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2011



Vol. 46 No. 4

# THE MICHIGAN RIPARIAN

[www.mi-riparian.org](http://www.mi-riparian.org)

RIPARIAN (ri-'pair-ee-en) adj. Relating to or living or located on the bank of a natural watercourse, such as a river, or of a lake or a tidewater.

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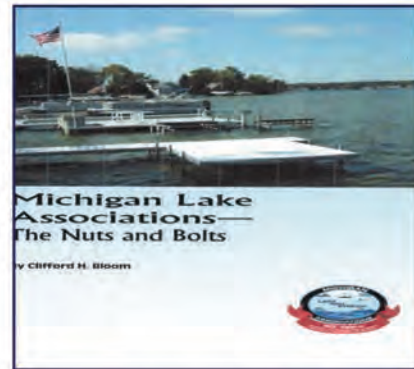
by

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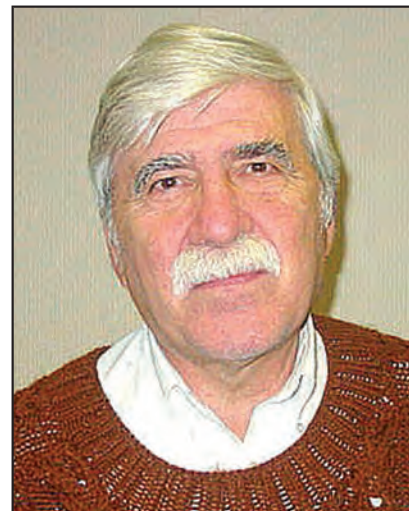
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## FROM THE PUBLISHER

# Everything You Need to Know About Buying and Selling Waterfront Property in Michigan



Cliff Bloom has done it again! Following his widely-read, *Michigan Lake Associations—The Nuts and Bolts*, he has published another outstanding book entitled, *Buying and Selling Waterfront Property in Michigan*. This is an excellent resource for anyone living on a lake and a must-have for anyone considering buying or selling waterfront property in Michigan.

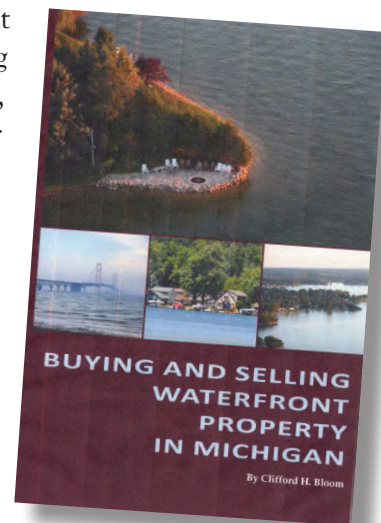
For more details and the order form, see page 11 or go online at [www.mymlsa.org](http://www.mymlsa.org). There you will also find an order form for *Michigan Lake Associations—The Nuts and Bolts*.

Protecting our waterways is a priority for riparians. You will find articles that address possible threats to our lakes—the fish die-off in Silver Lake in Mears, invasive plant species and Eurasian Water Milfoil. As we become more aware of these issues, we will be better equipped to find solutions.

Read about Sand Lake's Cottage Tour and you might get inspired to try something similar on your lake. That's the idea behind *The Michigan Riparian*—sharing ideas, thoughts and experiences that make living on a lake so special. We encourage you to send us your stories and pictures about special events that are coming up, early history and interesting people who got things started on your lake, or what you find so enjoyable about your lake.

As always, we appreciate your comments about this issue and future articles.

— Publisher, Franz Mogdis





# THE START OF ANN LAKE PROPERTY OWNERS ASSOCIATION

Lee Muehlmann,  
Founding President

After a fire leveled the Village of Lake Ann for the third time in the early 1900's, there was not sufficient timber left to resume the extensive lumbering activity the village had enjoyed for many years. Industry and people moved away, and the village "went to sleep" for nearly 100 years.

The boom times of the 90's cured that. Nearby subdivisions were built, long-time residents moved off the lake and were replaced by younger, more active families. The area was roused from its sleep. About the same time, the Personal Water Craft (PWC) was becoming very popular. It became apparent that something needed to be done to control this "Invasive Species", as well as to protect the beautiful assets of Ann Lake from other intrusion.

Boating activity on the lake was controlled by a 1950's DNR water skiing regulation which read "..... no operator of any motorboat, shall have in tow, or otherwise assist in the propulsion of, a person on water skis, water sled, surfboard, or other similar contrivance during the period from 6:30 P.M. to 10:00 A.M. of the following day." This rule had al-

lowed everyone on the lake to enjoy their favorite activities at some point in the day. Fishermen, swimmers, canoeists and lovers of lake-side quiet could safely enjoy the lake in the early mornings and evenings. Water skiers, tubers and motorboats had the run of the lake in mid-day. In the mid 1990's, it quickly became apparent that this rule did

not cover non-towing high speed boating, in particular PWC operation.

Residents became concerned that the lake was no longer a place that could be safely enjoyed by everyone. Starting with a small core of people around a kitchen table sharing thoughts, the idea of a Lake Association was formed to speak with one voice. Posters were produced and posted announcing a public meeting to discuss the benefits of a Lake Association. The meeting was well attended, and from it an association was formed and a President and Board of Directors were elected to investigate and put forth ideas on how best to handle the rapid development in the manner and use of the water.

The Township was asked to pass a resolution requesting the DNR to modify the Watercraft Regulation to address high-speed boating during certain hours. The Township passed the resolution and sent it to the DNR who held public hearings on the matter. In December of 1999, they rendered their decision, and amended the Regulation to confine high-speed boating to certain hours.

Once formed the Association discovered there were other issues to deal

with. In addition to PWC's, a major ground water pollution source was discovered leaching gasoline into the lake. Dividing the work among government, water quality, health and safety and newsletter committees, the Board went to work. We learned how to monitor and test water quality, monitored DNR cleanup efforts, and joined associations like Michigan Lake and Stream Associations to further educate ourselves; and, of course, we kept our members apprised of our efforts through newsletters and meetings.

In the years since, the pollution site has been remediated. The association also had significant input when a complete re-write of Township Zoning Laws was done. Today the association is expanding its programs to cover invasive species, Watershed and Lake Association Coalitions, Loon protection, and a website. In addition, our association sponsors a People Paddle Power event, where participants row, paddle, or peddle around the entire lake. This is held during the quiet hours of the lake, and is followed with a pizza party for all entrants. We also participate in a 4th of July boat parade, and of course an annual meeting and lunch.

