



A LOOK AT THE LAKE

THE NEWSLETTER OF THE BURT LAKE PRESERVATION ASSOCIATION
SEPTEMBER 2001

Letter from the President

by John Kozacki

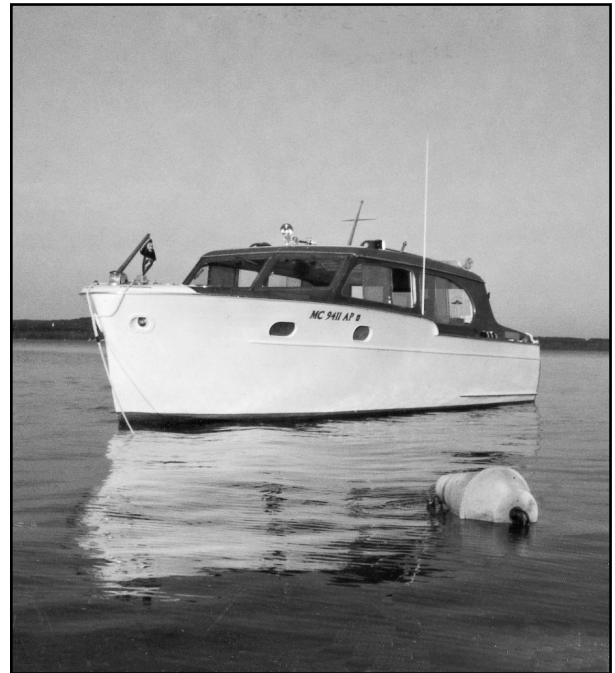
Another summer season is behind us. They seem to pass quicker every year. Maybe its because we enjoy them so much and tend to squeeze a tremendous amount of activity into a few short months.

This summer has seen a great deal of progress within BLPA. With the majority of our board members present, we meet regularly and much progress is made toward meeting our mission. This year was no exception.

As reported elsewhere in this newsletter, the completion of the Watershed Plan for Burt Lake was a major accomplishment. It was submitted in late July and has now been approved as the planning and execution document for the area we all love.

I'm also pleased to report, that through the efforts of the Tip of the Mitt Watershed Council, in conjunction with BLPA and other interested parties, two grant applications have been submitted to the DEQ and the Clean Michigan Initiative agencies requesting in excess of \$1,000,000 to begin to address the needed educational and remedial actions to reduce, repair and prevent non-point pollution sources to our watershed. We hope to hear the results of these applications within a few months. BLPA will be committing financial and personnel support to these efforts in the next several years.

In late August, a Strategic Planning meeting was conducted to set goals and objectives for BLPA



over the next five years. This plan will become the road map for the organization and clearly identifies the areas that we intend to pursue. We will publish this document in a later Newsletter.

One year ago, I appointed a committee to study the future financial needs and opportunities that existed for BLPA. Under the leadership of Jim Anderson, Past President, the planning for a Development/Endowment Program is moving along very nicely. With a clearly defined strategic plan and a firm mission, we hope to move forward with the establishment of an endowment program within the next 18 months. A strong financial position for BLPA is a requirement in accomplishing the identified long and short-term goals we have identified and being able to respond to the potential threats to our watershed that may arise in the future.

Have a great fall and thank you for your ongoing support.

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BLPA Second Annual Meeting

by Frank Kestler

The July 7th 2001 Annual Meeting was held at the Tuscarora Township Hall. It began at 11:00 a.m. with approximately 150 people in attendance.

Introduction. President John Kozacki called the meeting to order and welcomed all those present to the Burt Lake Preservation Association second Annual Meeting. After introduction of the officers and directors, the retiring board members, Jim Anderson, Dona Fisher, and Phyllis Kristin, were recognized for their contributions to the association. President Kozacki gave a brief overview of the organization's mission and purpose and emphasized everyone's involvement to make the organization a success.

