



Michigan Lake & Stream Associations

E-Newsletter for July 2012

An Update on the Public Road Ends Law

MI Public Road Ends Law Invokes Enforcement, Resentment and Confusion



In hundreds of lakefront communities throughout Michigan, local government officials, lakefront property owners, law enforcement officials as well as those with a long history of using publicly owned road ends to install their docks, boat hoists and other boat associated equipment are struggling to come to terms with the letter and intent of Michigan's new public road ends law, known as Public Act 56.

Signed by Lieutenant Governor Calley on March 22, 2012, Public Act 56 provided statewide codification of now twenty year old court rulings that limit public road ends to one seasonal public dock (if approved by the local unit of government and the issuance of an MI DEQ permit), forbids overnight mooring as well as the installation of

boat hoists. Please read Public Act 56 in its entirety on page two of this newsletter.

Based on our recent conversations with various township officials, law enforcement agencies as well as the with DEQ Water Resource Division officials, here is a brief synopsis of various activities that have ensued as a result of the passage of Public Act 56: (Continued on page 2)

Art Robell, Veteran ML&SA Regional Rep and Board Member Retires

Mr. Art Robell of LeRoy, Michigan has announced his retirement from the Michigan Lake and Stream Associations and the Michigan Lakes and Streams Foundation effective July 1st, 2012. Mr. Robell had served as an ML&SA Regional Representative as well as a member of the Board of Directors for both ML&SA and the Foundation for several years. Art's wife Sandra also generously contributed to ML&SA, providing valuable volunteer assistance at our annual conferences for many years.



Mr. Robell, a retired Lincoln Park, Michigan police officer, and his wife became involved with Michigan Lake and Stream Associations following the couples move to Rose Lake near the small town of LeRoy in Osceola County.

Folks who have attended ML&SA conferences may remember Art as the always good natured fellow selling 50-50 raffle tickets. On behalf of Michigan Lake and Stream Associations and the Michigan Lakes and Streams Foundation, we extend a hearty thank you to both Art and Sandra for their many years of dedicated volunteer service to our organizations. We will all miss the couple's unique contributions as well as their warm hearted good nature - thank you Sandra and Art for your hard work and integrity !!!

An Update on the Public Road Ends Law

(Continued from page 1)

- Individuals who have attempted to install seasonal docks and/boat hoists on publicly owned road have been **warned** by state, county and township law enforcement officials to cease and desist. ML&SA is not aware of any case where law enforcement officials have issued the \$500.00 dollar per day fine specified for violations under Public Act 56.
- The MI DEQ has just completed a public comment period regarding a proposed Minor Permit category for which local units of government would have to apply for and gain issuance of a DEQ permit before installing a seasonal “public dock at a public road end” under the auspices of Public Act 56. The proposed Minor Permit category has not yet been finalized by the MI DEQ; nor has it yet been determined whether the DEQ will issue such permits without first requiring public notification of affected lakefront communities.
- Under the proposed MI DEQ Minor Permit category covering installation of seasonal public docks, **only** local units of government will be able to apply for and receive MI DEQ permits for the installation of public docks at public road ends or on publicly owned lands. Permits **will not** be issued to private individuals for the installation of public docks on public lands.
- Local units of government may not yet be aware that an MI DEQ permit will be required for the installation of “of one seasonal public dock at public road ends”. ML&SA strongly suggests that our members seek to educate their respective local officials regarding this requirement.
- PA 56 does not apply to privately owned road ends or access easements owned by individuals or lake associations and/or to those who possess legal “recorded deed, recorded easement, or other recorded dedication.”



MiCorps

Michigan's Inland Lakes, Ours to Protect



- Providing baseline information and document trends in water quality for individual lakes.
- Educating lake residents, users and interested citizens in the collection of water quality data, lake ecology and lake management practices.
- Building a constituency of citizens to practice sound lake management at the local level and foster public support for lake quality protection.
- Providing a cost effective process for the MDEQ to increase baseline data for lakes state-wide.

Cooperative Lakes Monitoring Program for the 2013 season begins on October 1, 2012. Contact Program Administrator Jean Roth at 989-257-3715 or e-mail jroth@mlswa.org or visit www.micorps.net

www.micorps.net

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.



If you have seen any of these aquatic invasives, note their location and extent and contact:

Matt Ankney
Early Detection and Rapid Response Coordinator
Michigan Department of Natural Resources
Phone: (517) 641- 4903 ext. 260, Email: ankneym2@michigan.gov

Clean Boats, Clean Waters Program Offers Free Trainings to Citizens to Help Prevent the Spread of Aquatic Invasive Species in Michigan's Inland Lakes



Did you know there are nearly one million watercraft registered in the state of Michigan? It comes as no surprise that boating is one of the most popular recreational activities in the state. Unfortunately, invasive non-native plants, fishes, and other organisms interfere with the enjoyment of using our inland lakes and cause significant damage to our boating equipment.

