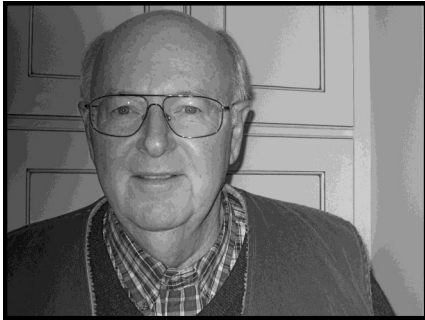




Elk-Skegemog Lakes Association Newsletter-October, 2012



Bob Kingon **President's Message**

Dear fellow Riparian,

I am writing this message on October 1st and the trees are just beginning to show their colors. The morning weather is nippy and the boat hoists are being removed. As you make your final boat trips around the Lakes, you can admire the natural beauty of our shorelines.

As reported on page 2, there have been serious violations in Antrim County by riparian landowners proceeding with major changes at the shoreline without securing the proper permits to do so. Michigan DEQ permits are required for any changes that may adversely affect wetlands that are within 500 feet of the shoreline or any changes below the high water mark in a lake or river. A permit is also required from the county soil erosion officer for any earth change within 500 feet of the shoreline or occurring within one acre or more of land. Each of our four townships also has specific zoning

ordinance requirements that apply to land alterations within 25 feet from the shoreline.

It is the property owner's responsibility to assure that the permitting agencies are contacted and that needed permits are issued and posted. Some alterations may be exempt from requiring a permit, but you don't know that is the case until you check with the three governing agencies. Also, remember that an alteration plan may be approved by two of these agencies, but not the third.

We are all reluctant to call government agencies when we think that a neighbor may be conducting an activity which may not be permissible by law or regulation. If work is being performed within the 25 foot shoreline buffer zone, it should have been approved by your Township Zoning Administrator. Do not hesitate to call him or her. Also, call your County Soil Erosion Officer for activities that may be occurring within 500 feet of the shoreline. They will tell you if a permit has been issued or if the activity is exempt. The contact information is on page 3. If a wetland is involved or activity is occurring in the water, check on the DEQ website to see if a permit has been issued -<http://www.deq.state.mi.us/ciwpis/ciwpis.asp>.

Do not hesitate to call your ESLA

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Zone Captain as soon as you think an activity is occurring without permits.

There appears to be a tendency to "forgive and permit" among some of the public officials who enforce our environmental regulations. While ESLA continues to promote education and encourage voluntary compliance, the names of individuals and businesses in the description of the violations have been intentionally included in the article starting on page 2. Identifying these individuals in our ESLA Newsletter, which is received by 1500 riparians, may reduce the likelihood of future infractions by those persons and others and increase awareness of appropriate actions if such behavior is observed.

A Tale of Two Violations

Tale One

By now, most riparians on Elk Lake have seen the property on the east side of Elk Lake between Ringler Road and Hoopfer Road that was clear cut in an approximate 100 by 300 foot swath (see picture below). The property is owned by Ryan Hill, who also owns DLH Builders in Williamsburg (<http://www.dlhbuilders.com/>).

Early in 2012, Mr. Hill began clearing the property of trees and removing some stumps without the required permit to do so. Earth changes made within 500 feet of an inland lake or in an area of one acre or more require a permit from the County Soil Erosion Officer (SEO) under Part 91 of Michigan's Natural Resources and Environmental Protection Act, PA 451. When the Antrim County SEO (Heidi Shaffer) determined that Mr. Hill had removed stumps from the upland portion of the property, she asked him to apply for a permit, which he did on May 7th. Because the SEO believes that Mr. Hill just "forgot" to get a permit, and that "sediment would not reach the Lake because there is a wetland area just upland of the shoreline", the permit retroactively was issued, without sanction. On June 1, the SEO sent an email message to Mr. Hill which included "...you have to plant the wetland area because the stabili-

zation of the banks is going to take a while." She made specific recommendations of seed mixtures and indicated that – "This needs to be done as soon as possible." Nonetheless, Mr. Hill has not seeded the property or removed the several pile of logs on the wetlands. In the picture above, bare areas of soil are clearly apparent. For a list of frequently asked questions about Part 91 visit - http://www.michigan.gov/documents/deq/wb-sesc-FAQ_261925_7.pdf.