Membership. Chuck Murray outlined the membership and marketing program of the association. The association has a membership goal of 650 for 2001. Dues statements have been mailed out to current members, with a good response so far. Follow-up will be by mail and phone, and — most importantly — personal encouragement by area captains, as well as neighbor to neighbor. A membership directory will be published in the fall. The association's newsletters have been published four times annually and have been well received.

Waterways Use and Development. John Hutto gave an overview of current projects. The water safety patrol by the Cheboygan County Sheriff, partially funded by the BLPA, is underway again this year. The committee is also conducting a communication and public awareness program this year. The purpose of the program is to promote good water safety practices and conservation. Signs have been posted at boat launches and members will receive materials of interest in the mail. A lakefront property owners' manual was compiled and distributed to members at the meeting. Copies are available to members upon request.

Environmental, Land Use Committee. Tucker Harris reported that last year the association provided leadership to preserve the Bullhead Bay Property. Funds were raised for the purchase of the property in cooperation with the Little Traverse Conservancy.

A Burt Lake Watershed Management Plan is being compiled with the assistance to the Tip of the Mitt Watershed Council. The initial emphasis will be to update the 10-year-old NECOG study that was a baseline assessment. A sediment pollution inventory has been conducted that will assess road/stream crossings to identify stream bank erosion in tributaries. A remediation plan will be compiled for the sites identified as being most critical. Funding will be sought from state and local government and private sources for these remediation efforts. In addition, Doug Fuller of TOMWC has conducted shoreline survey to identify areas of nutrient pollution and other water quality problems. This study will build a database of individual shoreline properties for ongoing assessments and corrective action programs.

Governmental Affairs Committee. Walt Lindsay reported that government affairs committee is now up and running. Committee members are monitoring the local organizations as planned. The committee is active and pursuing the following areas of involvement: Comprehensive Lake Access Ordinance, Consolidation of Fishing Laws, and Cheboygan County Master Plan Update.

Indian Tribe Inland Lakes Fishing. John Hutto gave a presentation of the status of this issue. BLPA hosted a presentation by MI Fisheries Resource Conservation Coalition (MFRCC) on April 21st. The coalition was formed to address the potential impact of Indian tribes gaining fishing rights to the inland lakes and potentially depleting fish population. Members of the coalition discussed the background of the issue and the likelihood of legal actions to assert the Indian Tribes perceived rights to fish on the inland lakes. The coalition is currently composed of various fishing associations and the MI Chamber of Commerce. The board approved a major involvement in this issue with financial support and membership on the coalition's board. This project will be ongoing. Members will be kept informed of developments. A question was raised as to future financial obligations. There are no ongoing obligations. Additional financial support will be considered on a case-by-case basis.

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Legislative Update

(Chris Kindsvatter of Stokes and Kindsvatter Associates, Inc. (SK&A) provided the following article to BPLA. It has been edited to fit into the BLPA Newsletter. The complete text is available from John Kozacki, President, BLPA)

Legislature Continues Through the Summer — The 91st Michigan legislature has again done something no other legislative session has done — meet during the summer. There are several issues still pending that affect lake associations. The following lists both present and pending issues.

Aquatic Species/Ballast Water Management and Regulation — A package of bills was introduced and aimed at regulating the discharge of ballast water from commercial vessels into the waters of the state, in order to minimize the introduction and spread of aquatic nuisance species. It also established a procedure for a pilot program of an on-board ballast water management system. Also introduced was HR 24, which calls for the Congress of the United States to enact legislation that offers a regional solution to the problems of non-indigenous species being released in the ballast water of ships on the Great Lakes. The package would require all vessels to “sterilize” their ballast water to kill potentially harmful animals before the vessel enters state waters. Vessels also would need a permit from the state before discharging the water, which is carried for extra weight to help stabilize ships.

Open Space — The following bills were introduced relative to open space preservation on July 11th.

HB 5028 Requires open space preservation provisions in county zoning ordinance.

HB 5029 Requires open space preservation provisions in city or village zoning ordinance.