A lot of people have worked many, many hours to bring ALPOA to where it is today. Not everyone agreed with all of our efforts, but most realize that we have a wonderful resource that must be protected, and having a strong association in place to assist is needed. We are proud of our efforts and thankful for the many people who helped us along the way.

While our website ([www.annlake.org](http://www.annlake.org)) is still under construction, we invite you to visit. Comments may be made directly on the site, or by e-mailing any of the directors listed.

*Note:* The DNR uses the name , Ann Lake, to distinguish it from the name of the Village of Lake Ann. Both Lake Ann and Ann Lake are used interchangeably.



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# A Fish Eye View of Eurasian Water Milfoil

## A Close Up Look at One of Michigan's Most Invasive Aquatic Plants

Story and Photos by Scott Brown,  
ML&SA Executive Director

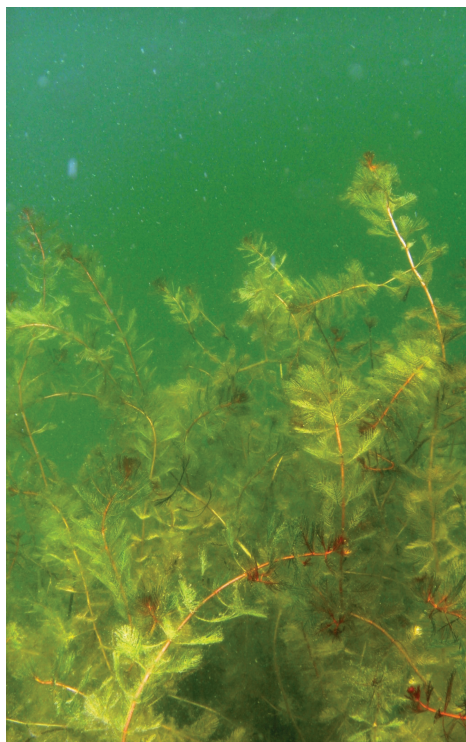
If you've had the pleasure of spending any time at all on Michigan inland lakes, you're probably somewhat familiar with this nuisance aquatic invasive plant that has forever altered the natural ecosystems of many of our inland lakes. A native of the Eurasian continent, Eurasian Water Milfoil (scientific name: *Myriophyllum spicatum*) was first observed in Michigan waters in the late 1940's and has since become an unwelcome and destructive nuisance in several thousand of our inland lakes. Lake communities throughout the state have invested millions of dollars in the past fifty years seeking to control this aggressive submerged aquatic plant that continues to present an on-going threat to the biological, recreational and economic value of our inland lakes. You may have

seen this aquatic plant floating in large mats on the surface of your lake by late August, you may have had the "opportunity" of removing hundreds of pounds of this plant from your riparian shoreline following a busy boating weekend on your lake or have sacrificed valuable fishing time by having to remove a thick entanglement of this nuisance plant from your boat motor propeller. Given your probable firsthand experience with this aquatic invader, we thought the readers of *The Michigan Riparian* might enjoy seeing a fish eye view of this pesky aquatic plant that has caused so much grief, and expense, to those living on our lakes.

It is with this in mind that I recently donned my snorkeling gear and ventured into a local lake with underwater camera in hand. Explore an underwater area dominated by Eurasian Water Mil-

foil, and you'll often be surprised by the number and species of fish swimming through and around the dense underwater habitat created by this aquatic plant. Juvenile pan fish and minnows seek refuge in the thick entanglements associated with robust aquatic plant, upsetting the predator-prey relationship of the lake. If left unmanaged, Eurasian Water Milfoil will negatively impact the fisheries of inland lakes.

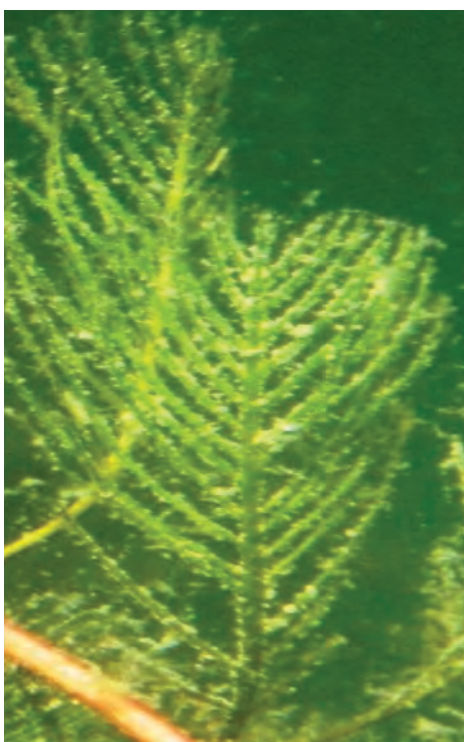
We hope that this picture story will help enhance your awareness of this non-native, aquatic invasive plant. If you are lucky enough to live on an inland lake that has not yet been infested with this aggressive plant, count your lucky stars, but be prepared to identify and control this plant before it has had an opportunity to spread throughout your lakes basin.



Firmly rooted in the soft mucky bottom just ten feet beyond the swimming area of a county park, this Eurasian water milfoil had reached a density of fifty stems per square meter, providing excellent habitat for small pan fish, though forcing out beneficial native aquatic plants.



Appearing almost ornamental under the flash of the underwater strobe light, Eurasian water milfoil prefers soft, mucky lake bottoms and is found in depths of up to eighteen feet.



Eurasian Water Milfoil is characterized by a reddish-brown stem, is rough to the touch and features 11 to 21 leaf divisions.



A young bluegill is hard to distinguish in the thick growth of Eurasian Water Milfoil. Small pan fish and minnows flourish in the protective habitat of the milfoil.



Growing in densities of up to 100 stems per square meter, Eurasian Water Milfoil often reaches the lake's surface by early August. The dense mats of floating plant often create an impediment to watercraft navigation.



Its curiosity aroused, a mature bluegill swims toward the camera. Eurasian Water Milfoil forms an underwater structure that fish are often attracted to - food sources and protection from predation make a dense stand of milfoil an ideal location for many fish.

