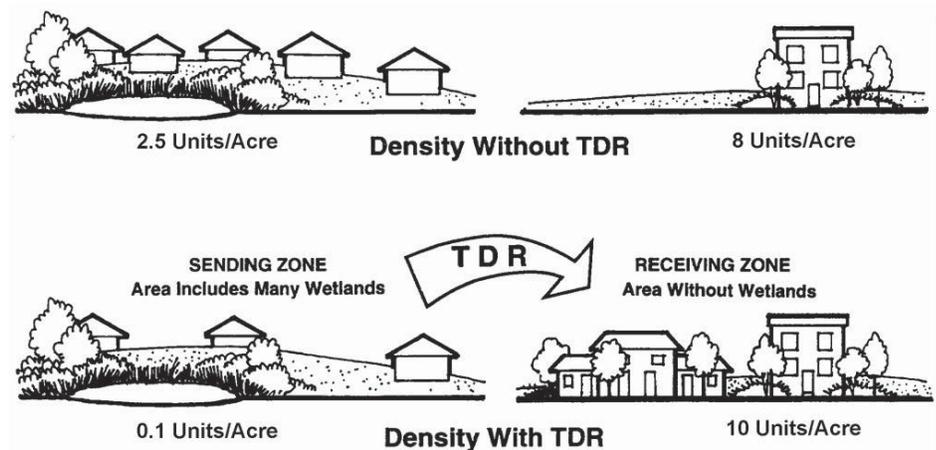
The first case study development is located in Highland Township, Oakland County. This development will serve as the receiving zone for additional development under the hypothetical TDR program. Impacts of the new residential development have been measured by project staff. This region in the Huron headwaters boasts high quality natural features that residents are interested in preserving, such as expansive woodlands and wetlands, and that will serve as theoretical sending zones in the TDR program. Both the developer and the planning department at Highland Township have been terrific partners by providing information essential to the impact analysis.

More information on HRWC's TDR work is available on the project website at [www.hrwc.org/program/land\\_tdr.htm](http://www.hrwc.org/program/land_tdr.htm).

Johnston, R. A., and M. E Madison. 1997. From landmarks to landscapes: A review of current practices in the transfer of development rights. *Journal of the American Planning Association* 63(3):365-378.

Some text adapted from Mike Koles, University of Wisconsin – Extension, Winnebago County. *Transfer of Development Rights Fact Sheet: A Market Approach to Growth Management*.

— Elizabeth Riggs



Development rights transfer to protect wetlands. — Illustration: MDEQ, produced by Planning and Zoning Center

# Upcoming Events - Mark Your Calendar!

## HURON RIVER SWIM 2007

In July, Elizabeth (Liz) Elling will swim the entire Huron River wherever possible from the headwaters to the mouth at Lake Erie. HRWC is supporting this remarkable event that will raise public awareness – both of the river's importance and of its plight – and provide a unique opportunity for individuals and organizations to demonstrate support for HRWC and strengthening and preserving one of our most valuable natural resources.

Liz plans to swim the first week from Proud Lake to Barton Dam, and the second week from Barton Dam to Lake Erie. She will swim those stretches of the river that

are free of hazard and pollution problems, and will “walk around” or canoe those stretches that pose a threat to health and safety. Her efforts will promote the message that while much of the river remains vital and healthy, much more of the river is at serious risk, and a great deal of work remains to be done.

### YOU CAN BE A PART OF THE EXCITEMENT!

Swim with Liz, kayak or canoe alongside her, or help plan an event in your community to coincide with the swim. Contact Jennifer Wolf by phone (734) 769-5123 x17 or email [jwolf@hrwc.org](mailto:jwolf@hrwc.org) for more information.

Liz Elling was born and raised in Michigan's Upper Peninsula, and now lives in Ann Arbor. She actively promotes environmental causes through her avocation of long-distance swimming. In 2001 she swam around the Leelanau Peninsula – one hundred cold and choppy miles – in support of the Leelanau Conservancy's water quality program.