Lake Proposed Rules — The first meeting of the stake-holders of the proposed Department of Environmental Quality (DEQ) marina rules was held July 31, 2001. The group was formed by DEQ to provide input on the proposed rules prior to the formal rule process. It is normal that any rules in the promulgation process take from 1 to 1 1/2 years for completion.

The issues discussed for the proposed rules were:

- DEQ Field staff concern in permitting of marinas
- Administrative and legal cases on marinas
- Look at lake carrying capacity
- Who can apply for a marina permit
- Objection process to a marina application
- Boat launching operation
- Clarify the permit process

Raft Identification Responsibilities — The bill is intended to address the complaints of constituents who have dealt with rafts breaking away from their mooring, washing ashore and then not knowing who it belongs to, and eventually paying for its removal. HB 4145 would require that anchored rafts on state waters be equipped with the name and address of the owner, permanently affixed to the raft on two opposite sides.

Drunken Boating Bill Signed — The Governor signed on May 29, 2001, with an effective date July 1, 2001, a series of bills that increases the misdemeanor penalty for drunken boating to 93 days in order to provide fingerprinting of persons arrested for the violations and have a tracking system for the repeat offender.

Aquatic Nuisance Species Rules — The DEQ Land & Water Management Division has been working on the administrative procedures to rewrite the Aquatic Nuisance Control program rules that deals with chemical control of nuisance lake plants. The present rules on the permit issuing process and fee structure was last done in 1978. Given the expansion of Aquatic Nuisance vegetation and related chemicals to treat such vegetation, changes in the rules are required.

Marina Determination — SK&A is working to obtain a sponsor for this controversial bill that will correct the interpretation of future marina properties and control the funneling situation. The problem began on Higgins Lake with the DEQ approval of the Shadyview access dock in a residential area.

Mooring Buoys — A bill to amend the “Natural resources and environmental protection act” was introduced in February 2001. Its intention is to

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BLPA Government Affairs Committee—What’s It All About?

When the Burt Lake Preservation Association (BLPA) was formed, several previously separate Burt Lake associations active throughout Burt and Tuscarora Townships were brought together “under one roof.” This was done with the goal of consolidating efforts to most effectively preserve and improve Burt Lake and its watershed for quality use by present and future generations.

Issues such as water quality, water safety and water enjoyment are among those on which the BLPA is clearly focused.

Given the critical importance of these and related lake matters for generations to come, the BLPA identified the need to (1) unify the Burt Lake community to confront issues involving the lake and (2) work in cooperation with federal, state and local government entities, as well as educational institutions, foundations, conservancies and other resources.

The BLPA Committee that has responsibility for working with government entities on key issues that impact Burt Lake and its watershed is the BLPA Government Affairs Committee.

The stated mission of the BLPA Government Affairs Committee is to “promote awareness of issues that impact the quality of Burt Lake and its

watershed, and influence the decision process of township, county, and state government.”

The objectives of the Committee are:

- Monitor and influence the action of boards, commissions, legislature, and administrative branches of local and state government.
- Provide feedback to the BLPA Board and Membership as to the activities and decisions of government at all levels.
- Provide testimony regarding proposed ordinances, rules, and legislation that affect Burt Lake and its watershed.
- Develop a grassroots information response system and action program for the BLPA Membership to respond to government-proposed rules, ordinances and legislation that affect Burt Lake and its watershed.
- Develop a strong working relationship with local and state officials.

Throughout the year, committee members will be attending the public meetings of government boards, commissions and other entities at the various levels of government. Key issues will be identified and addressed, and information on these issues will be shared with the BLPA Membership.

To learn more about the BLPA Government Affairs Committee or to express your interest in assisting with the activities of the committee, contact Walt Lindsay, committee chairman, or John Kozacki, president of the Burt Lake Preservation Association.

