

Mr. Larry A. Harrison
Migratory Bird Permits Chief, Midwest Region
U.S. Fish and Wildlife Service
5600 American Boulevard West, Suite 990
Bloomington, Minnesota 55437-1458

Dear Mr. Harrison,

This is the response of the Higgins Lake Swimmer's Itch Organization (HLSIO) to Mr. Frank Homola's letter to you dated February 16, 2016. We recently received a copy of Mr. Homola's letter. After reading the letter, we decided to provide some additional information to you so that you will have a more balanced view of the situation regarding swimmer's itch efforts on Higgins Lake. There are many issues with Mr. Homola's letter. Some of the primary issues are addressed herein and quoted below. For each quote, our response immediately follows the quote.

1) Page 1. Mr. Homola- *In short, a small group decided they would pursue a single plan of action by contracting with SICON in an effort to reduce swimmer's itch in Higgins Lake:*

1) Response of HLSIO- The decision making process to hire Dr. Curt Blankespoor and Ron Reimink of SICON took many months. There were public meetings at both Gerrish and Lyon Townships in 2014 and a review with the Swimmer's Itch Task Force in 2014. These meetings were followed by the formation of a dedicated and independent board in January, 2015, consisting of a cross section of business, local government and association leaders to incorporate and focus solely on managing the comprehensive swimmer's itch program and SICON.

The first meeting where SICON was introduced to the Higgins Lake Community occurred on October 12, 2014. The SICON meeting was hosted by Frank Homola, Gerrish Township Supervisor, at the Gerrish Township offices. The SICON meeting was attended by representatives from the Higgins Lake community including the Higgins Lake Property Owner's Association, The Higgins Lake Land Conservancy, the Higgins Lake Foundation, the Higgins Lake Environmental & Economic Coalition, local government officials from Lyon Township, Gerrish Township and Roscommon County and other members of the Higgins Lake community. Mr. Reimink and Dr. Blankespoor attended on behalf of SICON, gave a power point presentation and answered questions about swimmer's itch, their decades of work on swimmer's itch control programs and their credentials.

The next SICON meeting was held on November 8, 2014 at the Lyon Township offices and was hosted by Ed Nellist, Lyon Township Supervisor. The representatives attending and discussions were similar to the Gerrish Township meeting, except SICON brought a written proposal for the science-based Comprehensive Swimmer's Itch Control Plan and a proposed budget, which were reviewed by the attendees.

Following these two meetings, Dr. Blankespoor and Mr. Remienk were invited to and attended the December 16, 2014 Task Force Swimmer's Itch meeting with similar attendees. Also in attendance

was Barb Avers from the Michigan Department of Natural Resources. Dr. Blankespoor and Mr. Reimink again discussed swimmer's itch, their control program and work on other lakes.

On January, 9, 2015, a cross section of Higgins Lake community leaders, including Mr. Homola, met to be seated as board members for the newly formed HLSIO. Others included Bob Schneider, Bill Carey, Ed Nellist, Dale McDonald, Ken Dennings and Jim Vondale. A key part of the agenda was to approve an agreement to hire SICON to conduct a science-based Comprehensive Swimmer's Itch Control Program on Higgins Lake. The Minutes of the First Board Meeting of the Higgins Lake Swimmer's Itch Organization reflect that Edward Nellist made a motion to enter into the SICON LLC Agreement, as amended. The motion was seconded by William Carey to enter into the SICON LLC Agreement, with the amended language, presented at the meeting subject to Bill Carey confirming that SICON, LLC had made the proper entity filing. A vote was taken and all Directors, including Mr. Homola, voted in favor of the motion. At the conclusion of the HLSIO board meeting the necessary filings were made with the state including the listing of Mr. Homola as a Director of HLSIO. Shortly after the meeting, Mr. Homola resigned from the HLSIO board.

2) Page 1. Mr. Homola-The controversy arose when Gerrish Township declined to participate in the SICON plan due to the fact that SICON was not a legal entity at the time of the initial discussions, as well as what many residents believe to be excessive fees requested by SICON.

