

**From:** Michigan Lake and Stream Associations <info@mlswa.org>  
**Sent:** Thursday, March 15, 2018 8:02 AM  
**To:** Shovel\_ed@charter.net  
**Subject:** ML&SA Newsletter for March 2018



**Welcome to our March 2018 Newsletter...**

Think Spring!!!

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**Weed Control**

by Clifford H. Bloom  
Attorney-at-Law  
Bloom Sluggett PC  
Grand Rapids, MI

An increasing number of lake associations are pursuing special assessment districts as a method for funding aquatic weed control efforts. Lake associations across the state have faced the inevitable problem of how voluntary associations can collect money for weed control. Absent mandatory dues pursuant to deed restrictions, lake



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ML&SA Mourns the Loss  
of our President and Good  
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associations cannot force anyone (members and nonmembers alike) to pay dues or to contribute to weed control costs. Indirectly, however, lake associations and riparian property owners can prompt aquatic weed control and 100% mandatory participation for paying the costs thereof by persuading the local municipality to adopt a special assessment district for weed control purposes.

Any municipality can set up a special assessment district. Since most lakes in the state of Michigan are located within townships (as opposed to cities or villages), I will address only township special assessment districts in this column, although the procedure for cities and villages is virtually identical. There are several state statutes which permit townships to utilize special assessment districts for aquatic weed control, but Public Act 188 of 1954, as amended (MCLA 41.721 et seq.) is the most frequently used statute. The special assessment district process is initiated by either the Township Board on its own motion or by property owner petitions. Procedurally, the process involves at least two hearings, public notices and various resolutions. Due to the somewhat peculiar and technical requirements associated with creating a special assessment district, the township attorney should be actively involved in the process. Without active involvement by the township attorney, the process can be extremely confusing and subject to court challenge.

Ultimately, the final decisions regarding whether or not a special assessment district will be authorized, and if so, which properties will be included, rests with the township board. The township board must also decide the total amount of cost to be assessed, as well as how the assessment will be apportioned (that is, will it be assessed against properties on a per-lake frontage foot basis, a per-lot basis, an acreage basis, or based on the assessed tax valuation of the properties), and the time duration of the special assessment district.

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Photo by Scott Brown

### **Research on Starry stonewort Treatment Helps Management Effort**

by Paul J. Sniadecki  
ML&SA Board Director

On going scientific study in the state of Minnesota has resulted in some key findings for the treatment of Starry stonewort. The knowledge gained in Minnesota can be



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Michigan Lake and Stream Associations, Inc. is a non-profit, primarily volunteer organization dedicated to preserving, protecting and effectively managing Michigan's vast treasure of inland lakes and streams as well as advocating for the protection of riparian property rights.

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### **Our Collaborative Partners**

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directly applied to the many lakes in Michigan with Aquatic Invasive Species (AIS) infestations of starry stonewort. A forthcoming 2018 paper from researchers and their collaborators at the Minnesota Aquatic Invasive Species Cooperative Research Center (MAISRC) at the University of Minnesota, will help inform starry stonewort management efforts for inland lakes. Researchers found that mechanical and algaecide treatments greatly reduced starry stonewort biomass, but that bulbils – small, star-shaped structures that can regenerate into new plants – remained viable after treatment. The project consisted of both field and lab work to evaluate the effects of mechanical and algaecide treatments on starry stonewort biomass, bulbil density, and bulbil viability. Researchers examined several areas of Koronis lake that had undergone different treatments, including a channel that was mechanically harvested, an area that was treated only with algaecide, and an area that was first mechanically harvested and then treated with algaecide. The results of each treatment were compared to an untreated reference area. This research was conducted in collaboration with the Koronis Lake Association and Blue Water Science, a lake management firm. Key findings included:

To read more of this article, [click here...](#)

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**Mark Your Calendars!**

**Michigan Lake and Stream Associations**

**57<sup>th</sup> Annual Conference**

**"Preserving Your Freshwater Gem:  
The Essentials of Lake Stewardship"**

**Friday & Saturday**

**April 20<sup>th</sup> & 21<sup>st</sup>, 2018**

**Crystal Mountain Resort  
Thompsonville, MI**

**Registration for the 57<sup>th</sup> Annual Conference  
Began on January 15, 2018**

For more information visit the  
ML&SA 57th Annual Conference  
page by [clicking here](#)

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# save the date...