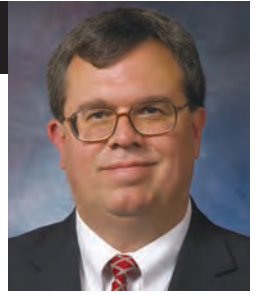


In a photo taken from the surface looking down at a thick stand of Eurasian Water Milfoil, this is usually the tell tale visual clue while looking into the water from your boat that your lake has been infected by this non-native aquatic invasive plant. A complete aquatic plant survey of your lake should occur soon after to preempt a massive infestation.

## Why ML&SA and MWA?

By Clifford H. Bloom, Esq.

Law Weathers  
800 Bridgewater Place  
333 Bridge Street, N.W.  
Grand Rapids, Michigan 49504-5320



I have been legal counsel for the Michigan Lake & Stream Associations, Inc. (“ML&SA”) for nearly 20 years. I have also been co-legal counsel for the Michigan Waterfront Alliance (“MWA”) since its formation. What are these organizations and why are they important to riparians?

ML&SA is the largest organization in Michigan that represents riparian property owners and their interests. It has existed for 50 years. ML&SA is a Michigan nonprofit corporation. ML&SA has three general types of memberships—lake associations, businesses (or governmental units), and individuals. ML&SA is an educational, advocacy, social, and environmental organization. Some of the benefits of being a member of ML&SA include:

- Free subscriptions to this magazine.
- A wonderful website at [www.mylsa.org](http://www.mylsa.org).
- The great annual convention (usually held up north).
- Regional meetings and seminars on lake, river, and stream issues.
- Great source of information about lake, river, and stream matters and issues.
- It helps educate not only its members about lake, river, and stream issues, but also governmental officials and members of the public.
- Periodic email newsletters that are interesting and informative.
- Legal resources for riparians.
- ML&SA has a statewide network of collaborative partners (including various colleges and universities) that helps the riparian cause.
- ML&SA is a member of the Michigan Inland Lakes Partnership ([www.michiganlakes.msue.msu.edu](http://www.michiganlakes.msue.msu.edu)).
- ML&SA also belongs to the Michigan Natural Shoreline Partnership ([www.mishorelinepartnership.org](http://www.mishorelinepartnership.org)).

- ML&SA has partnered with the Michigan Clean Water Corps (“MiCorps”), which involves one of the most successful and largest citizen voluntary water quality monitoring programs in the country.

Above all, ML&SA advocates in favor of Michigan waterfront property owners and protecting water resources. ML&SA has joined in numerous court cases to support riparian landowners. ML&SA has also funded and filed many amicus curiae briefs with the Michigan appellate courts in support of riparians. Although the direct lobbying efforts of ML&SA are limited due to its type of nonprofit status (MWA does the formal lobbying), ML&SA’s other efforts benefit riparians throughout Michigan.

MWA is also an advocate for waterfront property owners throughout Michigan. Individuals and lake associations can join MWA on a membership basis. MWA lobbies the Michigan Legislature and executive officials on behalf of riparians statewide. In fact, MWA retains the services of a lobbyist in Lansing. MWA is constantly reviewing proposed legislation to determine whether it will help or hurt riparians (and lobbies accordingly), as well as helping initiate litigation favorable to riparians. MWA has also helped fund amicus briefs in Michigan appellate court cases in support of riparians. MWA’s website is at [www.mwai.org](http://www.mwai.org).

This magazine, *The Michigan Riparian*, is produced by the Michigan Lakes & Streams Foundation (the “Foundation”), which has ties to ML&SA. The Foundation is a charitable organization that also accepts donations and bequests for many matters and projects that benefit riparians. The magazine’s website can be found at [www.mi-riparian.org](http://www.mi-riparian.org).

While ML&SA, MWA, and the Foundation are separate organizations, they work together cooperatively to support Michigan riparians and to protect the lakes, rivers, streams, and water resources of Michigan.

As Ben Franklin said, “We must, indeed, all hang together, or assuredly we shall all hang separately.” Everyone knows there is strength in numbers. Riparian rights throughout Michigan are under assault virtually every day. The greater the number of riparians who belong to ML&SA and MWA (as well as subscribe to *The Michigan Riparian Magazine*), the stronger the unified voice for Michigan riparians will be.

For more information about ML&SA or *The Michigan Riparian Magazine*, please contact Sharon at [swagner@mlswa.org](mailto:swagner@mlswa.org) or (989) 831-5100. For more information about MWA, please contact Bob Frye at [skibones@aol.com](mailto:skibones@aol.com) or (989) 821-6661.

\* \* \*

This issue of the *Michigan Riparian* marks two important milestones for me. First, this column represents my 100th article for the magazine. My, how time flies! I am gratified to both the management of the magazine and the magazine’s readers for their support over the years. Second, this issue of the magazine also announces the publication and release of my new book entitled *Buying and Selling Waterfront Property in Michigan*. This is the second book that I have authored for ML&SA (the first being *Michigan Lake Associations—The Nuts and Bolts*, which was released two years ago). ML&SA and I are very proud of this new publication, which we believe will have state-wide interest. An order form for the new book can be found on page 11.

# Michigan Waterfront Alliance

## A unified voice to protect Michigan's Lakes and Streams.



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#### Why a Lobbyist for Michigan's Lakes and Streams?

Lobbyists play a critical role in the shape, formation and implantation of public policy. Lobbyists are professionals, assisting their clients in navigating through the bureaucratic red tape, providing expertise in legislative strategy and techniques to facilitate legislation through the process. Additional benefits to having legislative council include the following:

- Given the close connection Lobbyists have with legislative officials, agency heads and the executive branch, lobbyists can quickly pinpoint and respond to issues and can assist in providing appropriate communication to key legislators and public officials .
- Lobbyists observe the legislative process in an efficient and accurate manner on behalf of the client. Therefore, lobbyists monitor bill introductions daily in order to alert clients of legislation that may help or cause harm to their cause. This allows the client to spend their time focusing on other areas. Scofes & Associates currently observes the legislative process for MWA. They identify and track state legislation and policy proposals that could impact the association's efforts.

- Lobbyists understand the political climate in their respective states. Therefore they have the ability to keenly identify where leverage needs to be applied.
- Lobbyists are skilled governmental affairs professionals having the ability to provide clients with strategy that will

help circumvent legislative challenges that may arise on the legislative scene.