According to Milton Township Zoning Administrator Chris Weinzaphel, the trees that were cut along the shoreline were permissible under the Milton Township Zoning Ordinance in effect at the time of the cutting. That ordinance allowed the cutting of one of every three trees



within the 25 foot buffer along the shoreline. Because the property has 233 feet of frontage, the interpretation is that two thirds of the trees remain uncut. (Editors note- $100/233 = 42.9\%$ were cut, so the math is a bit unclear). The re-

Two Violations (cont.)

cently revised Milton Twp. Zoning Ordinance requires a submission of plans for earth changes in the 25 foot buffer to be approved by the Township.

A permit application from Mr. Hill has not been received by the Michigan Department of Environmental Quality (DEQ) for work to be done in the wetland area and/or for shoreline stabilization. According to the SEO, the logs that have been stacked in the wetland area since May are a violation of DEQ regulations.

For sale signs appeared on the property in late summer.

Tale Two

In late September, ESLA became aware that earth changes were being made along the shoreline on a property at the north end of Mattes Road on the west side of Elk Lake and that no permits were posted. Heidi Shaffer, Antrim County SEO, reviewed the work that was well under way and in this case issued a cease and desist order, as did the Elk Rapids Township Zoning Administrator. Neither of them had been contacted for permits nor clearance to begin work at the shoreline. The SEO was familiar with the property because she had consulted with a representative of Evergreen Landscaping and Irrigation who is the contractor performing the shoreline work for the homeowner. She had informed him of the permits that were necessary for the work to be done and that clearance needed to be acquired from the Elk Rapids Township Zoning Administrator.

Evergreen subcontracted the shoreline excavation work to Steur Excavation. A representative of Stuer stated to the SEO that they were told by Evergreen that permits had been issued, although no permits were posted on the property as required. An application was received by DEQ in the name of the homeowner on September 18 and assigned for field review. However, stone steps had already been placed in the water prior to a permit being issued.

As of this writing it is unclear if the work will pro-

ceed. The SEO believes that the work that has been performed to date is in compliance with Part 91, and if the application does not indicate otherwise, she will issue a permit. It is unclear what DEQ will decide. The Elk Rapids Township Zoning Ordinance prohibits the work that has been done, and further work may not be allowed without detailed plans being submitted to the Township and approval of the plans provided.

County Soil Erosion Officers

Antrim County

Heidi Shaffer (231) 533 – 8363 heidishaffer3@yahoo.com

Grand Traverse County

Kevin McElyea (231) 995-6042 kmce-lyea@grandtraverse.org

Kalkaska County

Karen VanHorn (231) 258 – 3367 kalkaskazoning@yahoo.com

Township and Village Zoning Administrators

Clearwater Township

Guy Mobly (231) 331-6249

Elk Rapid Township

Len Harrett (231) 264 – 6965
zonead@elkrapids.com

Elk Rapids Village

Steve Ravezzani (231) 264-9274 vllgzoning@elkrapids.org

Milton Township

Chris Weinzapfel (231) 264-6697 milton-zoning@gmail.com

Whitewater Township

Leslie Myers (231) 267- 5141 ext. 21 zoning@whitewatertownship.org

Rapid River Sedimentation Project: Stream Hydrology Experts Use High-Tech Instruments

During the week of September 23rd, a team of stream hydrology experts and a few ESLA volunteers conducted the fieldwork necessary to validate a Soil-Water Assessment Tool (SWAT) model built for Rapid River last year. The fieldwork involved accurately measuring:

- Stream flow rates of the Rapid River above and below Rugg Pond and the Little Rapid River at different locations on the same day
- Levels of water above sea level in Torch Lake and Lake Skegemog
- Elevations at dozens of road-stream crossings on both the Rapid and Little Rapid Rivers.
- Cross-sectional profiles at multiple locations on the Rapid River
- Sediment profiles of Rapid River between Aarwood Bridge and Torch River, Torch River and Lake Skegemog in the stump area where Torch River and the Lake merge. (Measures will also be taken at Rugg Pond at later time)

The flow rates and cross-sectional profiles were measured using an Acoustical Doppler Current Profiler device, and the elevations at specific locations were measured using a surveyor's Global Positioning System capable of accessing the signals from 17 different satellites. The experts were from the following four organizations:

- MSU Geology Department: Anthony Kendall, Study Director, Lon Cooper Graduate Student, and Blaze Budd, Field Technician
- Grand Traverse Band of the Ottawa & Chippewa Indians: Stream Biologists Brett Fessell and Frank Dituri
- Tip of the Mitt Watershed Council: Kevin Cronk
- Brockport College-State Universities of

New York: Professor Paul Richards (built the SWAT model in 2011)

This fieldwork was co-sponsored by ESLA and the Three Lakes Association (TLA). Similar fieldwork was conducted on Grass River and its contributing streams as part of TLA's 2012 Grass River Sedimentation Project. Besides validating the 2011 model, the project will pinpoint and prioritize specific activities to reduce the accumulation of sediment in the Rapid and Grass Rivers. We expect to receive a report from the hydrology experts by the end of the year, which will then be used to apply for grants to support the implementation of sediment reducing activities.



