

**A Memorandum of Understanding
between
Huron Pines Resource Conservation and Development Council
and the
Ocqueoc River Commission**

PURPOSE

The purpose of this agreement is to facilitate the restoration and protection of the Ocqueoc River Watershed. The two signatories are united by a mutual dedication to the improvement of this resource. The Memorandum of Understanding is intended to clarify administrative, project management, technical assistance and financial management roles between Huron Pines and the Ocqueoc River Commission. By establishing the Memorandum of Understanding, staff members from Huron Pines are able to dedicate more time to the improvement of the watershed in developing new projects, grant writing, and public outreach.

BACKGROUND

Located in Presque Isle County, the Ocqueoc River Watershed encompasses approximately 94,394 acres. The area is very rural, with tourism, farming, forestry and resource extraction the predominant commercial activities. The county itself has nearly 20% public (state) land, which is an attraction for hunting, fishing, wildlife watching, snowmobiling, skiing, and other outdoor activities.

The region is underlain by pre-glacial limestone bedrock. Bedrock is close to the surface and exposed in many areas. The Ocqueoc River is often referred to as having the only waterfall in the Lower Peninsula; this karst region has sinkholes and areas where small streams can seem to “disappear” under ground. The connections between surface and groundwater are not entirely known and create a concern for ensuring that all water resources are well protected.

Surface water accounts for approximately 1,620 acres within the watershed. At the southernmost extent of the watershed, the headwaters area, numerous small lakes can be found, along with large wetland complexes. Many of the lakes were flooded artificially by impoundments. As expected, waters in this portion of the watershed support a warmwater fishery. At least 14 of the lakes appear to have a direct surface water connection to the Ocqueoc River.

The main branch of the river, as it leaves the “chain of lakes,” enters the only urban area of the watershed, the small town of Millersburg. Dams and removal of vegetation in and around this section of river contribute to sedimentation and warm stream temperatures. As the river flows over what’s known as Ocqueoc Falls, rock outcroppings can be observed, rare for the lower peninsula of Michigan. The swift flow of the stream in this section results in an area much different in character from both the upper and lower parts of the watershed.

The two major tributaries to the Ocqueoc, Little Ocqueoc and Silver Creek, are coldwater streams that enter the main branch between the falls and Ocqueoc Lake. In the future, the quality of these two streams will be closely tied to land use. As the mainstem of the river flows

north, water temperature actually decreases due to the gradual declining influence of the lakes and impoundments in the upper watershed and inputs from coldwater tributaries from groundwater.

The karst geology of the region is of special concern, as the relationship between ground- and surface-water is not fully known in all portions of the watershed. Sinkholes can be observed in the region, as well as stream sections that “disappear” underground and re-emerge downstream. Fish cover (i.e., large woody debris) seems to be abundant throughout the watershed.

The river does experience fluctuating water flows, which can be observed by noticing numerous sand deposits adjacent to the river, deposited during high-flow events.

Just downstream from Ocqueoc Lake, the river is relatively straight with little streambank erosion. However, at about the halfway point between the lake and the river mouth, streambanks become very high. Sandy banks and very sharp bends in the river contribute to very heavy erosion problems in this area. Stabilization of this area would be extremely difficult, if not impossible, and would likely contribute to more problems, as the river will continue to naturally meander and erode the high sandy banks.

In order to address the above concerns, Huron Pines RC&D successfully pursued a Section 319 Nonpoint Source Watershed Planning Grant through the Michigan Department of Environmental Quality. The nonprofit organization worked with stakeholders in the watershed, including private landowners, Presque Isle Conservation District, Northeast Michigan Council of Governments, Hammond Bay Anglers, MSU Extension and others to develop a watershed management plan. This process involved the following steps:

- 1) Identifying nonpoint source pollution problems through the use of field inventories, past research, public input and land use studies.
- 2) Working with a project Steering Committee to help prioritize problems and develop practical solutions.
- 3) Compiling this information into an “action plan” for future water resource restoration efforts.
- 4) Implementing the action plan and evaluating the efforts.

In order to effectively implement Step 4 above, the need arose for the loose affiliation of Steering Committee members to become more formalized and better help give direction to the effort, help prioritize projects, and ensure that work gets underway. Through authorization of the Presque Isle County Commissioners, an Ocqueoc River Commission was formed. Membership consists of representatives from each township within the watershed, along with at-large members.

Members of the River Commission mutually agree that it is in the best interest of related fishery, water, and land resources to reduce pollution adversely affecting the Ocqueoc River Watershed.

Watershed management is an ongoing effort aimed at restoring, maintaining, and enhancing water quality by assessing pollutant threats throughout a river’s drainage basin and implementing steps to address the source for each problem. Activities on the land, such as residential development, agriculture production, and road maintenance, all have the potential to impact water quality. Proper watershed management seeks to minimize the impact to water

resources through the use of such tools as implementation of Best Management Practices, land protection, community planning, and education.

In its partnership with Huron Pines, the Ocqueoc River Commission is intended to ensure implementation of the watershed protection effort and the management plan it's based on. These strategies are all organized under one of several watershed goals, which include:

- Reduce amount of erosion, particularly that caused by human activities, negatively impacting the river
- Reduce amount of nutrient loading to the watershed
- Restore a more natural flow regime to the river
- Conserve important wildlife habitat areas
- Promote stewardship, education, and responsible use of the watershed

Huron Pines and the Ocqueoc River Commission recognize that problems and their underlying causes will change over time and that the group will need to re-prioritize work, and update the management plan, as changes occur. The parties agree to combine their resources, namely, technical and management skills, financial assistance, mechanical and earth-moving equipment, and manpower, to overcome project complexity and cost in ensuring the future health of natural resources represented by the Ocqueoc River Watershed system.

