

A HIGGINS LAKE PROPERTY OWNERS' ASSOCIATION PUBLICATION

# water LINES

## President's Message

By Pat Springstead, HLPOA President

I am sure that almost everyone has become aware of the two-year hydrological and ecological study of Higgins Lake being done by the University of Michigan, Michigan State University and Huron Pines. It was the subject of discussion at our annual meeting, at an informative public meeting at the Roscommon High School auditorium and in several articles in local papers.

• At the HLPOA Board meeting in August the board passed a resolution regarding the lake study; it is published in this newsletter. The position of the board is that we support the lake study; however, the board does not support the removal of the control structure at the Cut River on Higgins Lake. We are confident that the extensive study will educate us about the hydrology and ecology of Higgins Lake from the 1800s to the present and provide a solid basis of scientific data to guide us in protecting the lake into the future. We believe all lakefront property owners wish to preserve and protect Higgins Lake while also allowing the use of the lake for recreational activities in tandem with protecting their economic investment. The HLPOA board shares that goal and will represent those interests on your behalf. The researchers who are actively involved in the study have

submitted an article for this newsletter.

• Public Act 56 was passed last March and signed by Lt. Governor Calley. This statute codifies the Jacobs court ruling and applies to all public road ends in the state of Michigan. We have been battling this issue in Lansing for the past ten years; thanks to our persistence and the lobbying efforts of Public Affairs Associates, we prevailed. The permitting of public docks at road ends is awaiting the direction of the Department of Environmental Quality. Gerrish and Lyon Townships each handled this issue differently last summer, but we should soon receive clarification on the required procedure from the state. Look for more details on PA56 from Bill Carey in this newsletter.

• The HLPOA was successful with an appeal to our DEQ (Department of Environmental Quality) contacts in Lansing to streamline the normal permitting process for the DASH (Diver Assisted Suction Harvester) Boat used in removing EWM (Eurasian water milfoil). The standard permit process involved a permit for individual locations on the lake which would have been a challenge on our 10,000 acre lake.

After numerous meetings and assistance from PAA (Public Affairs Associates) we were able to incorporate seventeen sites within one five-year permit. The DEQ has taken great interest in the DASH Boat and will be observing our progress as they study the effectiveness of the

possible best management practice for EWM removal. We thank Marv Bolton for his long term dedication to EWM removal and control in Higgins Lake. See more news from Marv in this newsletter.

Swimmers itch continues to be big problem. I met with Senator Booher and his aides to express our serious concerns about the negative impact it is having on Higgins Lake and tourism in all of Northern Michigan. We are lobbying in Lansing for Senator Booher to seek funds for a study by Dr. Faisel of Michigan State University for a solution to this vexing problem. Local units of government were also asked to contact our elected officials in Lansing to push for funding of the study.

• A lobbying effort in Lansing is being made with the DNR (Department of Natural Resources) to use Higgins Lake as a pilot program for mandatory boat washing at state launch sites. The Higgins Lake Foundation is partially funding a boat wash at the South State Park which is expected to be completed for the 2013 season. The prevention of introduction of invasive species is a top priority for the health of Higgins Lake.

(cont., pg. 2)

# what's FRACKING?

By Liz Wade

Fracking. The process of hydraulic fracturing to extract natural gas from the extensive shale fields in the United States was the subject of a film and discussion at the Gerrish Township Hall on September 20. The hall was filled with concerned residents who viewed "Gasland," an anti-fracking documentary put together by Josh Fox. This was followed by a panel including two concerned citizens and a local DEQ geologist whose responsibility is to oversee wells.

Often viewed as a windfall which could solve the energy crisis in America, fracking here entails drilling deep into the Collingswood shale layer and then horizontally through that shale. A slurry of water, sand and chemicals is injected and exploded into the shale, forcing the gas out of the "fractured" rock and back to the surface through the pipe. Thousands of wells are being proposed and drilled through the country, with a large focus on the northern lower peninsula of Michigan. Although Michigan's regulations of the process are better than many in the country, accidents can and still do happen. Watching "Gasland" or viewing "Fracking Hell" on YouTube will give anyone pause when thinking of how spillages of the chemically-full water used to frack the shale could get into groundwater or aquifers, even though the scientists insist that it is all well below our water sources.

No one disputes that huge amounts of water must be used in the drilling and fracking process. This requires transport and noise and roads which are disruptive and destructive (400-600 tank trucks just to get one well started), as well as injecting millions of gallons of

contaminated water into the ground — water which can never be reused as it is virtually impossible to recycle, or it is left so deep under the shale that it cannot even evaporate. This doesn't even consider the air pollution occurring. Leftover processing fluids and sludge must be disposed of. Some companies have not handled their sludge properly, leaving them out in neighboring fields. (Pennsylvania ships their sludge to Ohio.)

Arguments are made for new jobs and the huge royalties which come to owners, forgetting the arguments which mention loss of water, pollution of water sources, or even regulations which are exempting the gas companies from clarifying what chemicals they are using because they are "trade secrets." The EPA's Clean Water Act has even exempted some of the gasoline companies from having to follow practices which would apply to others to protect the water.

Water is a finite source, and we tend to forget that. It is significant when we know that millions and millions of gallons must be used to drill these wells and will never be potable again. In addition, it doesn't necessarily solve our fuel demands. As Cornell's Professor Ingraffea explains, gas and oil are not interchangeable. Gasoline may burn cleaner, but the extraction process is far dirtier than that used for oil.

As a subject, fracking is too extensive to cover here. We feel, however, that there is a significant threat to the Higgins Lake Watershed if fracked wells were to become common. This threat includes lands beyond the watershed as the horizontal "wells" are under our supplying aquifers, so upward seepage could be a problem.