ESLA 2012 Photo Contest

And the Winners Are.....

The September 15 deadline for photo contest entries has passed.

Thanks to all who participated this year. You did a great job documenting the beauty, wonder, and excitement of living on the lakes, whether with family or in the solitude of nature.

Because we received so many wonderful photos, picking three winners was very difficult. The judges were not given names of contestants-only the photo images and they did a great job, which is truly appreciated. First place went to Karen Kingon for her Winter Window scene. Hillary Shanteau earned second place with her Sunset with Bird. Third place went to Kim Welch for Boy on a Purple Tube.

Contest winners will be published on our website: <http://www.elk-skegemog.org>. In fact, this information-filled site is where you can view all of the current photo entries.

ESLA Actions regarding NO WAKE zones

Over the past year ESLA has been working with the Michigan Department of Natural Resources (MDNR) and the Antrim and Kalkaska County Sheriff departments to clarify the NO WAKE zones on Lake Skegemog at the mouth of the Torch River and on the Elk River. Upon review of the “Special Local Watercraft Controls for Antrim County” it was determined that a NO WAKE zone regulation is already in place for Lake Skegemog (covering Section 18 in Milton Township – Regulation No.4, R.281.705.2) but that the area was not marked and therefore unenforceable. Conversely, the Elk River NO WAKE zone was marked but not covered in the regulations, thus also unenforceable. The Village of Elk Rapids is handling the Elk River NO WAKE approval and the following is the plan for Lake Skegemog.

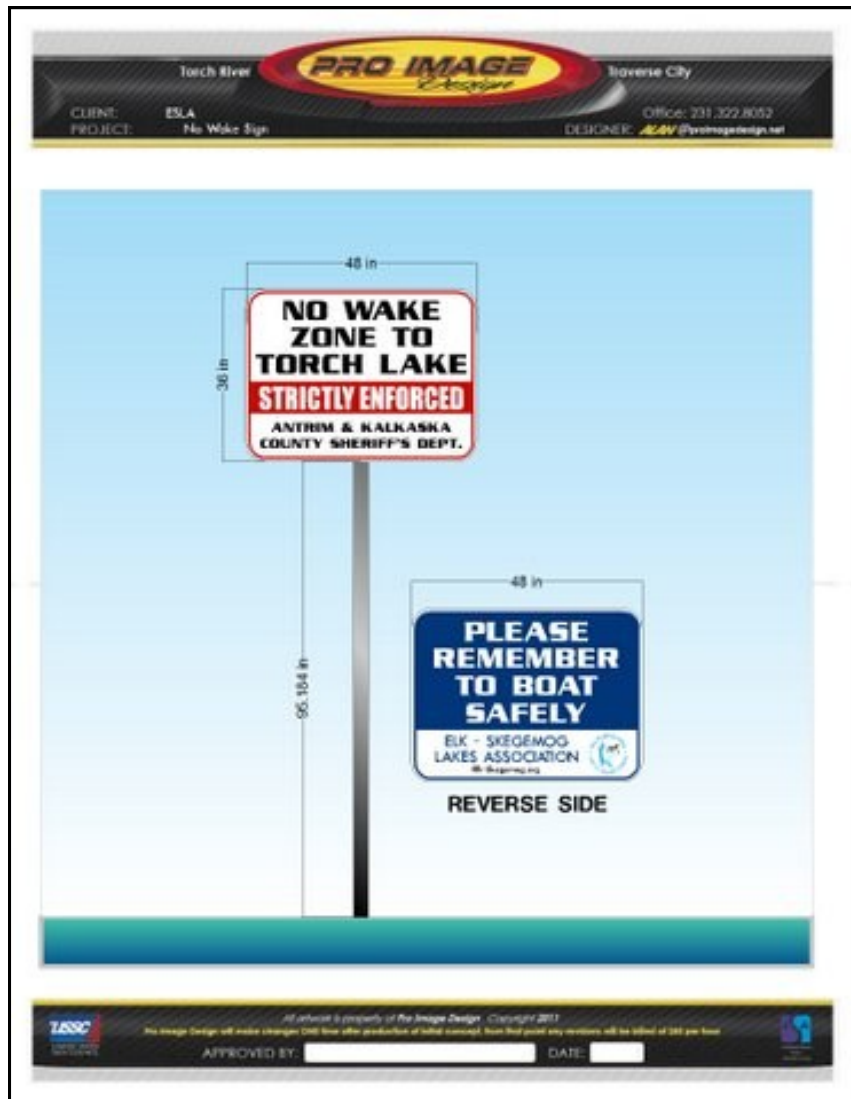
The illustrated sign has been approved by the MDNR, Antrim County Sheriff, and Kalkaska County Sheriff and is being constructed by Pro Image for installation at the third buoy in from Lake Skegemog in the “stump area” as the channel leads to the Torch River. This location is approximately on a line from the south end of Fairmont Drive to the marked channel. This area has been generally regarded as NO WAKE, but enforcement has been challenged as there has been no “official” sign designating the start of the zone. ESLA will remove and replace the sign each fall and spring along with the stump markers it has managed for many years.