## WORKING TOGETHER FOR HEALTHY



To learn more about the upcoming Michigan Inland Lakes Partnership Conference, [click here](#)

### Michigan Natural Shoreline Partnership



To download and read the January 2018 edition  
of the Michigan Natural Shoreline  
Partnership Newsletter,  
[click here](#)

### The Key to Improving Lake Protections

By Carol Westfall  
Pleasant Lake, Freedom Township, Michigan

Who is my lake representative? Who protects my lake's interests? Lake property owners often ask these questions and assume the responsibility rests with local officials or their lake association. After almost 10 years of lake living, I now believe there is only one person truly accountable for maintaining lake protections: YOU! Yes, you and your fellow lake residents are the only ones who can fully represent your lake; advocate on behalf of your lake; and bring together lake residents, officials, and other constituents to gather support for lake protections.

I learned the hard way. A few years ago, our lake residents were invited by township officials to provide input into a new Master Plan and Zoning Ordinance but very few lake residents showed any interest. That was our mistake. Later, we were later caught by surprise when some parts of the new zoning ordinance did not reflect our lake's needs. Changes were made but not without enormous lake resident effort. Learn from our mistakes and help protect your lake's future. Here are a few tips to get you started.

**TIP #1:** Regularly attend local planning commission and board meetings. If you're personally not available recruit a fellow lake resident to attend in your place. Local officials need to know lake residents care about their decisions; that you're involved and watching everything they do that affects the lake. Get to know your officials now and build relationships with each of them – before you have a

lake/water issue. You must help them act in the best interests of your lake.

To read more of this article, [click here](#)

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## **PROPOSED CHANGES FOR LARGE WATER WITHDRAWALS**

by Paul J Sniadecki  
ML&SA Board Director

On February 22, 2018, State Rep. Aaron Miller (R-Sturgis MI) introduced **MI House Bill 5638** that would allow farms or businesses withdrawing large amounts of Michigan groundwater to bypass the Michigan Department of Environmental Quality's (MDEQ) modeling tool currently used to evaluate such proposals. Use of the tool has been a requirement since 2009. Instead, applicants could gain approval by submitting their own expert analyses showing that inland lakes, streams, and fish would not be adversely impacted. Further, if the applicant is a farmer, all of their submitted data and analyses — even how much water they propose to withdraw — would be exempt from disclosure under the Michigan Freedom of Information Act (FOIA).

There are 24 House Representatives joining Miller in sponsoring HB 5638. If passed, the changes to MCL 324.32706c would shift the MDEQ's review process for large quantity groundwater withdrawals toward default approval, and further exempt certain data on agricultural water use from disclosure under the Freedom of Information Act (FOIA).

In Michigan, using water for agricultural irrigation is the largest type of "consumptive" water use. Large irrigation systems consume ground water via evaporation, plant absorption, and run-off, so some or all of the water used is not returned to the local ecosystem.

Some Michigan environmental groups say the legislation is an attempt to dismantle water resource protection. The legislation would, essentially, relegate the DEQ to merely monitoring water use rather than ensuring overuse doesn't harm the environment. Some have noted the proposed changes include a "rebuttable presumption" that would, essentially, require the DEQ to automatically approve large water withdrawal applications if they come with a hydrogeological analysis. The DEQ would get 10 days to review the analysis and, if there were concerns, would still have to grant a provisional approval. The well owner would then have to measure water levels over two summers before a final approval is considered.

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### **Score the Shore!**

You can determine the quality of nearshore habitat in your lake by signing up for the Score the Shore program! Part of the MiCorps Cooperative Lakes Monitoring Program, Score the Shore teaches you how to make observations from a boat to calculate a "report card" for your lake. Score the Shore volunteers must also enroll in a minimum level of water quality monitoring for their lake. The deadline to enroll is May 5, 2018.

The required training (free!) takes place at the Michigan Lake and Stream Associations annual conference that is scheduled for April 20<sup>th</sup>-21<sup>st</sup> at Crystal Mountain Resort in Thompsonville.

If you are interested in Score the Shore and the Cooperative Lakes Monitoring Program visit the MiCorps website to find everything you need to get started.