Homeowner’s Reference Guide

Our Waterways Use and Development Committee recently completed a comprehensive Reference Guide for use by our membership. This manual contains very informative data regarding fishing access, swimmers itch, PWC regulations, shoreline protection, aquatic nuisance species and local maps.

Copies were distributed at our annual meeting to those in attendance. Those members interested in obtaining a copy should contact Mac Richardson (231-238-7872) or Dr. John Hutto (231-529-6925).

Shirts and Hats with the BLPA Logo

The BLPA has spectacular logo hats, golf shirts, and sweatshirts available. A phone a call to Chuck Murray at 231-238-9636 will assure your order by Christmas. Or mail your order to Chuck Murray PO Box 799 Indian River, Mi 49749.

What a great Christmas gift for a friend or family member. Show your colors, wear the BLPA logo!!

Hats, \$15.00 Golf shirts, \$25.00 Sweatshirts, \$30.00

Sign up two (2) new members and a sweatshirt is yours as our courtesy!



Annual Meeting/Picnic — A Rousing Success

By all accounts the BLPA Annual Meeting & Picnic was a great success. The weather was very cooperative and our new site at Cooperation Park in Indian River worked out well. Reports by all officers and committees were delivered and well received.

Numerous questions from the membership regarding active topics, particularly the issue regarding Indian Fishing rights, were raised and answered.

A wonderful reflective historical presentation was created by Mrs. Dickie Schermer and Frank Lesh, and presented by David Lesh. Everyone enjoyed hearing about the early years at Burt Lake at Sager's Landing.

A delicious lunch was served immediately after the meeting and all had plenty of food. Thanks to Jon

& Jay Jontz for "taking the heat" at the grill.

A raffle was conducted by Moon Mullin to raffle off Burt Lake and Inland Waterway relief maps along with BLPA hats and shirts. The beautiful framed maps were generously donated by member, Bob Nolan. Thank you, Bob. Over \$300 was raised for the general fund of BLPA.

Special thanks go to Joan & John Hutto and their committee for planning and executing such a great day. A lot of effort went into the planning of the food, site, publicity, decorations, etc. GREAT JOB –JOAN & JOHN!

We also would like to thank Travis Conners, owner of Rental Express in Indian River for assisting in acquiring the park and providing the tent, tables, chairs, etc. Thank Travis when you visit his business!

Burt Lake Watershed Plan Completed

When BLPA was formed a few years ago, it was decided that a first "important step" was to update an old Burt Lake Watershed Plan and submit it to the Department of Environmental Quality (DEQ) for approval.

With financial support and volunteer work of our committee members the Plan is now complete, and has been submitted to the DEQ. The plan was developed in conjunction with the Tip of the Mitt Watershed Council, Little Traverse Conservancy, Cheboygan County Road Commission, Conservation Resource Alliance and the Northeast Michigan Council of Governments.

This very comprehensive document details numerous non-point pollution sources on the lake as well as the rivers and streams that feed Burt Lake. Extensive studies of various road crossings were completed and a complete lot-by-lot shoreline survey was conducted to determine erosion problems, septic tank leakage, road run off, etc. This information has provided a road map for future action.

Although we do have numerous areas of concern, the quality of Burt Lake remains very high. The problem areas that have been identified do need correction and they will be addressed in the future.

In conjunction with the Tip of the Mitt, we have

applied to the Clean Michigan Initiative Grant Office of the DEQ for substantial grant monies to remedy the various problems identified and to fund educational programs regarding good lake and river practices. We hope that grant money in excess of \$1,000,000 will be made available to address the numerous projects that have been identified. BLPA along with numerous other agencies will be required to provide up to 25% matching funds over the period of the next three years. Your directors are committed to this project and we hope you will endorse the spending of these funds enthusiastically.

Anyone interested in discussing this project or reading the plan should contact Dean Pollard, Co-Chairman, Environment and Land Use Committee.

Directories Available

A limited supply of 2001 BLPA Directories are still available. Anyone interested in a copy should contact Moon Mullin at 231-238-7557. The 2002 Directory is currently being compiled and will be available for distribution in December.