At the same time, it has been agreed to take the existing sign at the south end of the Torch River and adjust its position to face upstream to serve as a clear indicator that the “stump area” to Lake Skegemog is still a NO WAKE zone.

Dale Claudepierre, Lake Skegemog 322-2892

Robert Kingon, ESLA President, 322-6055

Ron Gurdak, Elk River 264-6581



Fish Shelter Update

After receiving the needed permits from the MDNR and MDEQ, Adam Jankowski, Ken Krentz, and Bob Kingon assisted the ERCOL Fish Shelter Committee in identifying volunteers, resources, materials, and methods to build and deploy fish shelters in Elk and Skegemog Lakes. In August, cherry tree stumps and fieldstone were donated by the Fred Veermersch Farms in Central Lake. Dimensioned lumber was purchased to build the cubes from Matelski Lumber Co. in Boyne Falls and Alden Lumber in Central Lake. Adam Jankowski & Ken Krentz then poured the concrete bases for the slab tree structures.

“trees”, and stumps were weighted and loaded on the barge and placed at three sites on a wavy Elk Lake morning. See picture below. The second deployment of three additional sites occurred on Sept. 15 by Dean Ginther, Ken Krentz, Bob Bremer, Dave Bellingham, Bob Kingon, Fred Gulick & Adam Jankowski on a beautiful calm Elk Lake.

The sites and GPS coordinates are below::

Easily Rd. end	44.90675/ -85.35818
DNR boat launch	44.88653/ -85.36710
Ringler Rd. end	44.87439 / -85.37479
Shippey road end	44.87106/ -85.37458



On Sept. 8, the first ESLA build session was conducted at the workshop of Ken Krentz by Margo and John Rogers, Bob Kingon, Ken Krentz, Steve Gadd, Bob Bremer, Fred Gulick, and Adam Jankowski. Six 6 wood cubes were constructed with the help of a power nailer donated by ER Rentals. Adam & Ken then obtained the donated barge from Matt Short at Lake Shore Marine.

The first deployment occurred on Sept. 11 at the DNR boat launch on E. Elk Lake Dr. The workgroup consisted of Ken Krentz, Bob Kingon, Bob Bremer, Geoff Bryant, Dean Ginther, Dave Bellingham, Fred Gulick and Adam Jankowski. Cubes,

Clearwater Point	44.87624/ -85.39409
Elk Rapids GC	44.89964/ -8538773

Thanks go to all the volunteers for their service and to all the benefactors who donated money and/or equipment to accomplish this task. There was a lot of work done by a core of volunteers. We have 9 sites to go next year and the work would be easier with more volunteers. If you would like to volunteer or want any information on our project please call Elk Lake Captain: Adam Jankowski at 264-6198 or email at AJUPNORTH@CHARTER.NET.