—photo: M. Akemann



Marquee from the 2006 Festival creates a stir downtown! — photo: M. Akemann

## SECOND ANNUAL MILLERS CREEK FILM FESTIVAL

See winning short films about the Huron River system! Public screening and awards ceremony at 4:30 pm Tuesday, March 27<sup>th</sup> at the historic Michigan Theater in downtown Ann Arbor. Event is free. Join us for light refreshments, and stay to meet the filmmakers after the show.

See details at [www.hrwc.org/filmfestival](http://www.hrwc.org/filmfestival) or email [jmartin@hrwc.org](mailto:jmartin@hrwc.org).

## Colt Farms Permit Denied

*Big victory for HRWC, Ann Arbor Township, and the watershed!*

The MDEQ has denied a wastewater discharge permit for a manufactured home development first proposed for Ann Arbor Township in 2001.

Colt Farms Inc. had sought the permit in order to build 1,000 manufactured homes and 300 conventionally built homes on 363 acres of land just north of Ann Arbor. The company wants to treat the sewage in an on-site treatment plant, and the permit would have allowed the company to discharge an average of 350,000 gallons a day of treated sewage into Welch Drain, a tributary of the Huron River. Laura referred to this permit application in the Fall 2006 Huron River Report.

In January 2007, the MDEQ issued their denial letter based on rule 98, the antidegradation rule stating that “the applicant's antidegradation demonstration has not shown that lowering of water quality is

necessary to support important social and economic development in the area.”

**This is only the second permit denial by the MDEQ in the past 15 years for a surface water discharge, with the first permit denial coming last year in Superior Township. HRWC's work to protect the Huron and deny these permits has been successful.**

Thank you to the townships and residents who have voiced their concerns over these permits.

The company still is pursuing a federal court suit over the township's 2001 refusal to rezone the land for the project, and it can appeal the MDEQ ruling administratively.

—Laura Rubin



## Community Support Day A BIG Success!

*5% of the daily gross donated to HRWC totals \$5,446.90!*

Our thanks to Whole Foods Market for this generous donation, and to those of you able to shop for HRWC on January 11.



Whole Foods Market Team Members with check presented to HRWC. — photo: HRWC

# Do Stormwater Regulations Hold Up in Court?

*How a recent court decision may affect Phase II policy*

In late November, a Kalamazoo County Circuit Court Judge granted a summary judgment in favor of Kalamazoo Township in its case against the Michigan Department of Environmental Quality's (DEQ) attempt to enforce the state's stormwater regulations.

The set of stormwater policies and regulations known as "Phase II" came from language within the federal Clean Water Act that requires each state to develop regulations for guiding medium-sized municipalities to reduce pollutants coming through storm sewers or other stormwater conveyance systems. Large cities and other entities were covered under "Phase I." The U.S. Environmental Protection Agency established national standards for the Phase II program, and the DEQ established specific requirements for each affected municipality.

Under these regulations, each affected community must file for a permit by developing a stormwater management plan and committing to a set of actions to address likely sources of pollution. Each community must then report on progress toward implementation of these activities and their results each year.

## WHO IS RESPONSIBLE?

In the court case, Kalamazoo Township argued that since they do not "own or operate" any stormwater systems, they could not be held responsible for regulating or otherwise controlling stormwater. DEQ argued that the township has jurisdiction over the stormwater systems and could do much to control or reduce pollutant inputs into the state's surface waters. The judge sided with the township, in what appears to be a narrow reading of the law.

The original intent of stormwater regulations is to establish state and national standards for addressing an important contributor of nonpoint source pollution (NPS). Phase II addresses municipalities that often contain a mix of urban, suburban and rural development with a wide range of stormwater infrastructure from open ditches to large, underground storm sewers. In order to effectively pursue the goal of reducing pollution from stormwater sources statewide, the DEQ needs to

be able to hold municipalities or other governing bodies accountable for the storm systems they permit. At the same time, some municipalities see this effort as an unfunded mandate that creates an unfair financial burden in a time of shrinking budgets. Taken on its face, both parties may be right. Finding a winner is difficult in what some people view as a zero-sum game.

## WHAT WILL BE THE EFFECT ON THE HURON?

What effect will this decision have on stormwater management in the Huron River Watershed? Perhaps not much. Phase II stormwater regulations have spurred unprecedented collaboration in the watershed.