There are laws being developed to regulate fracking (Michigan's HB 5565 for example), and multiple movements to ban fracking in Michigan altogether. A simple inquiry on YouTube will bring up both the "Gasland" and "Fracking Hell" movies. Google "fracking" and start reading. One of the best sources was put together by Michigan's Tip of the Mitt Watershed Council with legal consultation from the National Wildlife Federation. Become informed and be active.

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### President's Message, continued from pg. 1

- This year marked the fifth year of "Lake Saver Day" for the fourth grade students of Roscommon Elementary School. The event, designed to create future lake stewards, is held at the R.A. MacMullan Center and funded by the Higgins Lake Foundation.

- Bob Blamer and Tom Kizer, both attorneys on the HLPOA Board, are reviewing our by-laws and will present any suggested changes and additions to the board for review at the next annual meeting. The board has agreed to hold the next annual meeting at the Roscommon High School. The board is also discussing that current paid membership be required for attendance at the annual HLPOA meeting, thereby allowing more opportunity for questions and constructive discussion.

As always, I would like to thank our members for their support and also our uncompensated board for their time and dedication. We are committed to communicating and working with our members to help protect and preserve Higgins Lake.



By Marv Bolton

The effort to control the spread of the invasive plant Eurasian water milfoil in Higgins Lake has taken many different forms. We have used weevils to eat it, chemicals to poison it and benthic barriers to suffocate it. Last summer began a new direction in milfoil control when the Higgins Lake Foundation funded the purchase of a DASH (Diver Assisted Suction Harvester) boat. The equipment was delivered last summer. By the end of the summer a couple tryouts pointed to some useful improvements. With help from Pioneer Hills Marine, the pontoons were replaced for added flotation and the motor and cockpit removed for additional deck space.

This summer actions were taken to put the equipment into operation. The application for the necessary permit to allow us to operate the boat was submitted to the Michigan DEQ. This included providing information about all of the sites and the names and address of about 150 riparian owners whose interest includes a milfoil work site. The permit was approved and is a multi-year permit which covers 17 individual milfoil sites throughout the lake. Other administrative tasks were to obtain proper insurance for the boat and to locate crew members with the appropriate skills and experience. We were lucky enough

to get in contact with the Northern Michigan Underwater Recovery group. Dean Maeder, Rob Holliday and A. J. Palmerton from that group became our underwater men and Don Tyler was the deck hand.

In addition, volunteers Bill Baker, Bob Blamer and Brian Carson provided many hours of valuable help during the pilot operations. I wish to thank them all for their contributions to the effort.

By mid August we were ready to operate. Three days of work were scheduled, and the milfoil patch at the drop off south of Flag Point was the first site. On the first day, the all rookie crew spent a couple of hours getting the boat in position, the containment curtain around the boat and the first pump primed. Then work began and the hard working crew soon got the feel of manually pulling the milfoil and feeding it to the suction hose. Likewise on deck the task of handling the onion bags that catch the milfoil coming out of the discharge pipe was being learned. Each bag holds about 5 cubic feet of plant material. By the end of the day we had captured 22 bags and harvested an area estimated to be about 1000 sq. ft. As luck would have it, after a summer of hot, dry weather, the next two days brought rain, wind and cool temperatures so work was cancelled. On August 27 we had our next work day. It was another good day

of operation with the biggest problem encountered being the clogging up of the suction hose several times from an overload of milfoil. The work day was cut short because of the need to get the boat back to the marina for a public open house. Still about 20 bags of milfoil were collected. On the next day the crew really rolled and ended up with about 30 bags. The three days of work also generated a long list of improvements and operating procedures that will help us out next season.

We expect to get into full operations next season. This means operating during the week whenever weather and water conditions allow. We will not operate on weekends and holidays to minimize disruption to property owners and interference from heavy boat traffic. We expect to need additional people for deck hands next season. This could be a marvelous job opportunity for divers, students or others who may wish supplemental summer employment. I was quite impressed with the amount of milfoil area harvested during those first three days of initial operation. I estimate that after some experience we will be able to harvest about 2000 sq. ft. per day. This compares to the typical 3000 sq. ft. per season that were treated with benthic barriers in the last few seasons. Therefore, we should be able to make a significant reduction in the area of milfoil in the lake over the next few years. One question of concern is if the milfoil will grow back in the harvested areas. We will have to keep a close watch on it.

(continued, pg. 10)

## Legal Update

By William L. Carey, Counsel for HLPOA

As legal counsel for the HLPOA, the firm of Carey & Jaskowski continues to be involved in a variety of matters which directly or indirectly impact the riparian interests of all HLPOA members. The following report summarizes various legal issues now pending with our firm.

### P.A. 56-Road End Legislation

In March of 2012, Lieutenant Governor Brian Calley signed P.A. 56 into law. It can be found at MCL 324.30111b. Overall, the new law is pro-riparian, pro-public lake access, pro-rule of law, and pro-local government. The law applies to public road ends at inland lakes and streams.

The law applies to three uses or activities at public road ends. First, private docks, piers, boat cradles, and similar items are prohibited. A governmental unit can install one public dock for day use. Second, no boat can be moored at a public road end between the hours of midnight and sunrise. Finally, no one can engage in any use or activity at a public road end that would obstruct public ingress or egress.

The Michigan Legislature chose to make a violation of the law a criminal misdemeanor rather than a civil infraction. This is significant. Being convicted of a criminal misdemeanor is no small matter. A conviction creates a criminal record.