Boaters unintentionally spread aquatic invaders from one body of water to another when invasive species hitch a ride on their recreational water equipment. Fortunately, most boaters want to help prevent the spread of these invasive species but some are unfamiliar with the simple steps they should take each time they leave the water.

The easiest way to insure you are not spreading aquatic invaders is to inspect your equipment and remove plants, mud, and fish before leaving a body of water. Also, by draining water from equipment before transporting it, you are insuring that no microscopic invaders are unintentionally spreading to the next body of water you are going to. Remember never to release fish or plants into a different body of water then it came out of.

Would you like to be a part of keeping our lakes free of invasive species? Come be a part of the Clean Boats, Clean Waters program this 2012 boating season! The Clean Boats, Clean Waters program is designed to educate water enthusiasts about preventing the spread of invasive species. Clean Boats, Clean Waters is a volunteer program conducted by Michigan Sea Grant, with support from the federal Great Lakes Restoration Initiative. A Clean Boats, Clean Waters volunteer identifies non-native species, inspects watercraft and equipment, demonstrates cleaning techniques for boats and trailers and shares educational information about invasive species with the public. Volunteers can have a huge impact in Michigan's efforts to prevent the spread of invasive species.

Participants in Michigan's 2012 Clean Boats, Clean Waters program will be trained for success! Volunteers that attend free workshops around the state will learn how to properly inspect equipment and will be trained on how to conduct a boater education program in their community. Each volunteer who attends a training receives a Clean Boats, Clean Waters handbook and lake associations are given a resource kit that contains educational materials, invasive species identification cards, watercraft inspection stickers, and T-shirts that can be worn when out at boat launches.

Thanks to federal support through the Great Lakes Restoration Initiative, there is no charge during the 2012 boating season to individuals or lake associations who would like to become involved, however this is the last year for this opportunity to be completely free. To learn more about this program please visit us on the web at <http://www.miseagrant.umich.edu/cbcw/index.html>. If you or your lake association are interested in forming a Clean Boats, Clean Waters volunteer team in your local area please contact us at CBCW@msu.edu or by telephone at 517-432-1492.



Identify and Confirm the Issues that Matter to RIPARIANS

by Paul J. Sniadecki, President, Eagle Lake Improvement Association, Inc.

The next local “Primary” Election is only 1 month away and the General Election is only 4 months away. Most local municipalities in Michigan will elect to retain, or to bring new faces and ideas to, their governing bodies in 2012. We should never underestimate how effective a local municipality (township, city, or village) can be in protecting local lakes, if progressive, conservation oriented people are elected to the governing body. The overall impact on lakes (whether positive or negative) can be dramatic.

In the May and June 2012 e-newsletters we reviewed the many ways local Riparians could find “gaps” in local government concerning watershed protection, as well as other governance issues, that need to be addressed. This article will suggest additional ways to give a “voice” to those “gap issues” to make for an interesting campaign period in your lake area. **We also have some important NOTES you need to be mindful of!**

During the summer, many Lake Associations hold their Annual Meetings and/or Monthly meetings. Now is the time to use those gatherings of friendly RIPARIANS to identify, or re-confirm, their views on the issues impacting your community. Since many Associations are Michigan Non-Profits and/or hold a 501(c)3 designation from the IRS, you have to be careful to “stick to the issues.” This means that specific candidates should not be endorsed nor specifically targeted by your lake association. Rather, you could have someone facilitate a free-flowing “list of concerns” from your members. Be sure to let the people speak, and record what you hear. Recording the points on a chalkboard or a Rip-Chart are very effective ways to focus attention on the issues raised. If someone suggests something like “... Trustee X has to go...” gently remind them we are here to identify issues and ask if they have a specific issue that they would like to offer. After a while, the members will know what the expectations are and they will focus appropriately.

The next step would be to allow all members to “multi-vote” on the topics. This provides the members an opportunity to “stand up/move around” and be physically involved in the process as individuals and as a group. Providing only 3 or 5 votes per person will enable easy prioritization of the issues. Just make sure you enforce a 1 vote per issue restriction! In less than an hour you will generate real data that can be used in the campaign process! You will have real facts, not fiction, to share with the candidates, during Town Hall Meetings, or debates.