Downriver municipalities worked together, with HRWC guidance, to develop a watershed management plan that has been approved by the DEQ and is now being implemented. Similarly, the communities between Portage and Kent lakes collaborated to develop the Chain of Lakes Watershed Management Plan, under the guidance of HRWC and the Livingston County Drain Commissioner's office.

In both of these regions, DEQ maintains a collaborative relationship with the communities, and has allowed them much discretion and flexibility in the way they choose to address major stormwater pollutant sources. The progress made within these relationships is not likely to be thwarted by an isolated court decision. In the watershed's middle section and headwaters, municipalities are approaching Phase II regulations on their own, but are coordinating through Washtenaw and Oakland counties. In addition, they are obligated to work on NPS issues under Total Maximum Daily Load (TMDL) plans mandated by DEQ and the Clean Water Act, so they also are unlikely to attempt to avoid the issue. HRWC will continue to work with all communities in the watershed and view Phase II regulation as an opportunity to take collective responsibility for addressing a major source of pollution.

## ARE THERE OTHER REPERCUSSIONS?

Other watersheds in the state may not fare as well as the Huron. DEQ is not

appealing the ruling and views the case as an isolated decision that will not apply to many other municipalities. However, given that many townships and smaller communities do not "own or operate" stormwater systems, some local governments may see the decision as an opportunity to avoid regulatory responsibility. If that happens,

— Ric Lawson



*Who will take responsibility for this pollution?*

—photo: HRWC

## OZONE ACTION

Ever wonder why they advise not mowing the lawn when ozone levels are high? It's because the traditional 2-cycle engine of a lawnmower contributes heavily to air pollution. If it's time to upgrade your mower, consider switching to a manual push mower or electric mower. Not only will you reduce smog emissions, but you'll enjoy the quiet, too.

"When you use a manual push mower, you're 'cutting' down on pollution and the only thing in danger of running out of gas is you!" -Grey Livingston

For more lawncare tips, visit our website: [www.hrwc.org](http://www.hrwc.org)

# Know Your Board Representative

Jason Bibby, Charter Township of Ypsilanti

Jason Bibby is the newest representative from Ypsilanti Township to be appointed to the HRWC Board. A Canadian citizen, he was granted a Bachelor of Environmental Studies at the University of Waterloo. He moved to Michigan in 2001 and earned a Master of Urban Planning from Wayne State University. His focus was on regional growth management.

Jason's initial awareness of the importance of watersheds dates from his time at the University of Waterloo where he learned about Ontario's Greenbelt, an area of permanently protected green space, farmland, forests, wetlands, and watersheds surrounding one of the most populated areas of Canada. The Greenbelt specifically aims to protect water resources from the impact of development. The greenbelt includes the current land use conflict along the Niagara Escarpment, a geologic feature that is the edge of a thick series of dolomite layers and appears as a prominent line of bluffs from Ontario, to Michigan, to Wisconsin.

He is now an Environmental Specialist with the Community and Economic Development Department of Ypsilanti Township. He works on planning and development projects as well as administering the NPDES Phase II Stormwater permit and the Soil Erosion and Sedimentation Control permit.

He and his wife, Andrea, live in Ann Arbor. He enjoys biking along the river, playing guitar and camping. Jason also has inspired his wife to join him in cheering for the Toronto Maple Leafs.

Contact Jason if you have questions, suggestions, comments or, if you would like to become more involved. His phone number is (734) 485-3943. Or contact the HRWC directly at 769-5123.



Jason Bibby, Environmental Specialist

—photo: HRWC

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— Eunice Burns

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# Laura's "Stream" of Consciousness

An update on HRWC projects and activities

## STATEWIDE PHOSPHORUS LEGISLATION

The message that excessive phosphorus is impacting our waters is reaching the masses. Cities and counties in Michigan are passing ordinances to ban or limit the use of lawn fertilizers that contain phosphorus. West Bloomfield, Commerce, Hamburg townships, the City of Ann Arbor, and the City of Orchard Lake Village all have ordinances. Last year on the west side of the state, Muskegon and Ottawa counties passed ordinances, too. With the surge of local ordinances on this topic, state legislators are interested in enacting statewide legislation. Last year the Michigan State Legislature debated Senate Bill 840 which would amend Part 85 (Fertilizers) of the Natural Resource and Environmental Protection Act (NREPA). In

ships), strong statewide legislation is more important for lawn care companies and HRWC's bargaining power is stronger. It's nice to have time on our side.