The statute protects lawful "ingress and egress." Based on a century of Michigan appellate case law, some generalizations can be made regarding what constitutes permissible "ingress and egress." First, walking to and from the body of water (and into the body of water) would be a protected activity. Presumably, that would also include walking to the lake in the winter to ice fish as well as riding a snowmobile or ATV on to the ice. Second, activities such as temporary mooring are lawful, so long as the person controlling the boat is present. Next, when someone gets to the lake, activities such as fishing or swimming on

or in the lake are protected.

Physically preventing someone from properly using a public road end would be unlawful. Individuals placing unauthorized barriers within the public road could constitute unlawful activity. Leaving items within the public road such as parked vehicles, boats on shore, lawn chairs, and similar items could constitute unlawful interference with permitted ingress and egress.

Any police officer may enforce the law. That includes a state police officer, deputy sheriff, local city, village or township police officer, and a conservation officer.

A complaint can be made to either the local police department or the state police. Ideally, it would be best to make the complaint when the offending dock or boat is still present so the police officer can investigate and testify personally.

A township can place a dock within the public road end to aid temporary mooring. However, the dock must be "seasonal"; that is, it must be taken out for the winter season. In addition, any such government dock can be used for day use only — no boat or watercraft can be moored or anchored to or adjacent to any such dock or wharf overnight.

The new legislation will not abandon, vacate, or close a public road end at a lake or river in Michigan. There will be no "privatizing" of any public road end. One can reasonably argue that public access will be enhanced, as public road ends should no longer be junked up by private docks, extensive boat moorings, and similar unlawful use and activities that impede public access.

### Temporary/Recreational Mooring

A problem that is evident at Higgins Lake, and many other inland lakes throughout the state, is the temporary anchorage of water craft for the purpose of socializing, sunbathing and other recreational pursuits. Typically this type of temporary anchorage involves large numbers of boaters located in a small area. Currently the law in Michigan is less than clear on whether such activities are lawful when conducted on a riparian owner's bottomland, without the riparian owner's permission. The Michigan Supreme Court addressed this issue

in the matter of Bott vs. The Commission of Natural Resources of the State of Michigan in a 1982 decision.

In Bott the Supreme Court observed riparian owners have the right to share the reasonable use of waters, but the rights of the public as an incident of the navigational servitude are not coextensive with the rights of riparian owners. This court has recognized fishing as an incident of the navigational servitude in inland lakes but has also held that hunting is not such a right. A member of the public has no right to anchor decoys for the purpose of attracting ducks on the bottomland of a private riparian.

Such acts are not incident to navigation, and in doing them a member of the public is not exercising a license to navigate the waters of an inland lake. The public has a right to use the lake as a public highway, but every other beneficial use and enjoyment belongs to the owner of the riparian bottomland. Fishing is a quiet sport.

General boating and water recreation can, however, be intrusive and jarring. Based on Bott a reasonable legal argument can be made for a riparian to assert that temporary recreational mooring is a riparian trespass. It is, however, far from clear as to how a circuit court would react to such a lawsuit.

### Permissive Mooring on Private Riparian Lands

First, make no mistake that you, as the land owner, have an absolute right to seasonally moor your boat within your riparian bottomlands. Furthermore, no one is questioning your prerogative to allow immediate family members mooring privileges as well. No permit from any government agency is needed.

Beyond owners and immediate relatives, the practice of allowing nonriparians to seasonally moor boats on your private riparianland violates both local ordinance and state statute. Multi-family use of a single parcel of riparian land, including the practice of allowing multiple families to seasonally moor boats, is a violation of the township zoning ordinance.

In addition to local ordinances, the State of Michigan precludes the practice of allowing nonriparians to seasonally moor boats on private bottomlands, unless the riparian owner first obtains a marina operating permit from the Michigan Department of Environmental Quality.

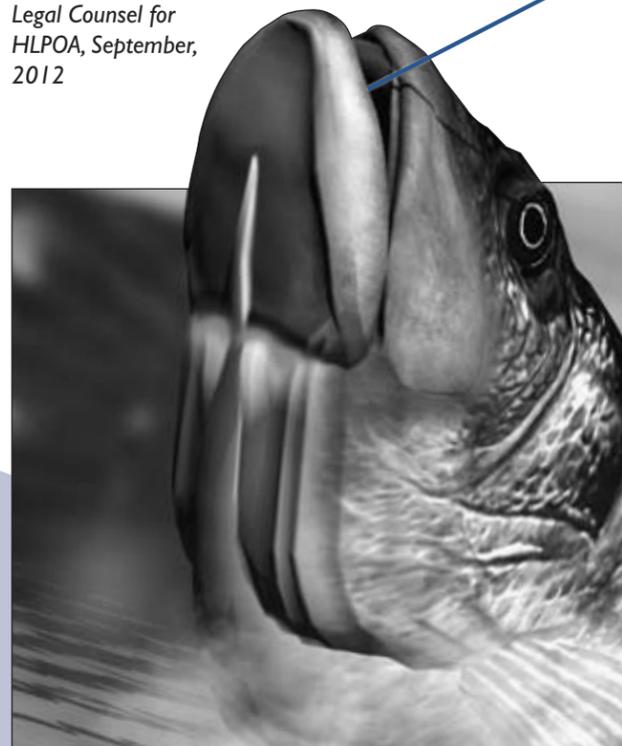
Throughout the 2012 boating season, HLPOA has worked closely with the Roscommon County Sheriff's Department and the Michigan Department of Environmental Quality to monitor mooring practices on Higgins Lake. Working in conjunction with these agencies, HLPOA is going to take an assertive position for the upcoming 2013 boating season with regard to illegal mooring of boats on private bottomlands.