- Retaining legislative council, such as Scofes & Associates Consulting, Inc., helps to further the Michigan Waterfront Alliance legislative goals and objectives by advocating to legislators on the association's issues that are of great concern.
- Scofes & Associates works with other groups and help form coalitions with those groups that have similar interests and concerns as the MWA's.
- Scofes & Associates Consulting has been proficient and effective in engaging members of MWA to participate in the legislative process through phone, letter writing and email alerts.

Bob Frye, President



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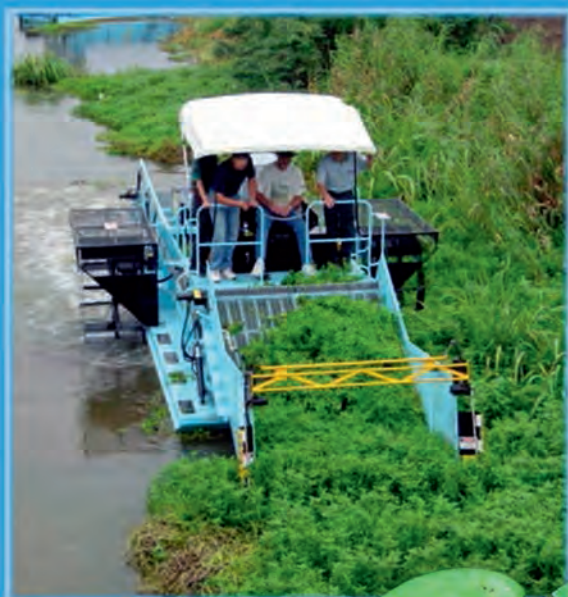
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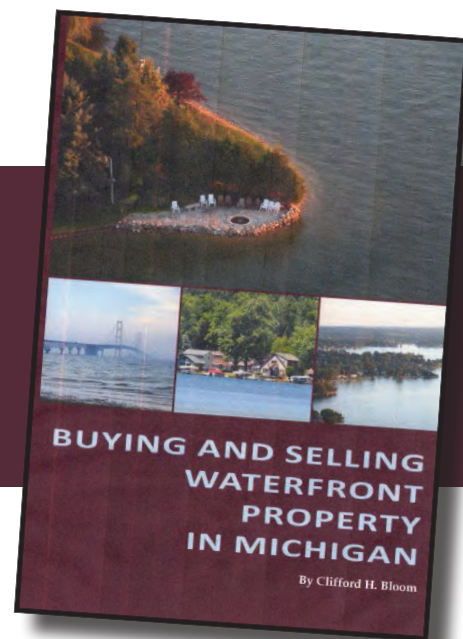
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# A NEW BOOK FROM THE MICHIGAN LAKE & STREAM ASSOCIATIONS, INC.

## BUYING AND SELLING WATERFRONT PROPERTY IN MICHIGAN

AUTHORED BY GRAND RAPIDS ATTORNEY  
CLIFFORD H. BLOOM



The Michigan Lake & Stream Associations, Inc. ("ML&SA") is pleased to announce its new book entitled *Buying and Selling Waterfront Property in Michigan* by Grand Rapids Attorney Clifford H. Bloom. This is the second book from ML&SA, the first being the 2009 book called *Michigan Lake Associations—The Nuts and Bolts* (also authored by Cliff Bloom).

This new book is a "must" for anyone who is interested in waterfront property in Michigan. The list of people who should purchase the book includes not only riparians (and would be riparians) but also realtors and real estate agents, attorneys, government officials, surveyors and teachers. This book is a "how to" publication that deals with numerous real estate and waterfront issues, including:

Riparian issues  
Due diligence  
The purchase/sales agreement  
Contingencies

Inspections and inspectors  
Financing  
Surveys  
The closing  
Title insurance  
Deeds and land contracts  
Buildability  
Real estate forms  
Zoning and local ordinances  
Property taxes  
Realtors, real estate agents and lawyers  
Lake access devices  
Easements  
Warranties  
Liability and flood insurance  
Useful definitions  
Lake associations  
Additional resources

The purchase price is \$20.00 plus postage. Bulk rates are available. The following is an order form that you can use to purchase one or more copies of the new book. If you are interested in obtaining pricing for group or bulk purchase

discounts, please use the form below or online at [www.mymlsa.org](http://www.mymlsa.org).

Everyone at ML&SA is excited about *Buying and Selling Waterfront Property in Michigan*. The book will also make a good birthday, graduation, holiday or other event gift to anyone who is interested in waterfront issues in Michigan.

To order *Buying and Selling Waterfront Property in Michigan*, please complete and mail the order form with payment to:

Michigan Lake & Stream Associations  
306 East Main Street  
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# ASK THE EXPERTS

*If you have a question about water related issues, riparian rights, and/or lakes and streams, etc., let us know by email or snail mail. Our experts will respond to your questions.*

**Email:** [info@mi-riparian.org](mailto:info@mi-riparian.org)  
**Mail:** The Michigan Riparian  
 304 E. Main Street, Stanton, MI 48888

**Question:** What do measurements with a Secchi disk tell us about a lake?

**Answer:** The Secchi disk is named after Pietro Angelo Secchi, who used a white disk in the 1800s to take transparency measurements in the Mediterranean Sea. Today, the standard Secchi disk is a weighted 8" disk painted with black and white quadrants, and is used regularly by professionals and volunteer monitors alike. Lake transparency is measured by lowering the disk into the water and recording the depth at which it disappears from view.

Transparency is a basic indicator for the health of an aquatic ecosystem. Transparency is affected by suspended particles and dissolved materials in the water. The most common suspended particles that affect transparency are algae and sediment - the more algae or sediment, the less transparent the water. Too much algae can alter the balance of the lake ecosystem and can indicate high nutrient inputs from the surrounding landscape. Excess sediment can carry contaminants and coat the natural lake bottom. Sources of lake sediment include rainstorm runoff from streets, lawns, fields, and construction sites, or from within the lake itself as a result of heavy boating or high winds. When transparency is measured in a lake consistently from week to week and year to year, the measurements are a useful indicator of water quality changes and patterns.