## MDEQ PHOSPHORUS ADVISORY COMMITTEE

The issue of excessive phosphorus in our waters is also one that the Michigan Department of Environmental Quality (MDEQ) must address more effectively. Last August MDEQ convened a Phosphorus Advisory Committee and

requested HRWC's involvement. We are pleased that the MDEQ is looking for an honest and informed debate on Michigan's phosphorus policy.

The charge to the Advisory Committee from Director Chester is as follows:

- to identify the major source categories of phosphorus loadings to Michigan's surface waters,
- for each of these categories, to review and compile the voluntary and regulatory management approaches that are being or could be used to control

phosphorus, and  
- based on that review, to develop findings and recommendations to help advance phosphorus management strategies protective of Michigan's surface waters, taking into consideration effectiveness, costs of implementation, feasibility, and the potential reductions associated with the various phosphorus control options.

The group has met monthly for the past six months in Lansing to review the current knowledge and thinking about phosphorus, review current programs and initiatives, and make recommendations. The



Spotted salamander (*Ambystoma maculatum*)

—photo: © 2004 Henk Wallays

Advisory Committee is compiling a draft report of findings and recommendations for review and discussion this spring. I am hoping for some real teeth to some of the recommendations.

## SALAMANDER SIGHTINGS

In early spring -- actually the night after the first warm rain -- local salamanders emerge from hibernation and do a cool mating dance. Hundreds of them come out of the ground, making their way to vernal ponds throughout the watershed. It's best to see them after dusk, with a flashlight with a red covering or filter (as they don't notice the red light and so won't slither away). We've seen them the last few years at Hudson Mills Metropark, usually during the evening in mid-March. I've also heard that they can be seen at Horner Woods (see "Ann Arbor's Greenbelt" cover article), Black Pond Woods at the Leslie Science Center in Ann Arbor, and other ponds in the watershed. If you decide to seek the salamanders, walk carefully as you do not want to inadvertently step on a salamander that is in transit to the closest pond. If you want to be notified of good times for sightings please e-mail me at [lrubin@hrwc.org](mailto:lrubin@hrwc.org) and I can send you a note. It's a great way to welcome spring and say goodbye to winter.

— Laura Rubin



Swans swimming in algae bloom caused in part by high phosphorus loads.

—photo: A. Steinman

other words, this bill would limit the use of phosphorus-containing fertilizers.

The bill went through many changes during the negotiations of several issues including the pre-emption of local controls, criteria for tighter restrictions, the role of a model ordinance, and funding for education initiatives. In December 2006, the parties stopped negotiating due to disagreement on key parts of the bill, and as of this writing, no further action is expected until next session. HRWC will continue to work on this bill in 2007. As more local ordinances are passed (in the works are Pittsfield and Ypsilanti town-

# Spotlight on Gary Hochgraf

Volunteer Extraordinaire!



—photo: Marc Akemann

Gary Hochgraf with the “contraption” he, along with volunteer Don Rottiers, built to enable HRWC volunteers to measure flow in deep water without getting wet.

Gary Hochgraf loves a challenge - and if that challenge happens to involve rushing water, inclement weather and high flows, all the better. Gary volunteers for HRWC’s Adopt-A-Stream program, helping to monitor the health of tributaries throughout the Huron River system. “I have participated in many different HRWC activities, every one of which is satisfying at some level,” said Gary. He has mapped streams and habitats, surveyed bank shape and erosion patterns, led river study teams, and measured stream flow in all kinds of weather.

Gary first became involved with HRWC with his two children. He commented that “doing the River Roundup is a fabulous way to get kids involved first-hand in direct environmental action in a positive way.” His own interest in the environment dates back to his childhood when he spent countless hours exploring the swamp across the street from his house. His experiences in the swamp fostered a life-long drive to learn more about the natural world and resulted in a degree in hydrogeology and work as a fluvial hydrologist and as a hydro-geologic cartographer, drawing maps of hazardous waste sites throughout the Great Lakes region. Perhaps Gary’s most spectacular creation as a professional cartographer is a bronze relief map of the state of Arizona.