SPECIAL TIME SENSITIVE NOTES

NOTE 1: July 19, 2012 is the deadline to file as an “Independent Candidate” for the November General Election. You will **not** appear on the August Primary Ballot, but you will be “in the race” for November, with whichever candidates prevailed in the political primaries. In other words, there is still time to make a difference.

NOTE 2: The primary ballots are now in the Clerk’s Office of all Villages, Counties, and Townships. Take the time to visit your Clerk and review who the political candidates are for each elected office. You do not have to wait until Election Day to inspect the ballot! In some cases, the entire election process could be decided in the Primary on August 7, 2012. That can happen when all the candidates for an office are from one party only. In my part of the state, there are three townships where the only contested seats are from members of the same party! So getting out the vote, and voting, even via absentee ballot, could be absolutely crucial this summer. Waiting until the Fall could be too late.

Editor’s Note: This is the ninth in a yearlong series of articles that will appear in this newsletter regarding the upcoming general election. As Mr. Sniadecki has so effectively illustrated in his articles, local elections in particular present Michigan voters with an outstanding opportunity to foster constructive, community-based pre-election discussion and debate focused on the important role of local government in the wise management of Michigan’s wealth of lake and stream resources. **You** and your neighbors are uniquely empowered to affect the outcome of local elections and the future of your favorite lake or stream!

Michigan Chapter, North American Lake Management Society (McNALMS) Schedules 3rd Annual Lakes Conference and Natural Shoreline Workshop

Friday, September 21, 2012
Kettunen Center
Tustin, Michigan

Save the dates for Michigan NALMS' third annual conference this September. Aquatic invasive species and current lake research will be the topics discussed on Friday, September 21, 2012. Additionally, a pre-conference homeowner's workshop and tour on natural shorelines will be held the day prior, September 20. It will be hosted by [Muskegon River Watershed Assembly](#) and [Michigan Natural Shoreline Partnership](#). The evening of Thursday, September 20 will feature a reception for all conference and workshop participants. The conference and workshop will be held at the Kettunen Center in Tustin, MI near Cadillac.

The main conference will feature talks on the state permits relating to aquatic invasive species, and its plans for dealing with new invaders such as Hydrilla, and on assessing lakes from a landscape perspective. The afternoon sessions will address some key native and invasive problem species, and provide updated research on these species including Canada Geese, Harmful Algal Blooms, Phragmites, Cabomba, and the hybrid species of Eurasian Water Milfoil. The pre-conference workshop will introduce participants to the concept of natural shorelines and their benefit to inland lake ecosystems. The 3-hour workshop will also highlight natural shoreline design concepts, using native plants and bio-engineered erosion control, along with pointers from the Michigan Department of Environmental Quality on shoreline permits. Registration includes a copy of the popular publication, "**Natural Shoreline Landscapes on Michigan Inland Lakes: Guidebook for Property Owners**," along with a natural shoreline tour led by MSU Extension's Jane Herbert followed by pizza and refreshments. Lunch is also included in the registration for both days. The advanced registration costs are \$50 for the conference, \$40 for the workshop, and \$85 for both. Detailed information as well as registration and accommodation details are available at www.mcnalms.org.

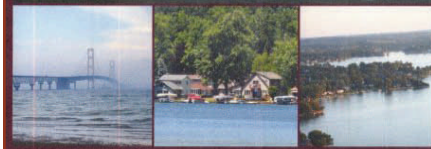
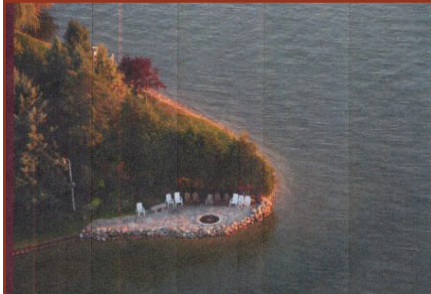
The conference is sponsored by the Michigan Chapter, North American Lake Management Society with co-sponsors Michigan Lake and Stream Associations, Inc., Institute of Water Research, Michigan State University, Wexford County Drain Commission, and the Michigan Natural Shoreline Partnership. For more information contact Lois Wolfson at wolfson1@msu.edu or Mike Solomon at draincom@wexfordcounty.org.