Legislative Update *continued from page 3*

incorporate a revision to include mooring buoys with that of other buoys and beacons. Currently the department may authorize the placing of buoys or beacons to mark obstructions to navigation, to designate bathing areas, to designate vessel anchorages, or for any other purpose if it will promote safety or navigation. The new legislation would extend beyond buoys or beacons to include mooring buoys and states that they shall not be placed in the waters of this state unless authorized by the department in writing. If buoys or beacons are placed in the waters of the state without a permit having been issued, the department may order its removal.

There are some lake concerns relative to riparian mooring buoys and markers for determining the 100 foot distance from a dock in boat/jet ski operations. The sponsor has assured SK&A that the intent was not to regulate those types of markers and would accept any amendment to make proper exemption.

Gillnetting — Growing concern has been expressed relative to lake associations on contract completion with Indian fish rights. Through the efforts of the BLPA, lake association interest in the outcome has been expressed. If you have information that could be helpful, please contact the SK&A offices.

Swimmers Itch — As previously reported the swimmers itch study program will be concluded two years ahead of the anticipated time, demonstrating the cooperative work and efficiency that can occur among lake associations, government and universities. Final report is due in October 2001.

Burt Lake Case Continue to be of Interest in Lansing — The Burt Lake DNR access site issue continues to be an issue. Following the report of the boating industry committee, Rodney Stokes of the DNR- Park and Recreation Division and Don Babcock, Supervisor of the Burt Township Board, have been meeting to resolve the Burt Lake access issue to that lake and implement an access site agreeable to all parties.

Boat Noise — Since the passage of PA 274 of 1996 the enforcement of boat noise on lakes has not been met. The problem is the measuring device used by law enforcement to enforce the 90 dB level or less requirement from a stationary position in the water. Sheriff officials indicate that this is impossible to obtain, given present measurement devices. Through the efforts of Bill Case and Ned Wickes, the Higgins Lake Property Owners Association with support from the DNR, are spearheading efforts to obtain funding of the proposed \$124,074.40 project through MSU, private funding. As more develops, we will report on the progress.

“The Pageant of Tuscarora” to be reprinted

(From information that originally appeared in *The Straitsland Resorter* and conversation with Jean Sager)

The Helen Boyd Higgins Memorial Library of the Burt Lake Christian Church has initiated an effort to republish the late Robert C. Sager's book, “The Pageant of Tuscarora.” The book, originally published in 1975, details the early settlement history of Tuscarora Township.

Sager had 1000 copies of the book printed in 1975 and those sold out long ago. After the book came out, it spurred a lot of interest in local history; and other people gave Sager additional photos and information. That led to publication of a supplement that came out in 1980.

Local librarians and Sager's widow, Jean Sager, frequently are asked if there are any copies of the book available for purchase, but until recently, there were none. Members of the Higgins Library board have arranged to have another 1000 copies of the book reprinted. The reprinted version includes the original book plus the supplement. The price of the hardcover reprint is \$39 per copy.

Phone requests maybe directed to Jean Sager at 238-7258.



Membership Committee

by Chuck Murray

As of August 18, 2001, the total paid BLPA membership was 557. Forty-seven members from last year did not renew. This is far below our targeted membership for the year of 650. What is the answer? Repeat letters have been sent. We now need personal contact from you, our active members. Consider yourselves members of the Membership Committee. Review the directory of the BLPA and contact your neighbors that are not yet members – encourage them to should join us.

The issues that are important to all Burt Lake property owners grow each year. The founders of our organization had great vision. Let's do everything possible to include the 35 % of our neighbors that have yet to join, so we can grow in strength and influence.

Application forms can be found in our website at www.blpa.org. Or call Chuck Murray at 231-238-9636.