2) HLSIO Response- As previously noted, the newly constituted HLSIO board voted unanimously to hire SICON on January 9, 2015 subject to confirmation that SICON was a legal entity. The issue of whether SICON was a legal entity was first raised at the January 9, 2015 meeting by Mr. Homola. A check of the Michigan.gov website the evening following the meeting disclosed SICON was listed as an active legal entity as of December 22, 2014 on the Michigan.gov website. An email confirming that fact was sent to HLSIO board members, including Mr. Homola, on January 11, 2015. A current review of the Michigan.gov website shows SICON continues to be Active and a proper legal entity. The backup documents Mr. Homola provided to you with his response further confirm these facts. There was not and is not an issue with SICON being a legal entity.

The issue of the costs of the SICON program was discussed at length before the January 9, 2015 first meeting of the HLSIO directors as. All contributions to the HLSIO program were voluntary and approximately 500 individuals, organizations and governmental entities supported the HLSIO program financially in 2015. More than \$240,000 was raised to support the HLSIO program and SICON was paid in full for their efforts. It is very important to note that the written agreement between HLSIO and SICON was based on trust and SICON agreed to work on Higgins Lake with no binding commitment that they would be paid. SICON invested a significant amount of their own time at meetings and to obtain necessary permits as well as equipment, including purchasing a boat, before receiving any payment from HLSIO. It is highly unusual for a firm to agree to work with no binding commitment to compensation and HLSIO appreciates the willingness of SICON to work under those conditions.

At the March 17, 2015 Swimmer's Itch Task Force meeting, Mr. Homola gave a different reason for proceeding with his own program. The Minutes state, "Ken Dennings reminded Frank that earlier he had said if Blankespoor's received their permit he would withdraw his permit. Frank said he would not withdraw his permit. He feels there would be no swimmer's itch relief this year with the

Blankespoor's program since they cannot shoot mergansers. Ken stated that the Blankespoor permit allows them to take 20 mergansers, only five less than Frank's, and they also have a permit to oil eggs."

3) Page 2. Mr. Homola- *It is obvious that SICON and its supporters will not stop until they get the answer they want to hear; that is, Gerrish Township's permit be suspended giving SICON a monopoly as the sole entity able to provide services on Higgins Lake.*

3) HLSIO Response. SICON, HLSIO and HLPOA have consistently advocated for a retiming of the Gerrish program and permits, not revocation to address the interference of the Gerrish Township program with the HLSIO program. Mr. Homola raised the issue of suspending the Gerrish permits at the December 16, 2014 Task Force Swimmer's Itch meeting. Minutes of that Task Force Meeting state; "Frank felt this was a big decision for the Township. He felt if the Township spends money they are doing it in the best interest of the people. He feels we need to go with a lethal permit application until funding is in place to support the Blankespoor program. He said if the money is in place he will withdraw the lethal permit, or if the money can be raised from private sources he will withdraw the lethal permit. He felt they had a responsibility not to get themselves in financial difficulty." The Minutes further reflect, "Frank stated again that he will pursue the depredation permit and if money comes available he will turn the permit in." As noted above, Mr. Homola, as a member of the HLSIO board, subsequently reviewed and approved the SICON agreement on January 9, 2015. Under the SICON agreement, HLSIO was not legally obligated to make full payment to SICON so there was no financial risk by hiring SICON. Mr. Homola did not withdraw the lethal permit that he received in February, 2015.

4) Page 2. Mr. Homola- *Northpoint Fisheries Management, LLC along with SICON, LLC, submitted a proposal to the HLSITF (Task Force) for a Comprehensive Action Plan to Address Swimmer's Itch on Higgins Lake at a total cost of \$82,000.*

4) Response. It should be made clear that at the time SICON reviewed its plan and budget at the December 16, 2014 Higgins Lake Task Force meeting, Northpoint Fisheries was not even on the radar screen as a contractor. SICON and Northpoint Fisheries did not submit their proposals to the Task Force simultaneously as this response seems to suggest. Mr. Homola's recommendation at the December 16, 2014 Task Force meeting was Berg Animal Control who submitted a proposal for harassment and lethal take for \$111,952 per year. Tom Kiser's Dear Fellow Riparians email of 3/25/2015 announced the impending hiring of Northpoint Fisheries by stating, "They (Gerrish Township board) will contract with Mr. Steve Sendek a retired DNR biologist who worked on the successful mitigation of Commarants."