There are many reasons why it is in the best interests of all of the users of Higgins Lake to require that riparians not violate local or state regulations regarding boat mooring. Overuse of the lake, along with allowing bad historical precedent to develop, are but two of those reasons.

### Conclusion:

Carey & Jaskowski as counsel for HLPOA will continue to work diligently toward the resolution of the matters reported above and protect the interests of Higgins Lake and its riparian members.

Respectfully submitted by William L. Carey,  
Legal Counsel for  
HLPOA, September,  
2012



## Office Central

By Noreen Osborn, Administrative Assistant

This has been another very busy year that included a beautiful summer. I hope everyone had the opportunity to enjoy at least part of it here at Higgins Lake, and I wish everyone a wonderful holiday season.

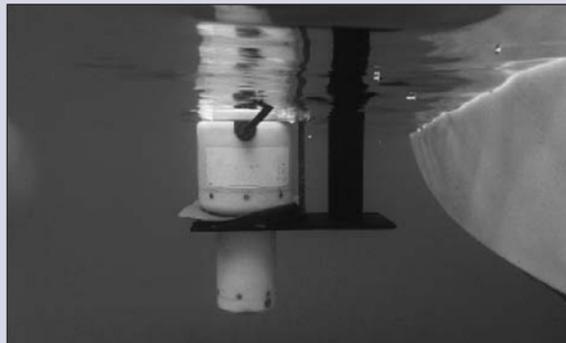
Please update your address and phone information for the member database and directory. Also, we have been sending out email updates and news, so make sure I have your correct email address!

**Office Hours:** Monday thru Friday, 9am to 4pm  
**Mailing Address:** P. O. Box 55, Roscommon, MI 48653  
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## Higgins Lake 2012 Fish Stocking Info

Water Site	Species Strain	Date	Number	Avg. Length (inches)
Higgins Lake West Road Ending 24N 04W 14	Lake Trout Lake Superior	3/28/12 3:00 PM	20,000	6.12
Higgins Lake West Road Ending 24N 04W 14	Lake Trout Lake Superior	3/28/12 3:00 PM	20,000	6.12
Higgins Lake West Road Ending 24N 04W 14	Rainbow Trout Eagle Lake	4/26/12 10:00 AM	15,000	7.08
Higgins Lake West Road Ending 24N 04W 14	Rainbow Trout Eagle Lake	4/26/12 10:00 AM	15,000	7.04

## Higgins Lake Hydrological and Ecological Study



An underwater image of the Acoustic Doppler Current Profiler (ADCP) during the collection of bathymetry data

### Hydrological Assessment

By Anthony Kendall

The hydrological aspect of the study is being conducted by a team from the Michigan State University, Department of Geological Sciences, under the supervision of Professor David Hyndman and Doctor Anthony Kendall. Their work focuses on the hydrogeologic system of the Higgins Lake watershed, including ground water and surface water interactions. Their project will include three primary components: 1) gathering historical and current watershed and environmental data collected by other organizations, individuals, and agencies; 2) collecting primary data including lake depths, stream flow in the Cut River, and shoreline condition; and 3) using computer models to simulate the water balance of Higgins Lake and its watershed in unprecedented detail, and to simulate the stream discharge capacity of the Cut River at various stream water levels (stage).

The first year's fieldwork began in earnest in August, when for two weeks the MSU team visited the lake to conduct a near shore depth (bathymetry) survey, photograph and locate every single dock on the lake, and photograph virtually the entire shoreline in order to characterize shoreline condition. Additionally, the team installed stream gauges along the Cut River.

The instrument that was used to collect the depth data was a Sontek S5 Acoustic Doppler Current Profiler (ADCP). The ADCP is equipped with a differential GPS that collects a position for every depth sample, which is at a rate of

1/sec. To calculate depth, the ADCP uses an acoustic sound wave that reflects off the lake bottom. The time it takes the sound wave to return to the instrument is used in relation with the temperature of the water, due to density differences at various temperatures. The calculations are made internally, allowing for real-time viewing of depths. During the bathymetry collection, water samples were also obtained with the intent of analyzing for B. theta., which is a bacterial indicator of human waste, along with other water quality parameters. Three stream gauges were installed along the Cut River to continuously collect



The ADCP mounted to the boat

temperatures and stage readings via Odyssey data loggers. The discharge of the Cut River has and will be measured several times per year with the ADCP during various flow conditions to create a rating curve. A rating curve is a way to illustrate the relationship between discharge and stage (height) of a stream — thus allowing for continuous estimates of Cut River outflow discharge.

Between and following field activities, modeling programs such as HEC-RAS, CMS-Wave and CMS-Flow, developed through the United States Army Corps of Engineers, will be used to investigate scenarios that are of concern to the stakeholders.

Concerns such as, but not limited to, shoreline position, dock length, erosion and sediment transport, and sunken island depths under various lake management plans. Programs such as these will aid in answering questions relating to specific lake levels and shoreline conditions. Furthermore, software developed by MSU called the Integrated Landscape Hydrology Model (ILHM) will be

used to calculate a more accurate water budget for Higgins Lake both now, in the past, and in the future. These model predictions will aid management of the dam under both current law and for a variety of future stakeholder-driven scenarios.

### Stakeholder Assessment

By Patrick Ertel

When embarking on a project that influences numerous landowners and the way of life for even more visitors, there are many factors that need to be taken into account. By now, many, if not all, of you have heard about the study going on to analyze what Higgins Lake would physically “look like” in terms of different water levels and corresponding impacts on the fishery, from existing water levels all the way down to if there were no dam managing the water flow. Changes in water levels will bring many other changes to the lake itself and the way we all use it.