Annual Meeting *continued from page 2*

Financial Administrative Report. Frank Kestler, Secretary/Treasurer, gave the financial report. Financial and tax reports have been filed with the applicable government agencies. This year our outside CPA will formally review the association's financial report. Volunteers who donate their effort and expertise are conducting all of the association's activities. The association's second year was very successful from a membership and financial viewpoint. We ended the year with \$74,777 in the bank. \$79,238 was raised from the current membership of 567. Major disbursements included a \$22,195 to the Bullhead Bay project.

Closing. Dave Lesh gave a very interesting and informative presentation compiled by Dickie Schirmer of Burt Lake focusing on the history of Sager's Landing. President John Kozacki thanked everyone for their support and solicited those present to join and pay their dues for 2001 if they had not already done do. He thanked John and Joan Hutto for organizing the picnic to follow. The meeting adjourned at 12:15 p.m.

COMMITTEES AND CHAIRPERSONS

ADMINISTRATION

Frank Kestler, Chair
231-529-6963

COMMUNICATIONS

David Lesh, Chair
231-548-3178

DIRECTORY

T. Moon Mullin, Co-Chair
231-238-7557

Dr. Jon Jontz, Co-Chair
231-28-6934

EXECUTIVE

John Kozacki, Chair
231-529-6746

ENVIRONMENT & LAND USE

Tucker Harris, Co-Chair
231-238-0505

Dean Pollard, Co-Chair
231-238-7515

GOVERNMENT AFFAIRS

Walter Lindsay, Chair
231-529-5050

MEMBERSHIP & MARKETING

Dr. Charles Murray, Chair
231-238-9636

WATERWAY USE & DEVELOPMENT

Mac Richardson, Co-Chair
231-238-7872

Dr. John Hutto, Co-Chair
231-529-6925



Burt Lake Facts

As part of our recent submission of a Watershed Plan for the lake, the following data was included. We felt you would find this informative.

Lake Surface Area 17,120 acres

Watershed Area 252,520 acres

Maximum Lake Depth 173 ft

Average Lake Depth 40 ft

Maximum Length of Lake 9.7 miles

Maximum Width of Lake 4.8 miles

Shoreline Length 32 miles

**Burt Lake Preservation Association
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Brutus, MI 49716**

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BLPA OFFICERS

**John Kozacki, President
231-529-6746**

**Frank Kestler, VP - Secy-Treas.
231-529-6963**

**Tucker Harris, VP
231-238-0505**

**John Hutto, VP
231-529-6925**

**Chuck Murray, VP
231-238-9636**

Help Wanted

BLPA ADMINISTRATIVE ASSISTANT

The organization is seeking to hire a paid part time person to handle various administrative functions of BLPA. This position would require approximately 20 hours per week and would function from a home office. Good communication, writing and computer skills required. Interested parties should send a resume of experience and skills to John Kozacki, President, 1990 Indian Point Road, Brutus, MI 49716

BLPA PHOTOGRAPHER

Looking for volunteers to take photos of BLPA activities, people, lake scenes, etc. to be used for our newsletter, directory and public relations releases. BLPA will pay for all film and processing. Please contact John Kozacki at 231-529-6746 or e-mail to jakozacki@racc2000.com

BOARD OF DIRECTOR MEMBERS

If you would be interested in serving on the Board of BLPA and are willing to commit your time and talents, we would like to hear from you. We need further representation from the south and east parts of the lake. Terms are three (3) years. Six board meetings are held primarily during the spring and summer and one in

December. See list of Board Meeting dates below. Contact John Kozacki at 231-529-6746 or e-mail to jakozacki@racc2000.com

COMMITTEE MEMBERS

The BLPA continues to solicit volunteers to serve on our various committees. If you have an interest and bring commitment to getting involved, please contact any of the committee chairpersons listed on Page 7. We have particular need for people with environmental and ecology backgrounds.

Board of Directors Meeting Schedule

The BLPA Board meets at 8:30 a.m. on the following dates and locations. All members are welcome to attend at any time.

October 6 th	Burt Twp Hall
December 29 th	Tuscarora Twp Hall