The decision by Gerrish Township to separately retain Northpoint Fisheries came long after SICON's vetting in key meetings in 2014, after Mr. Homola's comments about withdrawing the harassment and lethal permits in December, 2014, and after HLSIO had been incorporated and Mr. Homola and other HLSIO board members approved an agreement to work with SICON on Higgins Lake on January 9, 2015. Mr. Homola decided not to use Berg Animal Control and Northpoint Fisheries was first introduced at the Swimmer's Itch Task Force as a prospective contractor in late March of 2015.

5) Page 2. Mr. Homola- *The Permit was issued to allow hazing, harassment, and lethal take of up to 25 Common Mergansers from ice out until May 22, not during busy summer months when thousands of people are on the water.*

5) HLSIO Response. The Gerrish Township permit issued by the MDNR for harassment expired on June 10, 2015. The Gerrish Township permit for lethal take of Common Mergansers expires on March 31, 2018. We believe the statement about “thousands of people” significantly overstates the use of Higgins Lake during the months of August and September. Our experience on Higgins Lake is that August, particularly during the week, is not a busy time on the lake. Retiming the harassment and lethal permits to August and September will place them after the peak summer season. A good compromise, which would reduce any potential lethal take risks even further, is to allow harassment during the months of August and September and move the lethal permit to after Labor Day.

6) Page 3. Mr. Homola-*Both of these professionals have a thorough knowledge of swimmer’s itch, and associate with a wide network of other resource professionals.*

Page 5. Statement/Question 1 of Mr. Harrison: Please confirm one of the questions from the December 21, 2015 public meeting of Gerrish Township. 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?

Response. Mr. Homola- Therefore, while the minutes may give the impression Northpoint stated they did not have previous swimmer’s itch experience, in actuality the principals had extensive knowledge of swimmer’s itch and wildlife control.

6) HLSIO Response. The Minutes of the Gerrish Township public meeting on December 21, 2015 state the following: Question “I haven’t heard anything about your previous work in the reduction of Swimmer’s Itch can you tell us about that?” Northpoint answer “I have not worked with SI, if solving SI problem was finding the host, we are into a wildlife management problem that’s where I come in.”

Dr. Luttonton is a principal of Northpoint. A review of Dr. Luttonton’s web page for Grand Valley State University shows no evidence of experience or interest in swimmer’s itch. Research interests are listed as Tracking Au Sable River Brown Trout, Whirling Disease in the Au Sable River, Muskegon River Steelhead Recruitment, Invasive Cattails and Great Lakes Fungi. We are unaware that the Northpoint professionals have published any work on swimmer’s itch. It is not clear what is meant by “and associate with a wide network of other resource professionals. Furthermore, the Gerrish Board’s written response to Linda Brick’s December 21, 2015 question about contracting with a firm who didn’t have experience stated, “Northpoint did not have previous Swimmer’s Itch experience but have extensive knowledge and experience in wildlife management.” There is a difference between “extensive knowledge” from reading articles about swimmer’s itch and actual experience with swimmer’s itch as the question asks.

7) Page 10. Mr. Homola- *More recently, SICON has made it even very clear that they do not want Northpoint involved in any way. During the Lyon Twp. Meeting in January, 2016, SICON and Mr. Dennings noted that they were talking with other researchers about adding new elements to their*

work plan including, monitoring the abundance of cercarie in lake water, evaluating snail/algae relationships, and conducting genetic studies. Mr. Dennings even went so far as to say they are attempting to raise funding for this additional work. Interestingly, all of these elements were included in the 2015 Northpoint proposal.

7) HLSIO Response. SICON has taken the same position as HLSIO and HLPOA; that a retimed Gerrish Township permit that follows the work of SICON would be the most effective combined program and good policy because it would not emphasize lethal taking of Common Mergansers as the solution to swimmer's itch. The effectiveness of the Gerrish Township program would be increased because it would target resident and fly-through Common Mergansers in the late summer and fall when snails are active. It also would significantly reduce the interference with the SICON program that involves finding nests using natural flight patterns of the ducks and trapping and relocating ducks.