The ongoing study, being managed by Muskegon River Watershed Assembly and conducted by Michigan State University and the University of Michigan, will provide a thorough analysis of the depth and fisheries habitat of the nearshore areas in Higgins Lake under different hypothetical lake levels. The model created by the study will enable users to predict the physical and ecological impacts of different water levels. However, what is not predicted by the model are many social and economic impacts. That is where Huron Pines enters the project. The role of Huron Pines is to collect public input and concerns about social, environmental, and economic impacts related to the predictions that the model will set forth.

Since the July 28th public meeting at the Roscommon High School, Huron Pines has received more than 100 comments, and Patrick Ertel, Project Manager with Huron Pines, has met with a dozen or so landowners to further discuss concerns and accurately capture public sentiment. The contributions to date have been very well thought out and bring to light several concerns that will need to be addressed before any permanent changes to the management of the dam.

There are the more obvious comments that numerous landowners have made. One such concern is that the operation of their boats will be limited by long stretches of water too shallow for navigation. This includes the concerns of how much longer docks would need to be as the edge of the water retreats further from each resident's house. The community is not just worried about their own ability to enjoy boating, but the concern extends to how

visitors to Higgins Lake will be limited, especially in boating activities and access/mooring at public launches and marinas. Furthermore, everyone recognizes that there is significant economic input to the region from those boaters traveling to Higgins Lake. Use of boat hoists, danger of sand bars, and potential crowding of boats have all been raised as concerns as well. Many comments have suggested that an economic impact assessment should also be completed when looking at potential changes to the overall management of the water level on Higgins Lake.

### Ecological Assessment

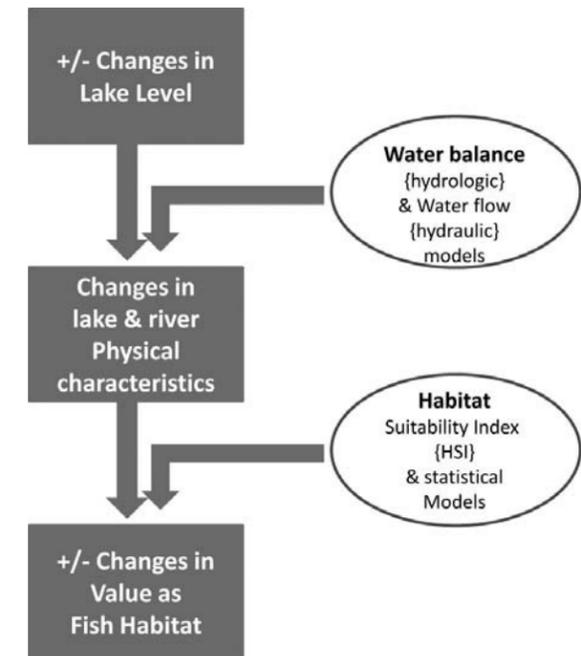
By Michael Wiley

The “ecological assessment” portion of the project is being carried out by a team from the University of Michigan under the direction of Prof. Mike Wiley at the School of Natural Resources and Environment. Their work focuses primarily on potential implications of past and future lake level changes on the quality of fish habitat in both the lake itself and downstream in the Cut River. As a part of this study M.Sc. student Andrew Layman was on the lake for several weeks this summer helping the MSU team complete the deep water portions of a new bathymetric (depth) map, and utilized side scan and other specialized sonars as well as high-tech sondes to map substrate variation, vegetation cover, turbidity, algal productivity and other important aspects of fish habitat.

In both the lake and river work, fish habitat responses to lake level change will be modeled by linking physical hydrologic and hydraulic projections to standardized



UM graduate student, Andrew Layman, holds the Yellow-Fin side scan sonar that maps the lake bottom substrate and aquatic plant distribution.



descriptions of the habitat requirements of particular fish species and life stages.

These descriptions are called Habitat Suitability Index (HSI, for short) models and they help link anticipated changes in physical parameters such as depth, water velocity, plant cover and substrate (among many others) to the quality of fish habitat in a specific area. For those who might be interested in learning about some of the key techniques employed, specific models we are using include: HEC-HMS and HEC-RAS from the Army Corp of Engineers, MSU's ILHM, the USFWS's HSI models for specific species, MesoHabSim, and PHABSIM. A quick internet query in Google can get you started.

Because fish habitat (as every fisherman knows) is better some places than others, a careful mapping of the variations in existing condition has been the first step in both our Higgins Lake and Cut River analysis. Eventually (in a year and a half or so) we will be able to provide maps and aerial summaries of expected changes in fish habitat in response to various lake level scenarios. Our goal in these studies is to describe how changes in lake level management or level changes due to climate might affect fish habitat (remember the study is funded by habitat improvement dollars). The goal of the scientific study is not to make recommendations about how lake levels should be managed; that is a very different and, as many have pointed out, a much more complicated question.

# Higgins Lake Boat Club Back to Sailing

By Robert Blamer

The Higgins Lake Boat Club located on Treasure Island celebrated its 65th Anniversary this past summer. The Club, originally founded by a group of Lightning sailboat class skippers, centered its activities around Lightning regattas both for members and non-members for decades.

However, starting in the '90s the participation in these regattas dropped sharply for a number of reasons. One trip around the lake will reveal that there are only a handful of Lightnings left on Higgins Lake, and outside participation from other areas dropped off markedly.

