



Pickerel - Crooked Lakes Association

P.O. Box 211
Conway, MI 49722
www.northquest.com/pcla

SHORE LINES

SPRING, 2005

"IT'S

FOREVER!!!! These words have been our mantra this year as we worked with Little Traverse Conservancy to preserve the "Black Hole".

It has been a gratifying campaign not only because your donations raised the necessary \$950,000 in only six weeks, but because by putting our money on the table we can be assured that this primeval channel between Pickerel and Crooked Lakes will remain in its natural state. "Forever".

Our past president Wayne Blomberg nailed the situation when he said the only way to impact development is to buy land or go to court. We have done both this year, but by far the more satisfying avenue is to be able to buy sensitive wetlands and shoreline and prevent them from being degraded by human impact. Putting land into conservancy hands, we learned, has minimal impact on tax rolls because protected conservancy parcels require no tax-supported services. Having preserved property near developed lands increases the value of development because people like the feeling of open space they get when the view from their window is of hills, trees, and wildflowers -- and they like knowing their view is secure -- "forever."

Going to court is not nearly as much fun as working with your neighbors to save half a mile of heaven-on-earth. But your board believes it was necessary to contest the dredging permit granted to the Windjammer by the Michigan Department of Environmental Quality. We worked long and hard to convince the permit-granting agencies that dredging through a wetland shoreline and allowing houses to be built over water are environmentally unsound practices that set an undesirable precedent. Littlefield Township and Emmet County planners relied on the DEQ to set the pace for the development. We believe the DEQ granted the permit without due consideration of alternatives, and without evaluation of secondary and cumulative impacts. Both of these evaluations are required by law. It seems odd to have to go to court to convince a department that they should make a policy of following the law, but that's partly what this is about. The other issue is that we still want thorough evaluations of what we consider to be serious long-term impacts, and what we believe to be prudent alternatives.

Through both of these important processes this year, we learned again the importance of strength in numbers. We learned how critical it is to be actively, visibly, and vocally involved. We only lost the Windjammer case at the county level by one vote. We only gained county support for the Black Hole by one vote. We need you to vote -- with your membership -- to preserve the health and beauty of these lakes so you can continue to enjoy them -- "forever."

Thanks for your efforts,
Ray McMullen, President



THE BLACK HOLE on a sunny February afternoon. Board members strapped on snowshoes to trek the site which is as beautiful in winter as it is in summer. Good going, PCLA member-donors: you saved it!

Black Hole project reaching completion

When the t's are crossed and the i's are dotted, approximately 3,000 feet of wetland and shoreline on the east side of the pristine Pickerel-Crooked Lakes Channel will be protected from development. The details are being worked out at this writing.

Approximately 1,000 feet in the center of the channel, the area known locally as the "Black Hole", will be owned outright by the Little Traverse Conservancy. The remaining 2,000 feet on either end of the channel will be placed in a conservation easement to be held by the Conservancy.

The successful completion of this project has been a very significant accomplishment for our lakes and future generations. It was made possible by the generosity of PCLA members who have donated to our land acquisition fund over the years, and who also made

special contributions for this landmark project.

This, of course, left our land acquisition fund with a zero balance. We encourage you to help rebuild it with gifts and memorials, so that when another opportunity arises, we will be ready to meet it.

More than 350 individuals made this historic purchase possible. We also are grateful for the support of these organizations:

- Bear Creek Township
- Littlefield Township
- Little Traverse Township
- Emmet County Board of Commissioners
- Gaming Revenue Sharing Board
- Little Traverse Conservancy
- Burt Lake Preservation Association

DID YOU KNOW... The "Black Hole" used to be known as the Devil's Punchbowl and Dollar Lake?

PARTY ON!

If you love giving parties, we need you to invite your neighbors over for a simple evening of sociability. The "hidden agenda" is PCLA membership. We need to build neighborhood teams who can work together to support the mission of PCLA: education, outreach, environmental protection. A board member would be happy to attend as ambassador to answer questions and bring membership materials. To help, call Ray or Audrey McMullen at 347-8073.

Pickerel-Crooked Lakes Association Board of Directors

| | |
|---------------------|----------|
| Wayne Blomberg..... | 526-5062 |
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THE 2005 ANNUAL MEETING
Saturday, July 16,
at the Little Traverse
Township Hall on
Pleasantview Road.
Details to be announced.

YOUR DUES ENVELOPE IS INCLUDED WITH THIS NEWSLETTER.

You will notice a few more blanks to fill in this year. We would like to know in what Emmet County township, village, or municipality you live; we would like to know whether you might be available to volunteer (we need help distributing pamphlets to designated businesses, welcoming new members, and building neighborhood teams); and we would like you to consider increasing your commitment, if appropriate, by joining as a business member.

