**JULY 2009** 

#### **President's Letter**

TLA's Board is very pleased with several recent accomplishments, including a proactive outreach to four local public school systems in this watershed to help their science teachers supplement their environmental education programs. An article in this newsletter describes the success of this new initiative. Thank You, Patricia Roush, for your leadership in planning and executing this project.

The Board is also very pleased with the results of another successful and fun Golf Tournament on June 14<sup>th</sup>. About 72 golfers enjoyed a beautiful afternoon on the Cedar River Golf Course. Our co-hosting partner, the Grass River Natural Area, share half the proceeds from this with TLA. All the proceeds from this event are dedicated to Education projects. Thank You, Alan Hickman, Todd Collins, and Al Gibbs for representing TLA on the Golf Tournament Committee, and a special thank you to all the corporate sponsors of this event during these economically challenging times.

This year's first jointly sponsored Educational Event, "Down the Drain", was true to the theme...building awareness about the development of language to describe trips to the outhouse (Glenn Ruggles), and an overview of the material being taught to  $4^{\rm th}$  graders about the natural processes for purifying human wastewater (Dendra Best). This event was co-sponsored by TLA, TLPA, Tip of the Mitt, and Grass River Natural Area, which included some very nice displays and hor d'oeuvres.

This year's Summer Internship Program involves three students from Central Lake High School, one from Bellaire High School, one from Elk Rapids High School, and one from Kalkaska High School. The theme of the internship project is to make a survey of the lake bottoms, similar in some respects to surveys of the lake shores, done in the last few years. In particular the project anticipates significant changes in the near future as invasive species such as the quagga mussel and the round gobi (a fish) enter our lakes. These creatures have already significantly altered the ecology of Lake Michigan and are probably going to find their way into our lakes too. So far, the Chain-of-Lakes has zebra mussels but no quagga mussels or gobis. In an effort to systematically quantify the bottom dwelling organisms in our three lakes, the students are collecting dredge samples and taking videos using one of Norton's new underwater remotely operated vehicles.

Preliminary information from the internship survey will be on display at our Annual Meeting on July 22<sup>nd</sup>, 6 PM at Shanty Creek Resort and at the Joint Educational Event August 18, 4 PM at the Shanty Creek Beach Club. Please take a few minutes to register for these events.

To receive timely TLA-related announcements, please sign up to receive **TLA Alerts** via e-mail by replying to the invitation on the lower right corner of our

Website: www.3lakes.com. So far about 130 e-mail addresses receive **TLA Alerts**, which include e-copies of Newsletters at least a week before TLA

members receive a hard copy in the mail.

by Dean Branson

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The Mission of the Three Lakes Association is to provide leadership to preserve, protect, and improve the environmental quality of the chain of lakes watershed for all generations.



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#### **Cement Kiln Dust Leachate:**

#### Regional Stakeholder Group

On April 15<sup>th</sup> Three Lakes Association and Walloon Lake Association requested assistance from EPA to help form a Regional Stakeholders Group to address the Bay Harbor cement kiln dust leachate problem. The expectation is that the Stakeholder Group will find solutions through a non-adversarial, consensus-seeking process. Currently, leachate created from rain and ground water running through piles of cement kiln dust heads towards Little Traverse Bay. Collection lines have been installed along the shoreline in front of Bay Harbor properties and East Park to prevent the majority of leachate from entering Bay. Some of the captured leachate is being trucked to Traverse City for treatment in a wastewater treatment plant and some is disposed of in a deep well near Johannesburg in Otsego County.

On June 11<sup>th</sup> EPA publicly announced their intent to provide a grant to the Group as part of their Technical Assistance in Support of Communities (TASC) program. In an effort to remain at arms length from the process, the grant will be administered by Ecology & Economics Inc., a Charlotteville, Virginia-based firm. Details regarding the day, time, location, and agenda for an initial meeting of the Regional Stakeholders Group are being developed and will be widely communicated.

TLA's Board has expressed interest in participating in this new group, in part because of TLA's involvement in a similar non-adversarial group of stakeholders (ACUTE) that helped to successfully address the trichloroethylene (TCE) plume problem migrating from Mancelona toward Cedar River and Shanty Creek Resort. In fact, although the Friends of Jordan group is worried about the well affecting the Jordan River watershed, it is on the boundary of Elk River Chain-of-Lakes Watershed too. It is not clear which watershed, if any, might be affected by the well.

This Stakeholder Group envisions becoming an effective communications channel between multiple regional community stakeholder entities and the Environmental Protection Agency (EPA) and Michigan Department of Environmental Quality (DEQ). CMS Energy. Stakeholder organizations that may be interested in participating in these open and transparent dialogues may include several units of local government, regional health department, property owner associations, real estate organizations, Little Traverse Bay Bands of Odawa Indians, and area lake & watershed organizations.