The good news is in the last four years the Club has made a concerted effort with great success to get back to its roots in sailing. With the appointment of a sailing commissioner and the hiring of very experienced yet young instructors for sailing lessons, the Club has seen a turnaround in its sailing activities. HLBC has access to a fleet of Sunfish and Hobie Cats through the Higgins Lake Swimming and Sailing Foundation. Sailing lessons have been conducted



the last two weeks in July, and in the last two years over 60 sailors have graduated.

Membership is not required for the lessons, nor is a boat, which can be provided through the Boat Club. Ages of the students range from those that are just old enough to handle the lines of a Sunfish to adults. The Labor Day Regatta, typically a Lightning event, this year switched to Sunfish and the Hobies and all Club boats were occupied for a very good race.

The Higgins Lake Lightning Regatta, which is a statewide event, also not restricted to members, was held the last weekend of July and had 13 boats, a far cry from the last regatta two years ago where there were only four boats. Higgins Lake Boat Club Lightnings proudly took the first three places in the weekend event. Twenty years ago it was not uncommon to see 100 boats at that event, and even though recent participation is substantially less, the HLBC is committed to continuing in its sailing events both through members and non-members and with boat classifications other than Lightnings, provided there is enough interest by the skippers and their crew.

With membership in HLBC members get a reciprocity card which entitles you to entry in almost every boat and yachting club in America

even though those clubs may otherwise be private.

HLBC also hosts several other events in which membership is not required. There is an HLBC Triathlon conducted in August involving a two mile run, a five mile bike ride, and kayaking from Old Point Comfort to the Club. The Club has access to enough kayaks that anyone interested in participating had a boat.

Another activity which is growing is the Classic Boat Show where those proud owners of classic wooden boats have come out for a great afternoon of these historic, graceful and beautiful works of art. Again membership is not required.

There are several activities virtually on a weekly basis for members as well, including Pirates Day for the kids, Ladies Day, special theme parties, a wine tasting party, poker run, a euchre tournament, and other wonderful activities where the Club's facilities are being used by members, friends and family with the terrific and beautiful background of Higgins Lake Treasure Island. These and more events are available through the HLBC.

Check out our website at [higginslakeboatclub.com](http://higginslakeboatclub.com), and better yet, next summer come out and join us and enjoy the lake, the boating, the weather, and the friendships that center around the HLBC.

I have been on the HLPOA Board for the last 4 years, and my husband and I have been members of the Association since purchasing property on Higgins Lake in 1990. We have not had the privilege of growing up here on the lake, but have enjoyed it immensely since being here. Our three children have many fond memories of the past 22 years, which include swimming, fishing, skiing, etc. Since 1999 we have been year-round residents and are proud of the fact.

At this time I would like to comment on the controversy of the "Evaluation of the Hydrological & Ecological Impacts of the Higgins Lake Level Control Structure." I quite frankly am tired of defending the HLPOA. I don't feel I did anything wrong, nor did any board member or Pat Springstead. I personally recall all HLPOA members were notified of this upcoming study, both in last year's fall newsletter and at our annual meeting on July 16, 2011. This study didn't seem to be an issue until some individuals decided to make it a "witch hunt," finding fault with different organizations.

These people have ulterior motives. They take things out of context and are making judgmental calls. Rather than voicing their concerns properly, they have chosen to act inappropriately. Malicious actions are not warranted. There are many opinions out there as far as the dam. I would venture to say that most of these are not educated opinions. They are based on emotional and personal issues rather than looking at the lake as a whole.

There have been no hidden agendas with regard to this scientific study. It was ordered by the court to gather information and evaluate the results. I have concerns regarding environmental factors, and I want to leave a clean, healthy lake for my grandchildren and great-grandchildren. We as a board value the lake and believe the study will educate all of us. The "removal of the dam" verbiage was used only to obtain the grant money.

Some people think the dam has little influence on the lake. Wouldn't it be nice to know? I believe these scientists will give us much needed information and then some. Why not wait for this data? Rather than putting up "blue & white signs," let's show our support to these scientists. If you have some research, information, or questions, please share them with these specialists.

I was asked not too long ago if I was considering resigning from the board. I am not. It has been a privilege to serve, and I will continue to do so as long as I am wanted. I can't speak for the other board members, but I feel this organization has worked hard to accomplish so much, both in the years past and present. The HLPOA has had dedicated leaders, such as Bob Frye, Ken Dennings and Pat Springstead. Pat has done a fantastic job representing our lake. He was elected by the people of Higgins Lake and he fights for your cause. I have heard the comment that the voice of our membership is not being heard.

The membership has elected Pat to speak for your well being. He is your "voice" and the board members are "your voice." Pat has made so many strides down in Lansing, such as road-end issues and boat washes to name a few. Your concerns become his concerns. He diligently works with law enforcement and has been instrumental in patrolling boats as far as noise control. Swimmers itch was a problem that the HLPOA tried to remedy in years past. A solution was not found; however, "your voice" has stated that something still needs to be done. The HLPOA is not giving up. Presently Pat is spending countless hours in Lansing, trying to get a grant for Higgins Lake to be in a pilot program which would study swimmers itch. The HLPOA has also been working hard to combat invasive species such as Eurasian water milfoil. We are all excited about the use of the DASH, Diver Assisted Suction Harvester, as are many

other lakes in Michigan. Staying abreast of all lake issues is important. Please attend annual meetings, and if you have concerns, let us know instead of pointing fingers. Remain positive. This is a beautiful lake and we want to keep it that way. Remember our mission statement, "The mission of the HLPOA is to protect, preserve and enhance the quality of Higgins Lake and its surrounding watershed."