ELK-SKEGEMOG LAKES ASSOCIATION

Sept 1, 2012 — August 31, 2014

<u>Officers</u>	<u>Address</u>	<u>Phone</u>	<u>Email</u>
Bob Kingon	Pres 10202 East Elk Lake Dr. Rapid City	322-6055	rjkingon@prodigy.net
Vacant	Vice Pres.		
Kathy DiMercurio	Rec. Sec. 535 Sixth St. Traverse City 49684	946-1687	kathygets@charter.net
Lou Ann McKimmy	Corr.Sec 8824 Penahguhme Rapid City	264-5653	mama7@chartermi.net
Robert Stibbs	Treasurer 10561 S. Elk Lake Rd. Williamsburg	218-5391	stibbs@omico.net

ZONE DIRECTORS

ZONE A

Ron Gurdak	Captain 8969 Cairn Hwy, Elk Rapids	264-6581	rongurdak@chartermi.net
Jim Sak	11329 Hanel Rd, Williamsburg	264-6069	jsak@tm.net

ZONE B

Kent Reynolds	Captain 8534 Ridge Rd Rapid City	264-8360	kentreynolds@chartermi.net
Dean Ginther	11228 Shippey Ln, Rapid City	322-6286	dean_ginther@gmail.com
Ruth Bay	11393 Center Rd. Traverse City 49686	947-1619	jackbay@charter.net
Dale Claudepierre	13952 Fairmont Dr. Rapid City 49676	322-2892	ginidale70@gmail.com

ZONE C

Pete DiMercurio	Captain 535 Sixth St. Traverse City 49684	946-1687	petered06@charter.net
Jim Curnow	10183 Miami Beach, Williamsburg	267-5613	bj_curnow@charter.net
Joan Richardson	9350 Larsen Rd Williamsburg	267-5458	phijo@gmail.com
Denise Heidisch	9286 Elk Lake Trail Williamsburg	264-8210	compacc@ameritec.net

Zone D

Tom Klingler	7772 Hoiles Dr. Williamsburg	267-9352	klingler3@earthlink.net
Dave Hauser	9240 Skegemog Pt. Rd., Williamsburg	267-5624	dave@davehauser.net
Kathi Gober	8516 Skegemog Pointe Rd. Williamsburg	989-631-9438	hotwheeler8454@torchlake.com
Hugh Ryan	7866 Hoiles Dr. Williamsburg	267-5380	hnryan@torchlake.com

Zone E

Gina Dewildt	Captain 14199 Torch River Rd. Rapid City	322-2739	ginadewildt@hotmail.com
Melissa Culver	9601 Shellway Dr. NW Rapid City	322-4909	MelissaCulver01@charter.net
Dave Lawicki	6954 Aarwood Rd. Rapid City	944-3051	aarwood6954@hotmail.com

AT LARGE APPOINTED DIRECTORS

Thom Yocum Water Quality	8447 N. Bayshore Dr Elk Rapids	264-6387	kstyocum@aol.com
Dean Ginther Editor	11228 Shippey Ln, Rapid City	322-6286	dean_ginther@gmail.com
Steve Flechter - Foundation	10426 E. Elk lake Dr. Rapid City	322-6015	flechtsp@comcast.net

ESLA WEB SITE: WWW.ELK-SKEGEMOG.ORG

Notice: As of Oct. 8, 2012 property transfers in Milton Twp. will require the evaluation of septic and water supply systems. See the Milton Twp. website (www.milontownship.org) for additional information.

ESLA
P.O. Box 8
Elk Rapids, MI 49629

ESLA NEEDS YOU

ESLA is a volunteer organization composed of people motivated to preserve our beautiful lakes and streams and educate the public. Unfortunately, as our member continues to age and fewer people appear have time/willingness to contribute, ESLA is struggling to continue our distinguished record of protection and education. ESLA needs your leadership. If you have not been active in ESLA but wish to make a contribution, even a small one, of your leadership and talent, please contact Bob Kingon (rjkingon@prodigy.net).

ELK-SKEGEMOG LAKES ASSOCIATION

OFFICERS

Bob Kingon	President	231-322-6055	rjkingon@prodigy.net
Vacant (needed)	Vice Pres		
Kathy DiMercurio	Rec. Sec.	231-946-1687	kathygets@charter.net
Lou Ann McKimmy	Corr.Sec	231-264-5653	mama7@chartermi.net
Robert Stibbs	Treas.	231-218-5391	stibbs@omico.net

PAST PRESIDENTS

Peter DiMercurio	2008-2010	231-946-1687	peterd06@charter.net
Dean Ginther	2006-2008	322-6286	dean.ginther@gmail.com
Mary Anne Rivers	2004-2006	267-5058	mrivers@netonecom.net
Al Wagner	2001-2004	322-4109	bigalwag@charter.net
Bob Bremer	1995-1997	322-6120	rapidrobert@torchlake.com
Ed Krigbaum	1992-1995	267-5164	ekrig@aol.com
Lou Wood	1989-1991	264-5648	
Stan Holzhauser	1984-1987	322-2594	holz4ofus@torchlake.com