



---

**Working Together for Healthy Lakes**  
**2018 Joint Conference**  
**October 4 - 5, 2018**  
**Crowne Plaza - Grand Rapids, MI**

## Lake Convention Notes

The following consists of notes and observations, in no particular order, that come from last October's Lake Convention.

- According to the nice man wearing the Michigan Loon Preservation Society sweatshirt (a.k.a The Loon Ranger), **loons mate for life. If a loon loses its mate, it doesn't "remarry." It goes it alone for the rest of its life.** This is an explanation as to why we have had a single loon on Bills Lake for the past several summers.
- I was fortunate to sit at a table with one of the DEQ guys who approves permits. I also attended a seminar on the approval process, presented by another of them. **Yes, an individual can put chemicals into the lake to eradicate weeds but there are severe restrictions in terms of what (fill in the blank)cide you use and the extent of the area you "treat."** 40' by 40' seems to be the parameter. Of course, you have to apply for a permit which may take awhile for approval because by law (I don't understand this part), there are only five individuals in the state who review and approve permits. You should also be aware that any chemical ending in the suffix cide is a poison which will have unintended consequences. Just as with side effects when you take a pill, there is no such thing as no effect on lake water other than your goal. As one speaker said: **"There is no such thing as a herbicide that will kill only what you want it to kill."** Also, over time, plants become more resistant to chemicals, just as with pain killers you put into your body. You have to use more over a longer period of time. Again consequences.
- The Michigan Lake and Stream Associations Inc. (ML&SA) has been renamed the Michigan Lake Steward Associations (also MLSA). That's because throughout the years, this organization just couldn't get river folks on board in terms of initiatives. However, this group has been extremely helpful in terms of lake testing, educational conferences, a very valuable quarterly publication, and more specifically, explanation and clarification of riparian issues with regard to lake law. There are many organizations which strive to protect lakes. **The bottom line here is the admonition: Don't go it alone in our efforts. There is lots of help available** besides the MLSA. One is the Michigan Waterfront Alliance, a lobbying group. Another is the MSU Extension Service. The umbrella governmental group is MiCorps. Of course, there is the DNR and DEQ. There are others which comprise the Michigan Inland Lakes Partnership.
- **Rocks and boulders are the answer.** The DEQ is not very enthusiastic about sea walls which may serve to protect the owner's lakefront but in turn send the force of the waves down to the neighbors. Furthermore, if everyone on Bills Lake put in a seawall, we would, in effect, be the Bills Lake Bathtub. Instead, rocks and boulders are preferable in they disperse the strength of the waves and also allow wildlife to get on shore (which may be a dubious benefit in terms of defecating ducks and geese). Wave action from wake boats and jet skis has exacerbated this problem.
- According to attorney Cliff Bloom, **it would virtually impossible to write legislation that would be effective in terms of regulating wake boat activity.** There are simply too many variables in terms of boat speed, size of waves, distance from shore, the size of the lake, etc, This does not even to take into account the issue of very difficult enforcement. Besides, according to Bloom, the boat lobby in Michigan is very powerful. The sale of wake boats has energized

their industry “big time.” **At present, there is no solution other than the co-operation of the boat owners.** In other words, it is not helpful to alienate them with verbal attacks. It could make the local situation worse.

- **Contact and co-operation with township officials in terms of lake issues is EXTREMELY important.** We are fortunate that we have a township trustee, Bill Nottleman, who attends our meetings on a regular basis. Township Supervisor Morgan Heinzman also attends and is attuned to our concerns. The fact that one of our residents, Doug Moline, is on the Planning Commission is invaluable. If we strive to put something legal into effect, our best chance is at the local level. Too often, our state representatives are considering legislation that is contrary to our needs and concerns. That’s where our lobbying groups come into the arena.
- While attending a seminar on the permit process, I was fortunate to meet the DNR guy in charge of stocking our lake and also got the name of the marine biologist in charge of studying our water. Brian Gunderman is the Fisheries Supervisor at the Southern Lake Michigan Management Unit. He says that Bills Lake is in the midst of a three-year stocking program, this year being the second (not sure what this year means). Then it will be every other year. Brian says that inspections and testing determine when a lake needs to be replenished with fish. The goal is to restore a balance. He works with marine biologist Scott Handshue who is also assigned to Bills Lake. **In other words, we don’t get more fish by simply asking. They are the decision makers who respond to science, not public begging.**
- You are a riparian if your property touches the water. **Problems arise when there is land between a residence and the lake which is not owned by that resident.** According to Cliff Bloom (35 years of practicing lake law), lots of people think differently. We have encountered some of these folks, particularly in the Blackhawk zone. Hence, time is sometimes spent in court which is expensive. Issues such as declarations of “Lifetime Deeded Access” come into play. According to Bloom, “Deeded access has never been recognized by Michigan courts.” Sometimes a back lot owner will have exclusive access but Cliff maintains that this is rare.
- Kristine Rendon, Environmental Quality Analyst for the DEQ, gave an exceptionally interesting (believe it or not) talk about septic systems. **Of particular interest to some of our residents is the use of a powerful dye, which when flushed down your toilet, will reveal if your septic system is not functioning properly.** Kristine says that the dye test works but there are two caveats that make this impossible in terms of adopting this lake-wide. (1) We cannot legally force anyone to use the dye and (2) the dye pill is so powerful that it will permanently stain your toilet.
- **About killing invasive species.** Several speakers said that treatments should be restricted to specific areas unless an invasive species, such as Eurasian milfoil, takes over the entire lake. This usually applies to exotic weeds, not native weeds. To date, Bills Lake does not have this demonstrable problem. If we did, there might be a need for a lake wide special assessment in which all residents share equally in the monetary pain. But establishing a special assessment district-- a requirement for this -- ain’t easy. Nor is getting all residents to agree as to the remedy. Very harsh feelings will inevitably ensue as residents are legally forced to pay for something they disagree with but that is (1) part of the democratic process and (2) makes the burden a fair one. Some of us on Bills Lake know what it’s like, for instance, to pay for snow plowing on our private streets while certain neighbors refuse, yet they get the benefit of our expenditure. Refusal to pay a special assessment, by the way, results in a lien against your property. If you get too stubborn, you could lose it.
- Although we have done lake testing in terms of transparency, phosphorous, and chlorophyll for 20 years (and in terms of transparency lots longer) **we have never tested water temperature.** Fish vary in terms of temperature preferences. Sometime they have trouble finding cold water with enough oxygen. But we can only speculate as to whether the waters of Bills Lake have gotten warmer and thus, the effect if any. Moreover, sections of our lake are very deep in terms of where the fish could go. But has our lake water gotten warmer over the decades? Has this had an effect on our transparency, etc.?
- **There was considerable talk about swans,** particularly of problems from the mute species. But we on Bills Lake are no longer concerned .... for now. Others around the state, on the other hand, are currently coping with the problem. As some of you readers will understand, I listened with bemusement.