Maps are essential for discussions about watershed impacts. Gary has redrawn several of the watershed maps produced by HRWC’s geographic information system (GIS) into accessible illustrations by adding

local information and aesthetic value. You will see many of them in the Millers Creek Improvement Plan and the Davis Creek Report. Several agencies working on Davis Creek complimented Gary’s map of the Davis Creek watershed, which had solved their problem to locate such a map that spans three counties.

HRWC also has benefited from Gary’s talents as a builder. Dissatisfied with the inaccuracies in measuring stream bank profiles with the standard equipment, Gary recently created a lightweight, simple and elegant device that makes it easy for volunteers to be accurate. Gary’s first piece of handcrafted equipment for HRWC was created several years ago when Adopt-A-Stream volunteers first measured dangerously high storm flows. Gary and Don Rottiers made a device that enabled the volunteers to remain on the bank while measuring flow. Called the Contraption, it is built on a dolly, enabling the team to roll it to the stream site. It can be used on a bridge, but can also be set up using trees on both sides of the bank to string a taut cable over the stream that has no bridge. The team then moves the flow meter sensor across the stream along the cable, from which it is lowered at set distances into the raging water to measure depth and velocity.

Gary is a terrific example of the many generous people who make study and protection of the Huron River Watershed so successful.

— Joan Martin

## Thank you, Ellen...

Six years of service recognized



—photo: HRWC

Ellen Offen has left HRWC after almost six years as Development Director. Ellen built HRWC’s individual and business memberships substantially and helped HRWC develop more diverse funding sources. We all wish Ellen the best of luck on her next fundraising adventure and hope to see her trekking throughout the watershed.

## ...Hello Margaret!

New Development Director joins HRWC



—photo: Mosaic Youth Theatre

Margaret Smith is starting with the HRWC as the Development Director. Margaret has spent the last 25 years raising funds and awareness for non-profit arts organizations. The past three years she has been the Marketing and Development Director for the Mosaic Youth Theatre of Detroit. She brings a love of the outdoors and environment with a finely honed skill for raising funds to the HRWC. Please stop by and introduce yourself to Margaret.

# Ancients in the Huron

*Native fish has been around a long time*

A voracious predator stalks the waters of the Huron. But don't worry. While this curious fish of primitive origins poses no danger to you, it does present an opportunity to study the river from an entirely different angle.

The longnose gar (*Lepisosteus osseus*) is a member of an ancient order of primitive ray-finned fish. Fossil evidence of gars dates back 300 million years. Today, these amazing creatures populate many of southeast Michigan's waters, including the Huron River.

Gar have long bodies, heavily armored with diamond-shaped, hard scales. Their elongated jaws are filled with narrow, sharp teeth. Longnose gar use the tip of their jaw to lure curious fish within striking distance. Most gar surface periodically to gulp air, an adaptation that makes them tolerant of low-oxygen environments. Gar also have highly specialized swim bladders that can function as lungs! To find out the best way to spot a gar in the Huron, we spoke with Dave Szczygiel, Environmental Educator for the City of Ann Arbor Public Schools. Dave also happens to be the City's official

"Citizen Angler," and record holder for the fifth-largest gar caught in the State of Michigan. Dave told us three things are required to see longnose gar in action: a sturdy boat; a spotlight; and the ability to stay up late – very late. It turns out that gar are hard to spot during the day, thanks to their camouflage. They are active at



Dave and his catch. — photo: J. Russell

night, which means you can shine a light into the river to observe them below the surface. If you're not up to this late-night challenge, consider a visit to Huron River Day at Gallup Park in Ann Arbor on July 15 where you can find Dave under the Environmental Tent. Each year he tries to bring a tank with small gar.

Longnose gar World Record - 50.31 pounds, caught in Trinity River, Texas, in 1954.

Longnose gar State Record - 53-inch, 18-pound caught in 1995 in Livingston County by Dennis Promo of Dearborn Heights.

Longnose gar Huron River Record - 48-inch, 11-pound caught in 2006 by Dave Szczygiel of Ann Arbor.