Mr. Dennings and Dr. Blankespoor were not discussing "adding new elements to their work plan." They were referring to the work of Oakland University and Dr. Tom Raffel (a parasitologist) under the sponsorship of the Michigan Swimmer's Itch Partnership (MSIP) and SICON. These organizations worked together during the summer of 2015 on research involving DNA technology including identification of swimmer's itch parasites and their quantities in the water. Oakland University conducted their research on 8 lakes in the summer of 2015, including Higgins Lake. They are proposing to expand their research on up to 20 lakes this summer, including Higgins Lake. DNA research similar to Oakland University is being conducted by others in the US and Canada. Mr. Dennings and others with MSIP are helping to secure participation and funding of this expanded program. While Northpoint's research remains a proposal, others, including Dr. Tom Raffel, have already moved forward in this field, including work on Higgins Lake. There has never been an intent to force Northpoint Fisheries out of this field of work. But we question whether Northpoint Fisheries has the qualifications to conduct this work and whether it is cost effective to again introduce a competing and duplicate work plan that is already underway on Higgins Lake and other lakes in Michigan by a well-qualified expert in the field of parasitology.

8) Page 10. Mr. Homola. *As for the rumor that SICON may discontinue its services on Higgins Lake, they have clearly stated at the Gerrish Township meeting on December 21, 2015 and in the most recent public meeting held in Lyon Township on Jan. 9, 2016 they stated they are here to stay.*

Page 11. Mr. Homola- It is only if SICON left would Gerrish Township and Northpoint engage in additional activities if the permit were expanded.

8) HLSIO Response- On December 23, 2015, two days after the December 21, 2015 meeting where SICON "stated they are here to stay," Mr. Homola sent an email to you to determine the "process to amend our Special Purpose permit that deals with Common Mergansers." The request included "#3. Amend the permit to allow trapping and dispatching of the broods that do hatch next spring. This would not be used if Sicon returns to the lake next year. But there is some question if they will be back as they stated at a recent meeting that was held." We question what basis Mr. Homola had to state in his email to you two days after the Gerrish Township public meeting that "there is some question if they will be back."

9) Page 11. Mr. Homola- *As for efficacy of Northpoint's program, they were just as effective if not more as SICON in removing Common mergansers from Higgins Lake. SICON removed 9 broods (consisting of 88 individual birds) plus 9 other adult/sub-adults which were lethally taken for a total of 97 Common mergansers. Northpoint harvested 25 adult and sub-adult Common merganser, 8 of which were reproductive hens ready to nest on Higgins Lake as identified by SICON in the necropsy report. These 8 reproductive hens could have produced 72 ducklings (based on an average of 9 ducklings per brood). The sum of adults, sub adults and potential ducklings equal 97 individual Common mergansers effectively removed from Higgins Lake by Northpoint.*

9) HLSIO response- The claims of effectiveness of the Gerrish Township have changed and steadily decreased over time. The April 13, 2015 email from Mr. Kizer to Dear Higgins Lake Residents stated "Removal of 25 birds and eliminating the eggs (as many as 10 or so per nest) from hatching will result in significantly less birds next year (maybe up to 250 birds if the eggs don't hatch due to removal of 25 birds and oiling the eggs) will certainly help." In an 8/20/2015 editorial to the Houghton Lake Resorter, Mr. Homola stated "We were very successful taking 25 Mergansers, five of those being males. Many of the Hens had eggs in them or were in the breeding process. In short, those 25 ducks and the eggs that were not hatched equal about 210 or more ducks that will not be coming back to Higgins Lake in the spring of 2016. The current effectiveness claim of the number of Common Mergansers eliminated from Higgins Lake under the Gerrish program is 97. As to the true effectiveness of the Gerrish Township program, Northpoint Fisheries left more than 97 Common Mergansers on Higgins Lake after they exited the lake, mostly brood ducks that are the single largest cause of swimmer's itch infection on a lake. If not for SICON, these Common Mergansers would have continued to infect the lake throughout the summer of 2015 and there would have been no meaningful reduction in swimmer's itch on Higgins Lake in 2016. Had Northpoint Fisheries followed the SICON work beginning in August, SICON still would have removed all of the broods from the lake, there would have been no interference with the SICON program and the resident ducks and fly-throughs in late summer and fall would have likely been addressed by Gerrish Township's program.

