



United States Department of the Interior



FISH AND WILDLIFE SERVICE

5600 American Boulevard West, Suite 990
Bloomington, Minnesota 55437-1458

IN REPLY REFER TO:

January 22, 2016

MBSP/MBPO

Gerrish Township
Attn: Supervisor, Frank Homola
2997 E. Higgins Lake Dr.
Roscommon, MI 48653

Subj: Letter of Inquiry Regarding Federal Permit, SPMS MB56627B

Dear Mr. Homola,

This letter is to inquire into the Freedom of Information Act (FOIA) request and numerous citizen complaints received by our agency regarding federal permit MB56627B that was issued in February 2015 to address the swimmer's itch concerns in Higgins Lake.

As extracted from the FOIA received on October 19, 2015:

"There is a growing controversy in our Township about this permit. There have been conflicting representations presented to the public as to the use of, application of, and specificity of this permit."

"There are multiple and growing concerns about Frank Homola's compliance with the conditions of this permit and with his lack of cooperation with other parties directly involved in the overall efforts to work on improving the swimmers itch problem in Higgins Lake."

Besides the FOIA, other concerns have arisen that require the attention of our agency.

As such, I have reviewed the Minutes from the October 15, 2015 public meeting of Gerrish Township and noted that Swimmer's Itch was on the agenda. Concerns from the public were noted in the Minutes from that meeting. Several motions carried at that meeting regarding future funding for swimmer's itch and a motion to seek a federal amendment to the existing permit. I have received your email amendment request in December and have responded that I am currently in discussion with the MI DNR regarding state concurrence/approval. I have also reviewed the Minutes from your December public meeting. I noted that many of the Gerrish township responses to public questions at that meeting were recorded as that Gerrish would respond at a later date. Please confirm one of the questions from that meeting. Is it accurate that Northpoint responded to a question about their experience with swimmer's itch by saying they had no swimmer's itch experience?

Specifically, I am requesting that you address the following questions/issues:

- When you applied for this permit you stated that you would work with Curtis Blankespoor and the activities he planned to conduct under his separate scientific collecting permit to address swimmer's itch. I have recently reviewed your 2016 plan "A Comprehensive Action Plan to Address Swimmers Itch Higgins Lake, Roscommon County 2016" and there is no mention in that document of your proposed collaboration with Mr. Blankespoor and/or SICON LLC in 2016 or 2017. In fact, in a separate letter of complaint from Mr. Blankespoor dated August 28 2015, he questions various permit violations and the efficacy of your activities in controlling swimmer's itch.

Mr. Blankespoor has "strongly urged" the U.S. Fish and Wildlife Service (Service) to suspend your federal permit. I have also heard from other local citizens that Mr. Blankespoor is prepared to cease and walk away from his scientific research into swimmer's itch on Higgins Lake if your permit is continued into 2016/2017.

- Several organizations, to include the Higgins Lake Property Owners Association (HLPOA), the Higgins Lake Swimmer's Itch Organization (HLSIO), and Michigan Audubon, have also expressed concerns over the activities of Gerrish Township related to swimmer's itch management and control under state and federal permits. At their July 2015 annual meeting, HLPOA members "overwhelmingly voted to approve and support a three year lake wide program conducted by SICON to study and control SI on the lake. Other organizations on Higgins Lake, including the Higgins Lake Land Conservancy and the Higgins Lake Environmental and Economic Coalition, also have endorsed the SICON comprehensive program."
- HLSIO in a formal letter to the Service dated November 2, 2015 has stated they "strongly support" the HLPOA letter of October 30, 2015 and the program conducted by SICON LLC. As stated in their letter, "For the past year, we have supported a jointly managed and funded program on Higgins Lake that "retimes" the Northpoint Fisheries Management (Northpoint) program. We believe the Northpoint program should begin after July 31 and follow the SICON capture and relocation and nest location and sealing program. We believe that form of joint program emphasizes the humane relocation of common mergansers and uses limited lethal control only when necessary. It avoids a "kill all the ducks" mentality that we believe has developed in support of the Gerrish Township lethal permit." In your response, please address why you feel a "retimed" approach would not be effective as part of the comprehensive swimmer's itch control plan.

As stated on the Gerrish township website, <http://gerrishtownshipmarina.com/swimmers-itich/>

What Is Being Done?

Gerrish, Lyon Townships and the Michigan Department of Natural Resources with support from the Higgins Lake Foundation and Higgins Lake Property Owners Association are working to find solutions. Gerrish and Lyon Townships established a Swimmer's Itch Task Force in 2013 to gather and share information, consider options and implement measures to mitigate the impact of Swimmer's Itch.

- Please comment on the above. Specifically, is Lyon Township in agreement with your plan?

Please note, the Service will use your response as a basis to reevaluate the continuity and viability of federal permit MB56627B in 2016 and 2017. Your response is due within 30 days. Failure to respond may result in a proposal to suspend your federal permit per 50 CFR 13.27.



Larry A. Harrison
Migratory Birds Permits Chief, Midwest Region
U.S. Fish and Wildlife Service