And what about that record-setting gar Dave caught in the Huron River? It was the largest ever taken out of the Huron, according to DNR records. True to fisherman's form, Dave won't reveal his favorite fishing spots - just that it was caught on the main stem. But he did share that when he opened up another gar, he found a 6" northern pike inside the gar's stomach, and a small bluegill in the pike's mouth. "A very concrete lesson on the concept of food chains!" Dave noted. Indeed.

— Jennifer Wolf

Learn more - visit *The Native Fish Conservancy* at [www.nativefish.org/articles/Gar\\_bowfin.php](http://www.nativefish.org/articles/Gar_bowfin.php) and the *Master Angler* website at [www.michigandnr.com/masterangler/](http://www.michigandnr.com/masterangler/)

## The Huron River Watershed Council

**The Huron River Watershed Council** is a coalition of Huron Valley individuals, businesses and local governments established in 1965 under Michigan's Local River Management Act to inspire attitudes, behaviors, and economies that protect, rehabilitate, and sustain the Huron River system. HRWC is a non-profit organization under section 501(c)(3) of the federal tax code.

**If you enjoy this newsletter, please consider membership.** Services of HRWC include hands-on citizen education, technical assistance in policy development and direct river protection projects. You will find a membership form below. You can also join or renew online at [www.hrwc.org](http://www.hrwc.org). All contributions are tax deductible.

Yes, I want to help the Huron River Watershed Council protect and restore the Huron River.

Here are my member dues, mailed to: Huron River Watershed Council  
1100 N. Main Street, Suite 210  
Ann Arbor, MI 48104

\$5,000 Mink                       \$500 Blue Heron                       \$50 Friend

\$2,500 Smallmouth Bass                       \$250 Mayfly                       \$30 Supporting

\$1,000 Green Heron                       \$100 Steward                       \$\_\_\_ Other

Name \_\_\_\_\_

Address \_\_\_\_\_ City, State \_\_\_\_\_ Zip \_\_\_\_\_

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## Thanks to Our Supporters!

Protecting the Huron is a big job and we would be lost without the donations of time, talents, and resources from our dedicated volunteers and supporters. **We extend Special Thanks to:**

**ZouZou's Coffee House** in Chelsea and the **Dexter Bakery** for donating delicious baked goods for our public meetings about Mill Creek.

**Dave Brooks** for mapping geomorphic pins, downloading transducers and solving whatever problems arise.

**Amy Muldoon** for mapping geomorphic pins, downloading transducers, researching road construction plans and helping to create our information for the public.

**Elsie Orb** for helping with so many projects, including a book about the Huron River Watershed and Liz Elling's upcoming swim.

**Sue Lillie** for refining the maps that enable volunteers to find our creek study sites.

**Whole Foods Market** for their generous Community Support Day!

**Kim Alfonsi, Chris Benedict, Fran Brennan-Pontoni, Patrick Durack, Gary Hochgraf, Demetria Janus, Doreen & David Jessen, David Katz, Susan Lake, Amy Muldoon, Mori & Sorbie Richner, Kay Stremler, Kara Tecco, Molly Wade, Jane Walters, Debi Weiker, and Dave Wilson** for measuring bank profiles in a very cold Millers Creek every month.

**173 people** who searched the entire watershed (at 64 sites) for the elusive winter stoneflies in January.

**The City of Ann Arbor** for providing hundreds of bottles of their award-winning Huron River drinking water for our events.

**Chris Benedict, Sarah Clement, Margaret Doub, Ivan Edwards, Beth Ellis, Brian Foley, Andrew Fotinos, Suzie Heiney, Magda Herkhof, Jo Latimore, Ric Lawson, Jim Ottaviani, Lara Spears, Krista Trout-Edwards, Lindsey Waddell and Debi Weiker** for attending a pilot training session for the Bioreserve project's rapid field assessment, and for providing excellent advice on improvements.

**Tony Reznicek, Bob Grese, Lara Spears, Dave Borneman, and Jeff Plakke**, who tested the rapid field assessment worksheets in the field.

**60 people** who are visiting over 1,700 sites throughout the watershed to assess their quality as natural areas.