This always interesting and informative publication caters directly to the special interests and concerns of the lakefront homeowner. Riparian property owners share a common bond through their own special set of interests and needs, based around the lifestyle that accompanies lakefront living. Oakland Lakefront is designed to serve this special group. **Oakland Lakefront** is a well rounded publication that not only publishes riparian lifestyle related articles, but also hard hitting stories regarding riparian rights, aquatic invasive species, inland lake fisheries and lake management issues of special interest to riparian property owners throughout the state of Michigan. To learn more about Oakland Lakefront, visit their web site at:

<http://oaklandlakefront.com>

"Isn't buying and selling waterfront property in Michigan virtually the same as purchasing or selling any other real estate? **Absolutely not!** There are many issues associated with waterfront properties in Michigan that are not present with other real estate. **Anyone who does not appreciate (and plan for) those differences regarding a purchase or sales transaction involving a waterfront property does so at their own significant risk.**" - Clifford H. Bloom, Attorney-at-Law



**BUYING AND SELLING
WATERFRONT
PROPERTY
IN MICHIGAN**

By 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 renowned riparian and water law expert, Grand Rapids Attorney Clifford H. 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. The book is 264 pages in length - this is an extensive review of the knowledge you need to prepare yourself before proceeding with a waterfront real estate transaction !

The purchase price is \$20.00 plus shipping and handling. However, quantity based discounts 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 send either an email to the Central Office manager Sharon Wagner via e-mail at swagner@mlswa.org or call (989) 831-5100.

To order *Buying and Selling Waterfront Property in Michigan*, please complete and mail the order form seen below.

Buying and Selling Waterfront Property in Michigan

Book Order Form

Send your check made payable to **Michigan Lake & Stream Associations** with this order form to:

**Michigan Lake & Stream Associations
300 N. State Street Suite A
Stanton, Michigan 48888**

Name (please print): _____

Address: _____
Street or P.O. Box Number

City State Zip Code

Email address: _____

Telephone number: _____

Please select:

___ : 1 book @ \$20.00 ea. plus \$6.00 S/H = \$26.00

___ : 2-3 books @ \$20.00 ea. plus \$12.00 S/H (2 Books = \$52.00; 3 books = \$72.00)

___ : 4-9 books @ \$17.50 ea. plus \$15.00 S/H (Ex.: 8 books. x \$17.50 = \$140.00 + \$15.00 S/H = \$155.00)

SPRING
2012



THE MICHIGAN RIPARIAN

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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.

DEVOTED TO THE MANAGEMENT AND WISE USE OF MICHIGAN'S LAKES AND STREAMS Published Quarterly



photo credit Joel Bull

It's Spring. Welcome home to the Loons!

Did you know that Loons return to the same place each year to nest?

RIP road end battles? See pages 19 and 25

"For over forty six years, **The Michigan Riparian Magazine** has served as our state's only quarterly publication dedicated to the unique issues and interests of those fortunate enough to reside on waterfront properties. The magazine's historical archive portrays a rich chronicle detailing the life and times of the people, politics, science and issues that have defined Michigan's storied waterfronts for nearly half a century."

To subscribe to this unique and affordable publication dedicated to Michigan's freshwater resources, visit

www.mi-riparian.org



MICHIGAN NATURAL SHORELINE PARTNERSHIP

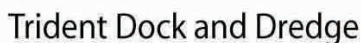
Promoting Natural Shoreline Landscaping to Protect Michigan's Inland Lakes

PARTNERSHIP OBJECTIVES

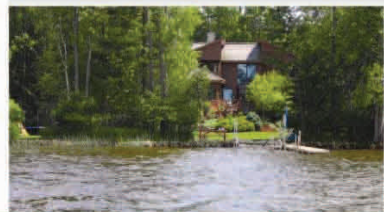
- Train contractors and landscape professionals about natural shoreline technologies and bioengineered erosion control.
- Educate property owners about natural shorelines and technologies that benefit lake ecosystems.
- Research, demonstrate, and develop natural shoreline technologies that benefit lake ecosystems.
- Encourage local and state policies that promote natural shoreline management.

MEMBERS

- JFNew, Inc.
- Mich. Assn. of Conservation Districts
- Mich. Chapter of the North American Lake Management Society
- Mich. Dept. of Environmental Quality
- Mich. Dept. of Natural Resources
- Fishbeck, Thompson, Carr & Huber
- Mich. Lake and Stream Assn.
- Mich. Native Plant Producers Assn.
- Mich. Nursery and Landscape Assn.
- Mich. Sea Grant College Program
- Mich. State University Dept. of Horticulture
- Mich. State University Institute of Ag Tech
- Mich. State University Extension
- Tip of the Mitt Watershed Council
- Trident Dock and Dredge



Natural shoreline landscaping is the use of ecological principles and practices to reduce erosion and achieve the stabilization and safety of shorelines, while enhancing habitat, improving aesthetics, and saving money.



www.mishorelinepartnership.org

www.facebook.com/MNSP1



MICHIGAN WATERFRONT ALLIANCE

P.O. Box 369
Fenton, Michigan 48430-0369



WE LOBBY TO PROTECT MICHIGAN'S LAKE AND STREAMS. THAT'S WHAT WE DO.