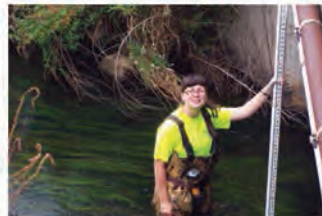
*Jo Latimore, Ph.D.  
 Michigan State University*

**Note:** Water transparency measurements taken with a Secchi disk are a key part of the Cooperative Lakes Monitoring Program (CLMP). If you would like to volunteer to monitor the health of your lake, consider joining the CLMP! Visit the MiCorps web site at [www.micorps.net](http://www.micorps.net), or contact Jean Roth at 989-257-3715 to learn more.

\* \* \* \* \*

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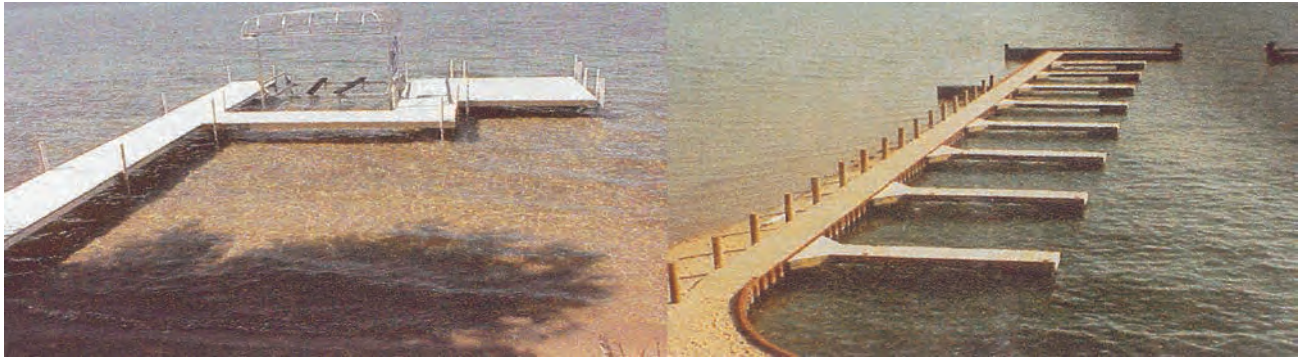


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# MICHIGAN LAKE & STREAM ASSOCIATIONS, INC.

## ML&SA NEWSLETTER



Michigan Lake & Stream Associations, Inc.  
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PHONE 989-831-5100

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## Does Your Local Government Have Zoning or Civil Ordinances in Place to Protect Your Lake?

**DESPERATELY SEEKING.... “Lake Friendly” Ordinances:** Does your Township/City/Village have Zoning or Civil Ordinances in place that protect your lake? Do the ordinances address any Riparian issues such as:

- Building Set Back Requirements from the High Water Mark
- Natural Buffer Strip Requirements to Encourage Natural Shorelines
- Minimum Lot Line Width at Water's edge of at least 100 feet
- Number of Boats permitted per lot
- Length/Number of Docks per Riparian Lot
- Requirements to Encourage Native Vegetation
- Anti-Funneling/Anti-Keyhole Provisions
- Wetland Preservation Requirements
- Square Footage, or (%) Percent of Lot Size, Limitations for Impervious Surfaces
- Roof Downspout and Impervious Surface Drainage Control
- Concrete/Metal Seawall Construction/Repair Restrictions

A full-field study is now underway in Michigan of existing “Lake Friendly” ordinance provisions. Your input is vital to success. Please share any and all information about your Township/City/Village with: [president@eaglelakemichigan.org](mailto:president@eaglelakemichigan.org). Your message can be as simple as providing the Township name and reporting: “We have some or one!” The project worker will do the rest. Your sharing of information is part of a Master Citizen Planner Project that will be presented to the DEQ led Michigan Natural Shoreline Partnership and the Michigan Lakes and Streams (ML&SA) organization. Any and all feedback is welcome. Results of this crucial study will be shared with all Michigan riparians in the future. The desired outcome is an up-to-date resource to help protect every lake in every Township/City/Village.

Please respond today to [president@eaglelakemichigan.org](mailto:president@eaglelakemichigan.org) or call 269-329-8320.

## MNFI and DNR Form Early Detection/Rapid Response Program to Combat Aquatic Invasive Plants

The Michigan Natural Features Inventory (MNFI) and the Michigan Department of Natural Resources are collaborating on the development of an Early Detection / Rapid Response program which seeks to identify and eradicate aquatic invasive plants in Michigan waterways before they have had the opportunity to degrade sensitive freshwater aquatic ecosystems.

The new partnership is seeking your assistance in identification and early detection of six high priority exotic invasive aquatic plants that have been identified in Michigan waters but have yet to appear on a wide scale throughout the state.

*See pictures on page 15.*

# MICHIGAN LAKE & STREAM ASSOCIATIONS, INC.

## ML&SA NEWSLETTER



### **Most Wanted Aquatic Invasive Plants**

**Be on the lookout for these invasive species**

Michigan Natural Features Inventory and the Michigan Department of Natural Resources are collaborating on the development of an **Early Detection Rapid Response** program. The program seeks to locate and eradicate occurrences of the following **priority** aquatic invaders.

**Brazilian water-weed**  
*Egeria densa*



<http://graysharbor.wsu.edu>

**European Frog-bit**  
*Hydrocharis morsus-ranae*



<http://dnr.wi.gov>

**Flowering Rush**  
*Butomus umbellatus*



<http://www.kingcounty.gov>

**Water Hyacinth**  
*Eichhornia crassipes*



<http://www.invasive.org>

**Parrot Feather Water-milfoil**  
*Myriophyllum aquaticum*



<http://www.invasive.org>

**Water Lettuce**  
*Pistia stratiotes*



<http://www.invasive.org>

**For more information about this project, these invasive species, or to report their occurrences, please contact:**

Jo A. Latimore, Ph.D.  
Lake, Stream & Watershed Outreach  
Michigan State University, Dept. of Fisheries and Wildlife  
phone: (517) 432- 1491, email: [latimor1@msu.edu](mailto:latimor1@msu.edu)

# MICHIGAN LAKE & STREAM ASSOCIATIONS, INC.

## ML&SA NEWSLETTER



### MI Senate Bill 509 Seeks AIS Advisory Council

#### ***Proposed DEQ Council Enjoys Bi-Partisan Support***

In a rare instance of bi-partisan cooperation and support, legislation has been introduced in the Michigan Senate that would establish an Aquatic Invasive Species Advisory Council within the Department of Environmental Quality.