Watersheds must be managed as a whole system in order to achieve success in protecting water quality. Projects that address the symptoms at single site are often expensive and fail to address the root cause of a pollution problem. Financial support, volunteer involvement and technical assistance are finite resources and must be used to have the greatest possible benefit for overall watershed health.

When selecting Best Management Practices -- whether they are structural, vegetative, managerial or educational -- the proposed solution must include a cost-benefit analysis, a determination whether the proposed solution will actually fix the cause of the problem or merely provide a band-aid solution, a thorough understanding of the cause of the problem and the selection of an appropriate solution. Strategies for watershed management can be divided into either pro-active techniques for protecting water quality or methods for restoring problem sites.

For selection of site-specific BMPs, sites in the upper watershed are generally preferred to those in the lower, as the water quality benefits will be greater. Sites along more sensitive waterbodies in the watershed, such as Silver Creek (a coldwater stream that can provide excellent brook trout habitat) and the Little Ocqueoc River, are typically more of a priority for conservation projects by resource managers than a site that has already been degraded, such as the mouth of the river, where the habitat benefits are less. Implementing projects, of course, is always contingent on available funding and other factors, such as property owner willingness and cooperation.

Through utilization of this watershed management plan, efforts to implement water quality protection projects will be better coordinated, more effective, and apply the appropriate skills of the many stakeholders within the Ocqueoc River Watershed.

PARTNER ROLES

The Ocqueoc River Commission agrees to assist with fundraising efforts, landowner contacts, and community outreach. The Ocqueoc River Commission provides overall project

coordination, act as the forum for handling public information and input, and administer the River Commission meetings and the group's efforts in implementing the watershed management plan.

Huron Pines Resource Conservation and Development Area Council (RC&D) agrees to assist the River Commission by seeking grant funds, setting up a watershed fund, providing quarterly financial reports to the River Commission, coordinating projects for working with the road commission to incorporate Best Management Practices (BMPs) at important sites, presenting local officials with information to protect water resources, and working with landowners to implement projects, as time and funding permit.

ADMINISTRATIVE POLICIES

Decisions regarding directing funding toward projects, prioritizing projects, adding new members to the Steering Committee, and so forth will be made by a vote of the members of the River Commission. A simple majority of the members is sufficient.

All funds obtained from any individual, foundation, or contributing group will be deposited in a designated Ocqueoc River Fund account of the Huron Pines RC&D Area Council, a 501(c)(3) non-profit organization. Private contributions made to Huron Pines are tax-deductible and can be designated to the Ocqueoc River Fund for use in the watershed. Upon receipt of a donation, Huron Pines will mail a thank you letter to the contributor.

The Huron Pines Project Manager for the Ocqueoc River Project shall be responsible for furnishing the River Commission a quarterly financial report. An indirect expense fee, not to exceed 10% of project costs, may be retained by the Huron Pines RC&D Area Council and shall be reflected in appropriate financial statements. The indirect fee pays for those expenses that Huron Pines needs in order to conduct business. Through the indirect rate of 10%, those costs are put to all benefiting projects administered by Huron Pines. Indirect costs are charged at the time project expenses are incurred. Examples of costs associated with this indirect fee include liability insurance, rent, audit, oversight of operations, and support staff. (These costs typically average about 10% of the overall expenses for Huron Pines in a given year.) Tech/Project Management time that would fall under this amount includes the time associated with attending quarterly meetings and providing input, along with limited grant writing/new project development. Support staff time includes sending thank you letters, sending out minutes, managing a database, updating the River Commission web page, and providing a quarterly financial report. Staff costs not included in this fee include such things as the time needed to coordinate implementation projects, work with contractors and landowners, grant writing/fundraising efforts exceeding several hours of time, designing conceptual plans for Best Management Practices, preparing contracts, and costs associated with printing and postage.

If requested by the River Commission, Huron Pines staff may contract out watershed restoration or enhancement work to contractors, engineers, or other organizations/agencies as appropriate, or may conduct the work themselves and bill time to the designated account at the standard RC&D rate.

Funding from state and federal grant sources for specific projects are accounted for independent of the Ocqueoc River Fund. In those instances, project oversight, reporting, staffing and all decisions regarding working with outside contractors are handled directly through Huron Pines Project Management Staff. In order to provide an accurate reflection of the amount of watershed work being conducted, Huron Pines staff will provide the River Commission with a quarterly account detail of grant-funded projects.

This agreement shall be reviewed by both parties in the fourth quarter of each year and may be continued, amended or dissolved at that time by either party. Prior to that date, upon mutual agreement of both parties, the agreement may be amended or dissolved. If the agreement is dissolved, any remaining funds will be spent on ongoing projects within the watershed (as in accordance with the desires of the contributors or, if that is not possible, returned to the donors). By signing below, Huron Pines RC&D and the Ocqueoc River Commission agree to the goals and terms of this Memorandum of Understanding.

Brad Jensen, Executive Director
Huron Pines RC&D

Date

David Smrchek, Chair
Ocqueoc River Commission

Date