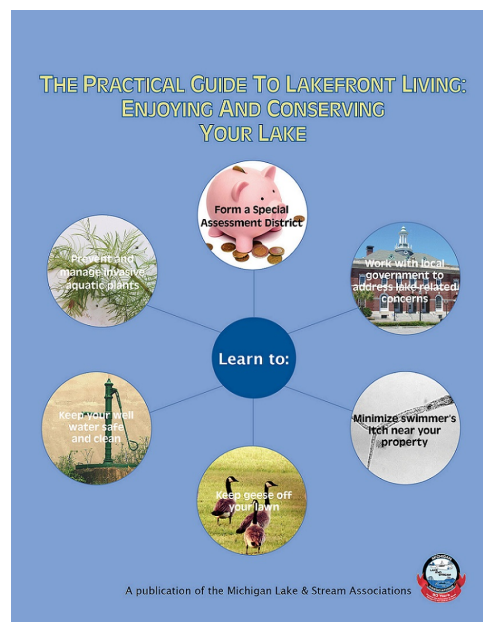
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The Michigan Waterfront Alliance, Inc. recently launched a new website in order to more effectively promote its mission of preserving and protecting the high quality of Michigan's inland waters and the riparian rights of waterfront property owners. Please take the time to view the new site!

**[www.mwai.org](http://www.mwai.org)**



**Available from ML&SA Now!**

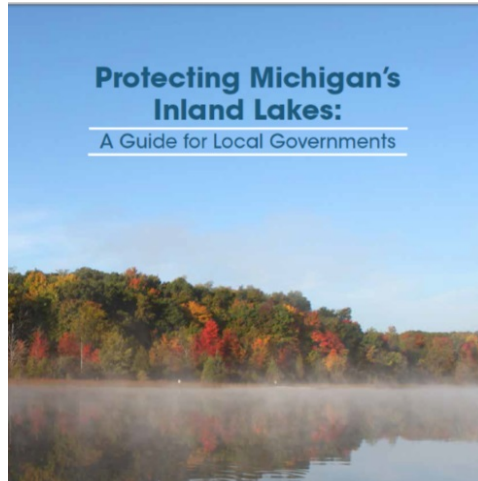
**The Practical Guide to Lakefront Living:  
Enjoying and Conserving Your Lake**

Lake ecology, natural shorelines, swimmers itch, fishing with conservation in mind, e-coli bacteria, dock riparian rights, algae blooms, Michigan boating law, watershed management, aquatic invasive species, and Special Assessment Districts, are just a few examples



of the important topics that are covered in this unique guidebook that was written and published by ML&SA with Michigan's lakefront home owners in mind!

**[Click here](#) to order the guidebook now!**



Available for download by [clicking here](#)

The guidebook is also available in printed form from

**Michigan Lake and Stream Associations**

Central Office by contacting

[swagner@mlswa.org](mailto:swagner@mlswa.org)



Read about the latest news, events, and programs of the

**Michigan Natural Shoreline Partnership**

by [clicking here](#)

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Learn about an exciting opportunity to qualify  
your lakefront shoreline for recognition by visiting the  
**Michigan Shoreland Stewards Program website.**

To download the January 2018 edition of the Michigan  
Natural Shoreline Partnership newsletter, [click here](#)



### **Michigan Clean Boats, Clean Waters Program**

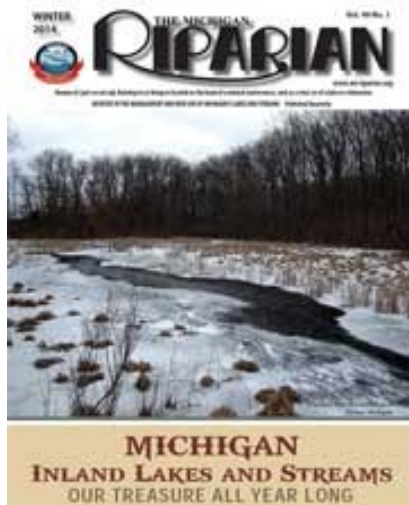
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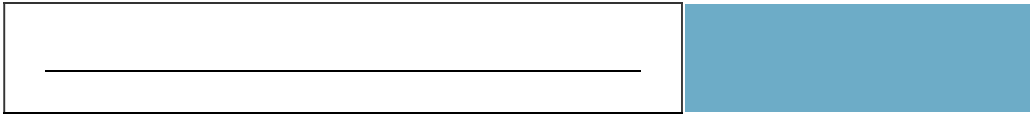
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The **Cooperative Lakes Monitoring Program (CLMP)** has been an important component of Michigan's inland lakes monitoring program for over 40 years, which makes it the second oldest volunteer monitoring program for lakes in the country. The primary purpose of this cooperative program is to help citizen volunteers monitor indicators of water quality in their lake and document changes in lake quality over time.

Since 1992, the **Michigan Lake and Stream Associations (ML&SA)** has administered the CLMP jointly with the **Michigan Department of Environmental Quality**.

For more information about the CLMP, please visit <https://micorps.net/lake-monitoring/> or contact Jean Roth at ML&SA at [jroth@mlswa.org](mailto:jroth@mlswa.org)



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