Introduced by Senator Howard Walker of Traverse City with a substantial number of Republican and Democratic co-sponsors, Senate Bill 509 would amend Public Act 451-Natural Resources and Environmental Protection Act of 1994 by adding Part 414-Aquatic Invasive Species Advisory Council.

The legislation recognizes that “aquatic invasive spe-

cies (AIS) are a threat to public health and safety, the environment and natural resources, and the economy. AIS are a serious threat to the ecological integrity and uses of the Great Lakes.”

The AIS Advisory Council would be tasked with updating Michigan’s AIS Management Plan, developing and adapting model AIS programs as well as collaborating with other Great Lakes states and provinces to “ensure a coordinated and consistent response to aquatic invasive species” within the region.

The AIS Advisory Council would consist of the Directors of the DEQ, DNR, Agriculture and Rural Development, MDOT, the Attorney General as well as several other representatives appointed by the Governor, Senate Majority leader and the Speaker of the House of Representatives.

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# Dudley Pierce President of Invasive Species Control Coalition (ISCCW) makes presentation to Michigan State Legislation

Good afternoon. My name is Dudley Pierce and I'm appearing before you today representing the Invasive Species Control Coalition of Watersmeet (ISCCW). Watersmeet is a small township in the far western U.P. which has many lakes that provide both a substantial tax base and attracts thousands of tourists annually. For the past 10 years these lakes and our entire economy have been under attack by the spread of aquatic invasive species, the most volatile of which is Eurasian Water Milfoil.

Eurasian Water Milfoil is a particularly aggressive invasive weed with a rapid growth rate (up to 2 inches a day), the ability to take root after up to a year out of water, and the ability to spread both thru the distribution of its seeds and/or fronds off the plants which will take root and grow within 10 days of landing. Milfoil spreads rapidly and it is able to grow year round, not going dormant during winter months. The need for immediate treatment is imperative. Permitting thru the DEQ takes up to 2 months during the summer and the arbitrary cut off date for treatment applications of August 15, prevents any fall treatments from occurring, allowing the milfoil to spread unchecked for up to 9 months before any action can be taken.

I am here today to ask the committee to consider two actions which will greatly assist groups such of ours in fighting the rampant spread of milfoil. First, as part of proposed Senate Bills 508-510, the DNR should be assigned a greater role in the monitoring of

DNR controlled boat launches. Of the 6 DNR landings in Watersmeet, 4 of them are located on lakes which are currently battling milfoil. Second, the DEQ must institute an expedited permitting process for the treatment of Eurasian Water Milfoil, allowing groups such as ours to commence treatment in a matter of days rather than the current standard of 1-2 months.

A majority of outbreaks of milfoil are discovered first at boat landings where seeds and fronds are introduced by transient boat traffic coming from other infected lakes. Mandating that the DNR conduct "pre-treatment" surveys of all their boat launches providing information regarding the areas around the launches as required in the DEQ permitting process. Require the DNR to conduct monthly surveys of the lake bottom surrounding these boat

launches during the peak usage months of May thru September. Lastly, provide for almost immediate permitting to the DNR by the DEQ for any outbreak of milfoil discovered by the DNR. Treatment could then commence immediately. The permits must be issued to allow for treatment of the entire area surrounding the boat launch.

Currently, the DEQ permitting process takes an average of 1-2 months from receipt of an application. Once the plants are disturbed, the loosened fronds drift freely thru out the lake. These fronds then take root establishing new colonies. In our 6 years of experience in fighting milfoil, the DEQ simply reviews the permit applications, determines if they meet all the established criteria and issues the permit. Permits are issued on the basis of the extent of the outbreak at the application time. With a lag time of 1-2 months, the outbreak has spread to a greater area and to other locations not included in the initial permit. Treatment of these additional areas then requires a new permit and sets the cycle in motion again. Should the outbreak or spread of milfoil be discovered in mid-August, the DEQ will not issue any permit until the following spring, giving the plants the opportunity to grow and spread unchecked for up to 9 months. Clearly, the current permitting process is inadequate to address the aggressive spread of milfoil in our lakes.

*(continued on page 26)*

## 2011 Sand Lake Cottage Tour a Success!

Sand Lake Property Owners  
Summer 2011 Newsletter

Dear Sand Lake Association and Organizers of the SL Home Tour-

Yesterday I had the most wonderful time on the first ever Sand Lake Home Tour. Growing up on the lake, I've been in many of the homes of my friends or my parents' friends over the years but often everyone spends so much time outside that we don't get the chance to enjoy the insides of these great homes. Why haven't we thought of doing a homes tour sooner?! This was an excellent idea and I wanted to thank all of those involved in making it such a great experience. I have been on several homes tours in other communities, and this one ran as well as any of these well-established tours...and it was the first year! Everything was perfect and ran so smoothly that I'm sure it took a lot of work and organization behind the scenes (advertising, organizing the workers, etc.). Thank you to the planning committee, the greeters, and most especially the homeowners opening their homes and providing refreshments.

At each home, I appreciated a very different view of Sand Lake. One person I met remarked that "From each different view, Sand Lake looks like a different lake" and I agree it is a beautiful but different lake to everyone. I also loved the mix of styles of homes and how unique and different each one of the houses were. Some were new constructions, some were old (built 100 years ago!), some were old made to look new and some were new made to look old. Some are permanent residences with all of the modern conveniences and contemporary bright and airy decoration styles found in magazines like Coastal Living, while others were the cozy comfortable wooden cottages that look like ones you see in Cottage Living. Each floor plan was unique using the space and size of their lots differently and gave visitors many ideas for future renovations or remodels! Each home had their own charm and beauty that gave me an appreciation for the houses I normally only see from the outside!

An added bonus to the tour was meeting new neighbors, both the ones who opened their houses as well as others touring the homes. It is activities like this that I believe help to develop a community and all appreciate Sand Lake. I'm looking forward to future Home Tours on Sand Lake to see other homes on the lake and meet new neighbors!

Thanks again to all who made it such a success!

Westshore neighbor,  
Lynn Breyfogle

**Publisher's Note:** Great idea! Is a lake cottage tour something your lake would like to do?

See pictures on page 19.