The new business member category entitles the member to be listed in all newsletters and linked to our website, www.northquest.com/pcla. This membership is \$40 per year.

Please fill out and return your envelope promptly so we can keep our mailing lists up to date. If we have your dues by May 1, we can better guarantee that you won't miss important communication.

Windjammer Contested Case Update

The PCLA board was encouraged by the membership at the Annual Meeting in 2004, to pursue some action in this case due to the precedent being set by this permit to dredge and create a lagoon for boathouses.

January 9, 2004: Windjammer Cove and Marina applied to the Land and Water Management Division of the Department of Environmental Quality to excavate an upland basin, install steel sheeting and stone riprap, construct open pile docks for six slips, excavate wetlands to create a 30 x 36 foot access channel to an existing navigation channel, and construct six residential structures on pilings over the upland basin.

July 28, 2004 - Permit granted after a review process in which the PCLA board and numerous individual members, and Tip of the Mit Watershed Council, strenuously opposed the project.

September 13, 2004 - Meet with Tip of the Mit and our attorney Ellen Kohler to decide whether to file a stop work injunction in Circuit Court, file a contested case

through the DEQ, or drop the issue. Decision: to file a contested case.

September 25, 2004 - PCLA contested the permit on the grounds that the DEQ did not document its process of considering reasonable and prudent alternatives OR its consideration of secondary and cumulative impacts. These steps are required by law.

PCLA believes that using existing docks at Windjammer Marina, or installing traditional docks with a boardwalk over the wetland, would be reasonable and prudent alternatives. Further, we believe that the precedent set by this project, the damage caused by dredging and disturbance of natural shoreline, and building structures over water are serious secondary and cumulative impacts.

October 8, 2004 - File status report of our specific issues with administrative law judge (ALJ) and DEQ.

November 22, 2004 - informal meeting with DEQ, Windjammer and PCLA to explore issues and

reach an agreement. PCLA presented two traditional dock alternatives with a riparian map. No agreement reached.

December 6, 2004 - File status report indicating our intended course of action: pursue contested case.

January 24, 2005 - PCLA board meets to decide how to pursue the case. **Board decided unanimously** to pursue a Summary Disposition, which entails presenting the facts of the case (lack of alternatives analysis and consideration of impacts) to the ALJ. We hope the case will be returned to the DEQ for review of the facts and proper completion of the record which could result in alteration or revocation of the permit to dredge.

Secondly, we plan to pursue a Declaratory Judgement through the ALJ. This would not impact the permit but could require the DEQ to examine its decision making process. We hope the outcome would be more thorough evaluation of alternatives and impacts, and complete documentation of analysis methods.

--Your comments appreciated--



Last June, members of the PCLA Fish Committee worked with the DNR to plant 30,000 walleye fry in Crooked Lake and 25,000 in Pickerel Lake. The 1.25" fry are captured in long trap nets, then scooped into buckets (15,000 fish to the pound), carried to trucks, and transported to their new home. Planting in Pickerel and Crooked Lake occurs every three years.

HERE, FISHY FISHY FISHY....

About a year ago a group of interested volunteers formed the PCLA fish committee. Since then the committee has discussed a wide range of topics that affect our local fisheries.

In the mid 70's and 80's a volunteer group within PCLA also had an interest in trying to improve fishing. Land was donated and a walleye rearing pond was constructed. Later the operation of the pond was turned over to the DNR in exchange for guaranteed fish planting in our two lakes.

We know that any lake will only support so many fish. Simply planting more fish will not necessarily produce better fishing. While fish con-

tinue to be planted in Pickerel and Crooked Lakes, most anglers are complaining that they're having less luck each year.

We all have our theories about the cause: cormorants, zebra mussels, rusty crayfish, siltation of the weed beds, development, overfishing, loss of the low-end of the food chain, sandy lake bottom, mercury pollution....the cumulative effects seem to be gaining momentum.

The DNR notes that it takes a walleye 5 years to reach 15" in these lakes compared to 3 years elsewhere. They admit the situation is complex while remedies and solutions are compli-

cated and difficult to implement.

The committee began a pilot program to post signs around the lake advocating a bag limit lower than state regulations allow. We're asking fishers voluntarily to limit their catch to one meal, with any other fish being released to be caught another day.

The fish committee intends to stay active in understanding and trying to improve one of northern Michigan's popular pastimes. We would welcome anyone interested in helping out: please call one of these members to volunteer:

Jeff Upton 348-5083
Wayne Blomberg 526-5062

PICKEREL-CROOKED LAKES ASSOCIATION
P.O. BOX 211
CONWAY, MI 49722