10) Page 12. Mr. Homola- *Aside from one member of Lyon Township's board, who cannot speak for the entire board unless otherwise authorized to do so, we believe all of these entities still support Gerrish Township's efforts to eliminate swimmer's itch.*

10) HLSIO response- Mr. Homola's response presents letters of support from 2013 and 2014 that predate the concern about the competing Gerrish Township program that interferes with the SICON program as if they represent current positions. For example, Lyon Township has consistently supported the SICON plan and a retiming of the Gerrish Township permit since late 2014. Lyon Township has gone so far (as noted in Mr. Homola's response) to prohibit Northpoint Fisheries from conducting their activities on parts of the lake that are within Lyon Township boundaries. In its February 18, 2016 letter to you, the Lyon Township board confirms its position by stating, "This letter is being sent to you to set the record somewhat straight. We the Lyon Township board, do not support the Federal Permit MB56627B that was issued to Gerrish Township in February 2015 to address swimmer's itch in Higgins Lake." The Lyon Township Board goes on to state they support a retiming of the permit. Similarly, the Letter of Support from the Higgins Lake Land Conservancy states

“The Conservancy advocates for a coordination of the Northpoint and SICON programs so that the best results for Higgins Lake is achieved.”

11) Page 12. Mr. Homola. *As for the suggestion HLPOA members overwhelming (SIC) support the SICON three-year plan, it is widely known that a handful of the membership in HLPOA and HLSIO endorse SICON; however to infer from that the entire membership of 400 voted for the plan is disingenuous as the entire membership was not a the annual meeting.*

11) HLSIO Response. Approximately 200 of the more than 500 members of HLPOA were represented at the July Annual Meeting. Members overwhelmingly voted in favor of a resolution to support SICON and HLSIO. HLSIO is not a membership organization, but more than 500 individuals (many were not HLPOA members), organizations and local government entities financially supported HLSIO in 2015, contributing more than \$240,000.

12) Page 12. Mr. Homola- *Please note that the Higgins Lake Environmental and Economic Coalition (HLEEC) does not exist! It fraudulently touts itself as a Michigan Non Profit Corporation on a website which identifies Eric Ostergren as a Trustee; However records with the Michigan Department of Labor and Economic Growth do not show this entity as existing in its online data base. (See attachment to Exhibit A) Hence HLEEC purported endorsement of SICON is unworthy.*

12) HLSIO Response. Mr. Homola accuses HLEEC of not existing and “fraudulently touting” itself as a Michigan nonprofit corporation. This is the second instance, in Mr. Homola’s response, where the status of an active legal entity in the State of Michigan was questioned. The first being SICON. His response cites records of the Michigan Department of Labor and Economic Growth and its data base for support and referred you to a typed document in the Exhibits.

An internet search of Wikipedia shows the Michigan Department of Labor and Economic Growth existed under Governor Granholm as a Department in the state of Michigan from 2006 to 2008. The Department no longer exists in the State of Michigan and there is no such website. The typed Exhibit purporting to support Mr. Homola’s claim of fraud refers to the non-existent Michigan Department of Labor and Economic Growth (DLEG) and is not an official record of the State of Michigan. In Michigan, information about nonprofit entities is listed on the Michigan.gov website. Information can be accessed using a name or word search. Since 2011, under the direction of Governor Snyder, the Department of Licensing and Regulatory Affairs (LARA) has regulated nonprofit corporations in Michigan. A review of the Michigan.gov website lists the HLEEC as active and up to date in its filings. A call to its President, Glenn Artz, or Eric Ostergren, who are well known in the Higgins Lake community, would have confirmed this information. HLEEC not only “existed” in 2015, its early support and contribution to HLSIO were widely reported.