*Wouldn't it be fun to see your lake featured in an upcoming issue? We would love to hear from you about why you love your lake—in words or in pictures. Just send pictures in jpeg or 300 dpi. Please send to: [info@mi-riparian.org](mailto:info@mi-riparian.org) or The Michigan Riparian 304 E. Main St. Stanton, MI 48888. Add a tag line with the name of the person or event, and the name of your lake and its location.*

# LOVE MY LAKE

*Send us your favorite pictures of family, friends and events on your lake*



*Some of the homes featured in the Sand Lake Cottage Tours*



*Brooks Lower captivated by the swans on Derby Lake in Montcalm County.*



*A beautiful fall day on Magician Lake.*

# New Subscriptions Rates

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The creation and maintenance of a sandy beach is often an objective shoreline residents along the shoreline of their lake property. Creating a sandy beach, however, can negatively impact water quality.

#### Physical Impacts

Lakes act as settling basins for surrounding watersheds, collecting and accumulating materials that drain into them. Over long periods of geologic time, as a lake ages, it gradually fills in with sediment. Any activity that adds material to a lake, in addition to the natural supply, will increase the rate of lake filling. The regular addition of sand to a lake or shoreline where it can erode into the lake, accelerates the filling process. If a shoreline does not have a natural beach, a constructed beach will likely require periodic additions of sand. The dumped sand will drift away with shoreline currents. Although the sand disappears from view, it does not leave the lake. The sand is added to the natural sediment load to the lake and hastens the filling and aging process.

#### Chemical Impacts

The mineral composition of sand is not consistent. Although clean, washed beach sand is primarily quartz, which is relatively inert, it can contain other materials. Clay, if present in the deposited sand, can cause reduced water clarity. If phosphorus is contained in the dumped sand, it may contribute to increased plant growth in the lake. Recent studies have also found beach sand to be a breeding ground for bacteria.

#### Biological Impacts

The physical process of filling in a lake with deposited sand has major biological impacts. Dumping sand along the shore of a lake can smother bottom-dwelling algae and invertebrates, reduces the amount of available habitat, and may cause a disruption in the food chain of higher organisms including fish. Deposited sand may also destroy spawning or nesting sites for fish. Turbidity from the deposited sand may clog gills and interfere with normal fish behavior. A shallower lake has less volume of water to dilute and assimilate incoming contaminants, including phos-

phorus. With a constant level of phosphorus input, a lake's productivity (algae growth) will increase as the lake's depth decreases. Also, as a lake becomes shallower, more sunlight hits the lake-bottom and thus, there is greater potential for increased rooted plant growth.

#### Local Protection Activities

Local residents and lake association members can help protect a lake from excessive sand dumping by:

- Educating residents, association members, and town officials about the requirement for a state permit to create or enhance a beach, and about the negative impacts of such activities even though they may be legal and permits are available.
- Encouraging association members to minimize the use of sand dumping by adopting an association policy to that effect.
- Working with town officials to adopt a local ordinance to prohibit or restrict the use of sand dumping along lake shores and within lakes.
- Reporting illegal sand dumping incidents to the Michigan Department of Environmental Quality (MDEQ).

#### Permits

Filling for the creation and improvement of swimming areas and beaches requires a permit from the MDEQ Water Resources Division. Placement of sand, pea stone, or other clean fill below (waterward) of the water line requires a permit. A reasonable amount of sand may be placed landward of the water line without a permit as long as the sand does not shift the location of the existing ordinary high water mark or the shoreline contour. The sand cannot be placed in a wetland. For more information on permitting and additional information on which local, state, and federal permits may be needed, contact the Inland Lakes and Streams Program at (517) 241-4512 or [www.michigan.gov/deq](http://www.michigan.gov/deq)

For more information on Tip of the Mitt Watershed Council, please contact our office at 231-347-1181 or visit our website at: [www.watershedcouncil.org](http://www.watershedcouncil.org)



## The Truth about Beach Sanding or "Lakebed Restoration"



## Loon Buoys



*Mother Loon with her young riding on her back.*

**Taken from the Ann Lake Property Owners Association summer 2011 newsletter**

The Ann Lake Property Owners Association purchased loon buoys to protect the loon nesting at Ann Lake from boat traffic. The nest was attacked this spring a couple times by Eagles! Over the Memorial Day Weekend a new baby loon hatched!

Loons are endangered and only 200 nesting pairs are left in Michigan. Stay 300 away from them. State Law has a \$1,000 fine for harassing loons.

If they pop up next to you, enjoy the visit!

## Consultant Calls Silver Lake Fish Die Off ‘Mystery’

**By John Cavanagh 9/8/11  
Herald-Journal Writer**

SILVER LAKE — Just what has caused a continued fish die off at Silver Lake [Oceana County in Mears] has one expert calling it a mystery while a property owner’s concern continues to grow.

Consultant Tony Groves of Progressive Engineering in Grand Rapids said Monday that bacteria levels in the lake were normal as of two weeks ago, no contamination had been found and that the lake is safe to swim in. Oxygen levels in the lake were fine, Groves said, and not at a level that would stress the fish. The company was hired a number of years ago by the Silver Lake Improvement Board to monitor and maintain the lake’s health.

“We’re not seeing anything that would explain this type of fish die off,” Groves said. “It remains a mystery yet.”

Most dying fish are carp, Groves said, and he speculated that it might be some type of virus affecting the fish. The lake has not received any chemical treatments in the last two years.

Earlier last month, county Commissioner and Silver Lake Improvement Board member Larry Byl speculated that the die off

might have been caused by hot weather experienced this summer. His brother Tom, a plant pathologist with US Geological Survey program in Tennessee, took a water sample for analysis, and Larry Byl said last week the sample did not show high nutrient levels. Groves did not believe the die off was related to hot weather or an algae bloom in the water.

“And if that was the case we would see other species of fish dying off,” Groves said. “I think it’s something specific to carp.”

Fish samples have been collected and sent to Michigan State University for an analysis.

Pentwater Lake also has shown some die off, Groves said, but those fish included drum as well as carp. The two die offs might be related, he said, or it might be coincidental.

Silver Lake property owner Bill DeJong said he counted 3,000 dead fish along a 1,500-foot section of shoreline near the Northshore Drive and 24th Avenue intersection. He’s also at a loss as to what could be causing the problem.