Thank you for letting me voice my feelings.  
Mary Jane Hartman

## HLPOA's Board of Directors

**President:** Pat Springstead  
**Vice President:** Rick Meeks  
**Secretary:** Mary Jane Hartman  
**Treasurer:** Marvin Bolton  
**Administrative Assistant:** Noreen Osborn

**Directors:** Kathryn Bangs, Bob Blamer, William Case, Stan Cooke, Don Correll, Tom Kizer, Herb Weatherly, Edward Trautz (Member Emeritus)

**Legal Counsel:** William Carey, Rich Jaskowski

## 2012 Memorial Donations

The HLPOA gratefully acknowledges the following memorial donations:

**In Memory of James (Jim) Watter Beebe**  
Barbara Montgomery

**In Memory of Bob Cole**  
John B. Huntington

**In Memory of Walter Brown**  
Elaine Beardslee

**Resolution in Support of the 2012-14 Hydrological, Ecological Study of Higgins Lake**

Whereas the mission of the Higgins Lake Property Owners' Association is to protect, preserve and enhance the quality of Higgins Lake and its watershed and

Whereas a primary goal of the organization is to promote riparian property owners' interests and property values and

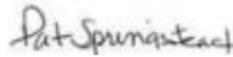
Whereas a comprehensive study has been required by the Roscommon County Circuit Court, the Higgins Lake Watershed Management Plan and the Gerrish Township Board of Trustees' letter to request a lake level study (July 6, 2010) and

Whereas the current study provides for stakeholder input and feedback and

Whereas sound scientific data is essential for the Circuit Court and County Board of Commissioners, in charge of the lake's water level and county dam respectively

Be it therefore resolved that the Higgins Lake Property Owners' Association goes on record as supporting the two-year hydrological, ecological study of Higgins Lake and its lake levels, the Cut River, and the control structure being conducted by Michigan State University, the University of Michigan and Huron Pines.

Furthermore, we support, if the HLPOA members feel it is appropriate, the testing of lake level scenarios without the destruction of the dam after the conclusion of the study.

Signed  Date: August 28, 2012

(on behalf of and approved unanimously by the HLPOA Board of Trustees)

**Frank Homola, Gerrish Township Supervisor:**

As our board resolution states, we do not support removal of the dam just that we support the study and may support some scenario to see if there is a lake level that will allow for both a healthy lake and the ability to recreate on the lake as we have become accustomed.

We also will probably support a proposed Gerrish resolution that the Study should not be the sole determining factor about the lake level of Higgins Lake and that an economic study be done. We feel that the economic study of the impact on the local economy and the taxpayers of our area that any change of the lake level would cause is extremely important.

To this end, the two major Townships on the lake should fund the economic study so the local taxpayers would have confidence in it, and a credible University or totally reputable independent company should be hired to accomplish this task. After reading the resolution, I will take it to our board for their input and thoughts.

Sincerely,  
Pat Springstead, On Behalf of the HLPOA Board

**Milfoil Report, cont. from pg. 3**

There is still plenty of opportunity for volunteers to contribute to the milfoil control effort. This may be with the suction harvester boat as an extra hand to organize, coordinate or run errands for the boat crew. In addition local groups may wish to continue to utilize the benthic barriers to control small patches of milfoil. Barriers are still a great method to deal with isolated patches of less than 1000 sq. ft., and we have lots of barrier material available.

Any questions, concerns, offer to volunteer or interest in a summer job can be directed to the HLPOA office ([hlpoa0@gmail.com](mailto:hlpoa0@gmail.com) or 989-275-9181) or to Marv Bolton ([mgsbail@peoplepc.com](mailto:mgsbail@peoplepc.com) or 734-478-2499).

Our legislative report and the Political Action Committee articles are combined because, although they technically are separate, they both impact our relationships with local and state officials on issues that are important to you and your quality of life at Higgins Lake.

The HLPOA has devoted much time and energy to cultivating these relationships, and it has paid huge dividends for our members.

Public Affairs Associates has been our lobbying firm for a number of years, and we cannot emphasize enough how valuable and loyal they have been for our causes. For all of these years we have been working with them to champion the codification of the Jacob's ruling, and it finally paid off this year on March 22, 2012, when Lt. Governor Calley signed PA 56 into law. PAA also has helped us with lobbying the DEQ and DNR with other lobbying priorities. They have helped us work with our Senator Booher to seek funding for a swimmer's itch study with Dr. Faisel of Michigan State University with Higgins Lake being a primary testing area. They have also helped us reach out to the Governor's office to let them and the legislature know that it is impacting tourism at our northern inland lakes. If we have a Pure Michigan initiative, it is not of much use if tourists will not return due to swimmer's itch.

The Higgins Lake Foundation is partially funding a boat wash at the South Higgins Lake

State Park, and our part is to get a pilot program for Higgins Lake requiring mandatory boat washing at the state launch facilities on the lake. The Past Director of the DNR, Rodney Stokes, told us to come back after the South State Park boat wash is finished, and we will be knocking on the door of the new director, Keith Creagh, soon. We need a first line of defense against the next group of invasive species.

A good example of our lobbying success is the permitting for our Eurasian Water Milfoil boat, aka DASH boat. After numerous trips and meetings in Lansing with the DEQ, we were able to get them to give us a permit for seventeen sites on the lake, not the single site one would normally receive. These will also serve as test sites for best practices for removing EWM with the DASH boat.

PAA has also allowed us to develop relationships with the decision makers in Lansing. That means that when there are issues that impact you and Higgins Lake we will at least have the opportunity to talk to the legislators and voice our opinion and hopefully be a positive force in implementing environmental changes to our lake while making sure there are not regulations enacted that make it more difficult to recreate on the lake. We cannot stress enough how important it is to build positive relationships both locally and

in Lansing to make sure your voice is heard.