13) Page 13. Mr. Homola- *First of all, as stated many times herein, HLPOA and HLSIO are essentially one and the same. It is the equivalent of a letter from the Gerrish Township board in support of a letter from the Gerrish Township Police or Fire Department supporting the purchase of a new vehicle.*

13) HLSIO Response- The HLSIO board is an independent directorship corporation, qualified as a 501(c)(3) organization, with a board consisting of a cross section of the Higgins Lake community including business, local government and association leaders. The HLSIO focuses solely on the management of the swimmer's itch program, including SICON, on Higgins Lake. There are 7 board members, since Mr. Homola resigned his board membership in January, 2015. Three HLSIO board members are not members of the HLPOA. Two HLSIO board members are also board members of the HLPOA. The HLPOA is a membership corporation, qualified as a 501(c)(4) organization, with more than 500 members in 2015. The HLPOA board consists of 11 members. 9 HLPOA board members are not members of the HLSIO board.

Approximately 500 individuals, organizations and governmental entities supported the HLSIO program. A survey conducted of HLPOA members identified swimmer's itch as the number one concern of members. A resolution at the 2015 HLPOA Annual Meeting passed by members in attendance supported HLSIO and SICON. The HLPOA has consistently taken the position that harassment of Common Mergansers is not an effective means to address swimmer's itch.

In fact, the HLPOA position of not supporting the Gerrish harassment approach is evidenced as early as March 24, 2014 in an email from then President, Pat Springstead to Supervisors Nellist, Homola and HLPOA board members. Mr. Springstead stated the past and current position of the HLPOA as follows: "I will try to summarize the feeling of our board members regarding the harassment letter that the Supervisor's authored. Our board member Herb Weatherly was involved with a harassment effort a number of years ago and it was ineffective. Even the DNR admits that with a lake our size that a harassment effort would do nothing more than move the mergansers to a different area of the lake. We appreciate that with the politics of SI, that it is important for the Township to show some effort to mitigate the problem. The HLPOA feels that the swimmers itch problem is at the top of the list of issues that impact the quality of life at the lake and the economic engine that drives the area.

We feel that the harassment letter by itself is not worth the cost to mail to all lakefront property owners and it should be pointed out that we don't think that by itself it would have much effect on the itch. We also are unsure of the feelings of our members to having the noise of the crackers effect their tranquility and enjoyment of the lake. But we would be happy to email to our members the Supervisor's harassment letter in an email with a cover letter expressing our boards thoughts on the issue. We would leave open the possibility in the future to reach out to our members with a much more robust plan that we would be happy to work with the Townships for a more holistic plan to combat swimmers itch. If you have any thoughts or comments please feel free to contact me.

Regards,
Pat Springstead"

14) Page 13. Mr. Homola- A "retimed approach would not be effective."

14) HLSIO Response. A retimed Gerrish Township permit would be the most effective way to move forward with both programs. Without harassment/degradation in the spring, SICON scientists could locate and seal nesting sites believed to be the limiting factor for increased population size of

Common Mergansers. This would provide cost and effectiveness benefits for years to come. There is currently no known trap for catching adult Common Mergansers (although SICON is working with engineers to design one.) When SICON's first year program ended on July 31, 2015, there were still over a dozen "resident" adult Common Mergansers left on Higgins Lake. We are told by SICON they are second year birds that spend the entire summer looking for nesting sites for the next year. Had they not been harassed and shot at in the spring, SICON may have had a better chance to shoot them and utilize them in their research efforts. A retired Gerrish Township program would significantly increase the opportunities to take those birds under the Gerrish permit and it would provide additional protection of the lake throughout the late summer and early fall before fall hunting season begins.

15) Page 13. Mr. Homola- *Secondly, we want to state there has never been a Gerrish promotion of "kill all ducks."*

16) HLSIO Response- When SICON began working on Higgins Lake, they noted 5 wounded Common Mergansers and one wounded Red Breasted Merganser that could not fly. Based on decades of experience, they had never seen that many wounded Mergansers on a lake in the early spring. SICON also discovered, during the course of their trapping activities, two dead Common Mergansers washed up on shore. The wounded birds were taken by SICON as part of the research effort and necropsy revealed previous injuries common with gunshot (broken wing/pellet entry evidence.)

At the summer fundraiser for HLSIO, an attendee loudly stated that he did not understand why we were spending all the money on our program and we should shoot the ducks. He stated he had shot many himself.