We are asking you to join or renew your membership to Michigan Waterfront Alliance (MWA). By doing so, you can help in a statewide effort to protect Michigan's lakes and streams. MWA lobbies state government on a wide variety of issues that affect our water resources, such as road-end access, funding for the state's permitting system, marina regulations, septic upgrade regulations, phosphorus fertilizers, and much more.

You know how it works. When the legislature is pushed to weaken water resource protection measures, they will do just that—unless we speak out to protect our lakes and streams. It is difficult for one person or one lake association to carry the burden of protecting 11,000 lakes. And though we'd like to think that right will always prevail, one lone voice is not enough to get the attention of the leaders in state government. That is why we must join together to make our collective voice heard in Lansing. These efforts were utilized in getting legislation passed, this year, to restrict use of phosphorus fertilizer on turf.

To get our message out, we retain professional lobbyists who are skilled and experienced in issue advocacy. While this expertise is very effective, it is also costly. As such, we ask you to join or renew your individual membership for \$50, Lake Association membership for \$100 or your Corporation membership for \$200 per year.

Please note the line "MWA Legal Assistance Fund" on the enclosed return envelope and form. After costly filing on two (2) Amicus Briefs (Appellate court and Supreme Court) and direct mail fundraising campaigns (to Lake Charlevoix residents), MWA incurred a total cost of over \$3000 on just this one case regarding the loss of riparian rights by court action. The MWA Board of Directors voted, last December, to create a MWA Legal Assistance Fund to provide the funds to support significant legal cases relevant to the mission of MWA. Funds will be disbursed in a manner consistent with MWA bylaws.

We need to build this Legal Assistance Fund as soon as possible. **Please be as generous as you can.**

Your past understanding and support has been appreciated and necessary in order to continue a professional campaign for water resource protection.

Please send back the application below plus give a copy to a like minded neighbor or friend.

Sincerely,
MWA Board of Directors

Michigan Waterfront Alliance Membership Application

(Jan '12-ML)

Annual Dues: Individual Membership - **\$50.00** Lake Associations - **\$100.00** Corporations - **\$200.00**

Please print:

Name _____ Date _____

Street _____

City _____ State _____ Zip _____

County _____ Phone _____

E-mail _____

Township _____ Lake / Stream Association _____

Make checks payable to: **Michigan Waterfront Alliance**

Send dues and contributions to:

Michigan Waterfront Alliance

PO Box 369

Fenton, MI 48430

www.mwai.org

Individual Member (\$50):	_____
Lake Association (\$100):	_____
Corporation (\$200):	_____
Legal Assistance Fund:	_____
Other donation:	_____



Michigan Lake & Stream Associations



E - Newsletter

www.MyMLSA.org

July 2012

New Mailing Address for ML&SA & The Michigan Riparian/Foundation

Michigan Lake and Stream Associations, Inc.

300 N. State St. Suite A
Stanton, MI 48888

The Michigan Riparian Magazine

300 N. State St. Suite A
Stanton, MI 48888

Michigan Lakes and Streams Foundation, Inc.

300 N. State St. Suite A
Stanton, MI 48888

The most comprehensive publication
ever written about lake associations !

Now Available from our Central Office

An ML&SA Publication

Contact Sharon at 989.831.5100
or e-mail swagner@mlswa.org



Michigan Lake Associations— The Nuts and Bolts

By Clifford H. Bloom



Order Your Copy Today !

Michigan Inland Lakes Partnership

"Promoting collaboration to advance
stewardship of Michigan's inland lakes."



To learn more about the Partnership, visit

www.michiganlakes.msue.msu.edu

Michigan Chapter, North American Lake Management Society

"The Michigan Chapter of the North American Lake Management Society (McNALMS) is a group of professionals, practitioners, and interested citizens, who care about the preservation and wise management of Michigan lakes." For more info visit -

www.mcnalms.org

Recommended Web Resource of the Month

This month's suggested lake focused web site comes to us from the University of Minnesota's Diluth Natural Resources Research Institute with funding by the United State EPA. For those interested in learning more about northern temperate inland lakes, this web site is replete with primers on lake ecology, lake data and current issues. This colorful, data rich on-line resource is a must see for those interested in inland lakes. To view this well organized web site, point your browser toward

www.lakeaccess.org