Our Political Action Committee functions as a vehicle to let you know which local and state officials best represent your interests and the interest to preserve and protect Higgins Lake. With our Political Action funds we attend fundraisers. This gives us a great opportunity to get to speak face to face with the decision makers. We also, on occasion, will make direct contributions to individual candidates who we think can have a positive impact on our members and the lake. The fundraiser money and donations to candidates come directly out of our Political Action account and no part of your Annual Dues is used per election law requirements. We would like to use Gerrish Township as an example of how important it is to register to vote at Higgins Lake. The last three Gerrish Township Supervisor elections have been decided by single digits. This year's election was decided by three votes while the trustee election was decided by a single vote. So, if possible, we encourage you to register to vote at the lake.

There are two cut-out coupons in the newsletter if you would like to donate to the legal and lobbying fund and a separate coupon if you would like to donate to our Political Action Committee.

Thank you for your continued interest and support.

**Higgins Lake Property Owner's Political Action Committee Contribution Form**

Amount:  \$50  Other \$ \_\_\_\_\_

Make checks (personal checks ONLY) payable to: HLPAC • Mail to: HLPAC, P.O. Box 341, Roscommon, MI 48653

Name \_\_\_\_\_

Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_

Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

**The following information is required by the State of Michigan:**

Employer \_\_\_\_\_ Occupation \_\_\_\_\_

Business Address \_\_\_\_\_

**Higgins Lake Property Owner's Lobbying & Legal Contribution Form**

Amount:  \$25  \$50  \$100 Other \$ \_\_\_\_\_

Make checks payable to: HLPOA • Mail to: HLPOA, P.O. Box 55, Roscommon, MI 48653

Name \_\_\_\_\_

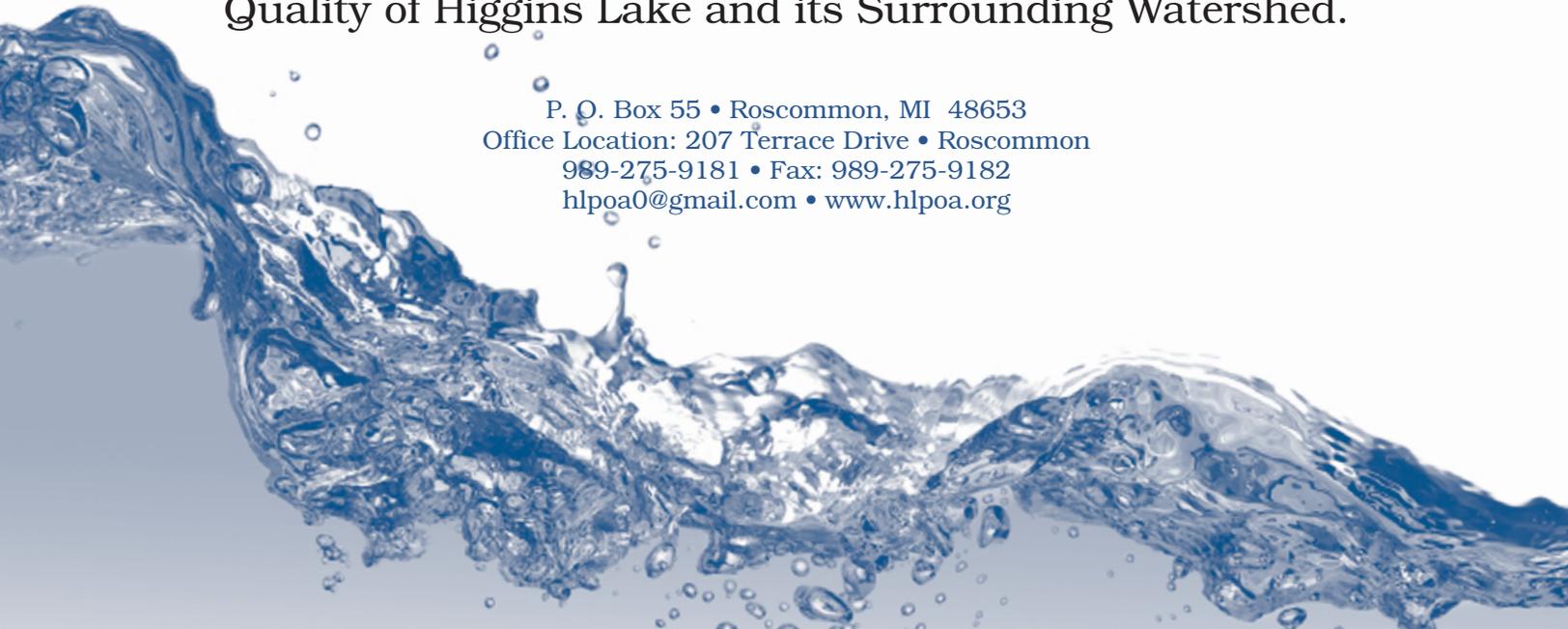
Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_

Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

# Our Mission:

To Protect, Preserve, and Enhance the  
Quality of Higgins Lake and its Surrounding Watershed.

P. O. Box 55 • Roscommon, MI 48653  
Office Location: 207 Terrace Drive • Roscommon  
989-275-9181 • Fax: 989-275-9182  
hlpoa0@gmail.com • www.hlpoa.org



## Save the Date:

The HLPOA Annual Meeting is scheduled for July 20, 2013 at Roscommon High School



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