Mr. Kizer, a frequent and vocal supporter of the Gerrish program, included the following in his September 26, 2015 email to Higgins Lake Riparians, "Mr. Homola and Gerrish, identified the problem early on: MERGANSER DUCK REMOVAL. The science had been done years before. They concluded after hearing the sales pitch of both Northpoint and SICON that they would put their limited financial eggs in the Northpoint basket. They sorted the "wheat from the chaff" and concluded that this was not about science as SICON touted, it was about Merganser duck removal. They concluded \$675,000 for 3 years as claimed by SICON was more than the Township could afford and further more than it should cost to remove a duck!!! This is not about science it is about the cost to remove DUCKS!! 3. Northpoint sells their service of "permanent removal by destroying Common Mergansers" by claiming expertise in doing so. What we know about the Northpoint work is that these ducks will not lay one egg; nor produce one brood because they are DEAD."

We believe limited lethal control can be a part of a comprehensive control program as a secondary measure that is properly timed with more effective measures. However, we believe it should not be advocated as the centerpiece of a Comprehensive Swimmer's Itch Control Program.

17) Pages 6 and 7. Mr. Homola. To our surprise, SICON has never acknowledged these studies exist; most surprisingly during the public meetings.

17) HLSIO Response- Not only has SICON acknowledged the existence of these studies on a number of occasions, they have attempted to correct the misinterpretation of the seminal findings in those studies by Northpoint Fisheries. SICON held weekly evening open houses, two Saturday Town Halls, and number of presentations to associations, along with the two Public Meetings at Gerrish Township and Lyon Township. Here are some examples of interpretations of studies that need to be corrected.

a) The Murray J. (2002) study. Mr. Homola. This study clearly shows that eggs deposited by infected mergansers through their feces are viable and begin to infect snails as soon as they arrive at ice out.

a) Correction by HLSIO- As stated in the abstract of the Murray paper..." Stagnicola emarginata [that] were exposed at 22 deg C and 16 deg C had the highest prevalence of infection (32% and 25% respectively), while those at 4 deg C, had a 6% infection rate; those of 10 deg C, 28 deg C, and 34 deg C yielded no infections. Few snails were infected at the extreme temperatures....Based on these data, although miracidia can hatch and survive at extreme temperatures, snails are not as likely to become infected. Northpoint Fisheries should have pointed out that the results reported in this study are from experiments conducted in Petri dishes and not in a natural environment (e.g. a lake), which yield much higher infection rates given the confined nature of a 3 inch Petri dish.

b) The Saxton J.B. (2001) study. Mr. Homola. They (Northpoint Fisheries) believe the long-term solution is reducing the host snail population by reducing nutrients which will reduce algae, the food source which supports the expansion of the snail population. Dr. Luttonton recently discovered a MS thesis that advance the same idea 15 years ago (Saxton 2001). This is outlined in the power point program that Northpoint has been showing at public appearances explaining their program and general misconceptions about the Northpoint Swimmer's Itch Program.

b) Correction by HLSIO- The Saxton paper concludes there is no significant correlation between snail density and chlorophyll a (indicator of algae) in water less than 1m in depth. Saxton also reports that the highest snail densities occur between .5 and 1m in depth. Most swimming occurs in water depths of 1m or less.

c) The Burch J. and Y Jung (1992) study. Mr. Homola. SICON claims that the host snail, Stagnicola emarginata (emarginatus), is not present in the Great Lakes.

c) Correction by HLSIO- SICON has never denied that Stagnicola emarginata occurs in the Great Lakes. But the distribution of this particular species of snail in Lake Michigan and Lake Huron is limited to very small, isolated areas (i.e. only wind-protected bays with very sandy substrates.) What SICON has repeatedly said is that Stagnicola emarginata (emarginatus) is not present in areas of Lake Michigan and Lake Huron where SICON releases the trapped COME's.

d) The Brown (1938) study. Mr. Homola. SICON has consistently suggested that swimmer's itch does not occur in the Great Lakes.

d) Correction by HLSIO- SICON has consistently said that people rarely report getting swimmer's itch in Lake Huron and Lake Michigan. For this reason and the reason stated in c) above, Lakes Huron and Michigan are often selected by the Michigan DNR as its preferred COME release sites.

We appreciate the opportunity to provide additional information about this important matter. We would be happy to answer any questions you may have or provide you with copies of any of the documents quoted in this letter.

HLSIO Board