“Everybody thinks it’s one thing or another,” DeJong said. “Even if there is a virus, it doesn’t solve the water quality issue in the lake.”

DeJong met with state Senator Goeff Hansen and state Representative Jon Bumstead last week and both expressed concern. He said they agreed to check with the state water quality control division and are to follow up at the state level to see what they can do.

“Very cooperative,” DeJong said.


Most of the fish DeJong has seen have been carp, but he’s also found bass, and a month ago a fairly large number of bluegills were seen floating in the lake, he said. DeJong has scheduled a meeting at his home at 9360 W. Silver Lake Rd. for this Saturday at 9 a.m. for concerned property owners to share information. He said his property could accommodate approximately 100 people. DeJong is not sure what might be accomplished, but one thought was to reactivate the dormant Silver Lake Civic Association.

“There’s a long term set of issues there that needs to be addressed,” DeJong said, adding the lake continues to be green in color.

“It’s that bad,” he said. “I haven’t seen the bottom of the lake all year long. It’s just like pea soup out there. I don’t have the foggiest idea what the answer is. I would just like to see us get the quality back.”

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# Dudley Pierce President of Invasive Species Control Coalition

(continued from page 17)

In conclusion, I recognize that in this time of financial crisis in the state of Michigan, any proposal which requires the additional expenditure of funds is met with a degree of skepticism. The additional requirements I have proposed for the DNR could be paid for from the license fees now being charged by the DEQ for doing nothing. In the past month, our biologists have discovered 16 new locations of milfoil on the Cisco Chain of Lakes. These locations were discovered too late in the year to allow for permitting and treatment this year and will not be treated until next spring. The Cisco Chain provides a net taxable value to the Township, County, and State of in excess of \$100,000,000. The current outbreak of mil-

foil, coupled with our inability to promptly treat the affected areas for the next 8-9 months puts the Chain at risk.

The onslaught of invasive species is well under way. The time for committees, discussion, and extensive bureaucratic red tape have long passed. The need to take action is now. By assigning responsibility for DNR owned boat launches to the DNR, requiring pre-treatment surveys of these launches, and expediting the permitting process will help address the problem we are now facing.

I'd like to thank the committee for the opportunity to address the building crisis of aquatic invasive species and in particular

Eurasian Water Milfoil. I encourage each member to review the information provided in order to gain a greater understanding of the magnitude of this problem and how groups such as the ISCCW strives to address it. Without greater participation from the DNR and DEQ, this problem will continue to grow and stands to threaten every lake in the State of Michigan. Thank you.

To learn more about  
ISCCW/ Watersmeet Lakeguards  
mission and organization  
please visit their website:  
[www.lakeguards.org](http://www.lakeguards.org)

## MICHIGAN LAKES & STREAMS FOUNDATION YOUR GIFT LIVES FOREVER

### What is the Michigan Lakes and Streams Foundation?

The Michigan Lakes & Streams Foundation is a 501(c)(3) nonprofit charitable organization that was founded in 2004 by Michigan Lake and Stream Associations, Inc. (MLSA) to establish endowed funds to support its many programs and initiatives.

### What is an endowed fund and how is it used?

An endowed fund ensures that the principal from all gifts always remains untouched—only the interest earned is used. By only using the funds generated from the interest earned the foundation is able to provide MLSA with a stable source of funding for its programs and initiatives.

### Why support MLSA?

As you can imagine, with over 300 lake and stream associations representing more than a 100,000 MLSA membership, our impact on legislation relative to protecting the future of Michigan's water resources is powerful. It is your voice in Lansing. For 50 years on national, regional and state levels, MLSA has labored on your behalf—most likely without your even knowing about it. Some key issues are riparian rights, lake and stream water quality, and controlling invasive species.

MLSA provides a wide variety of information for riparian property owners, hosts an annual conference featuring knowledgeable speakers; has a volunteer water quality training/testing program; works with schools, state programs and legislators to educate, protect and advocate for the protection of Michigan's water resources.

### Ways you can contribute to the Foundation

There are several ways to give that provide tax benefits for you. Check with your attorney or financial planner for advice on which method of giving is most beneficial for you.

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3. Make a cash donation

### Note:

General gifts may be used for programs/initiatives decided by MLSA.  
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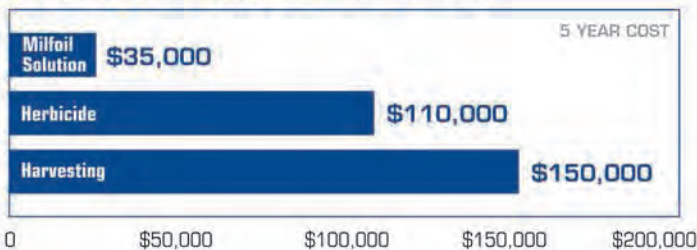


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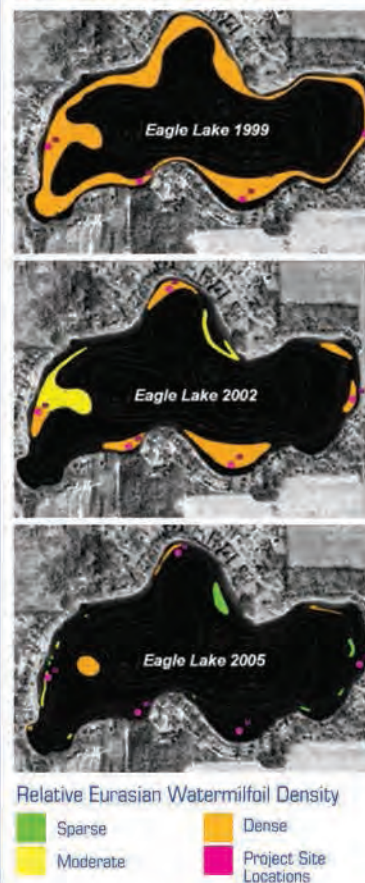


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■ "In 2001 we had the weevils put in, spaced out over three years. By 2003 the milfoil had disappeared. At this point people were really pleased overall. There were still some pockets [of milfoil] here and there, but the idea is that you don't get rid of it completely: you manage it."

*— Chuck Cubbage, Eagle Lake, Van Buren County, Michigan*

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