It is hoped that the Stakeholder Group will catalyze new ideas for addressing the leachate problem, including issues raised by the Friends of the Jordan River Watershed as part of their opposition to the proposed Alba leachate injection well. In the meantime the court case by Antrim County to stop CMS from drilling the well in Alba is, as yet, unresolved after a number of dismissals in the Michigan Administrative Court system.

New TLA Member French Cove Homeowners Association

## TLA Environmental Education Outreach: Year One 2008-2009

The end of the school year has also seen the completion of Three Lakes Association's first year of the Environmental Education Outreach Program. As outlined in the May, 2009 TLA Newsletter, TLA issued an invitation to science teachers in four local school districts; Bellaire, Central Lake, Kalkaska and Mancelona, to submit lists of those items or activities that would enhance the science curriculum and that could not be provided by the existing school budget. TLA told local educators that our organization would review what we referred to as "wish lists," and grant as many wishes as we could from our budget.

At the end of the submission process, in March, TLA received \$68,000 worth of wishes from science teachers. TLA's Board of Directors, making environmental education outreach program a top priority, voted to donate a total of \$14,200 to the schools. In May, Education Committee Chairperson, Patricia Roush, visited each school district and met with administrators and teachers to award checks including cover letters identifying the wishes being granted. In addition to each school library receiving a framed Elk River Chain of Lakes Map, and an excursion for a class of 32 students aboard the Inland Seas Education Association schoolship, TLA also provided several field trips to Grass River Natural Area, several microscopes, and a few grants for teachers to attend science training workshops.

Three Lakes Association has received some very positive response from the local school districts. A picture (see photo) of Bellaire science teacher, Tom Baeckeroot, Patricia Roush and Superintendent Jim Emery, with a caption outlining TLA's outreach appeared in the May 7<sup>th</sup> Antrim Review. TLA received a thank you letters from Diane Swoverland, the Kalkaska Middle School principal, and Tom Baeckeroot, a science teacher at Bellaire High School. Tom and two of his students attended the June 9<sup>th</sup> board meeting to narrate a video they prepared highlighting their day on



Bellaire High School science teacher, Tom Baekeroot, TLA Educational Outreach Director, Patricia Roush, and Bellaire Superintendent, Jim Emery

the schoolship. TLA's Board also had a chance to ask questions.

TLA's Board of Directors has a "wish," as well. We would like to make the Environmental Education Outreach Program an ongoing program. Part of what we began this year, the Inland Seas schoolship excursions, has been pledged to the schools annually. We would also like to offer the "wish list" process annually and, in working more closely with the school districts, act on other areas of need as they present themselves.

To this end, we ask that you, as members of TLA, to consider earmarking your special donations to TLA to help support this new Education Outreach Program. Beyond individual donations, we would welcome your ideas for improving this program.

## Elk Rapids Dam: Update on Relicensing Hydroelectric Operation

Recent progress toward the relicensing of the hydroelectric operation association with the Elk Rapids Dam included a positive outcome from Mark Stone's meeting in March with DNR officials in response to his proposed scope of the required studies to support an application to re-license the hydroelectric operation associated with the Elk Rapids Dam.

As a result of the positive outcome from Mark Stone's meeting with DNR, the Elk River Chain-of-Lakes Conservation Network, at its April 22<sup>nd</sup> meeting, changed the tone of its sign-on letter to the DNR from a letter of support for Mark's proposed costeffective approaches for the application, to a Thank You sign-on Letter. TLA agreed to take the lead on developing consensus language in the Letter and obtaining the signatures. A copy of the Letter can be obtained on our Website (www.3lakes.com) under the subcategory of Letters to Officials, under "Publications". The following environmental organizations involved in the Elk River Chain of Lakes Conservation Network have now expressed their appreciation to DRN for their receptivity to Mark Stone's proposed cost-effective approaches to protecting the dam through the hydroelectric operation associated with the Elk Rapids Dam:

- The Watershed Center
- Antrim County Conservation Network
- Friends of Clam Lake
- Tip of the Mitt
- Three Lakes Association
- Northern Michigan Environmental Action Council
- Torch Lake Protective Alliance
- Elk-Skegemog Lakes Association
- Skegemog Wilderness Area Stewardship Committee
- Intermediate Lake Association
- Six Mile Lake Association

On June 15<sup>th</sup>, the sign-on Thank You Letter was sent to M-DNR Director, Rebecca Humphries, with carbon copies to key County, State, and Federal officials who may be involved in relicensing the hydroelectric operation associated with the Elk Rapids Dam. Ultimately it is the Federal Energy Regulatory Commission that will make the decision about the relicensing the hydroelectric operation, hopefully before 2013 when the current license expires. In the meantime the process of preparing and submitting the application is in progress.

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## 2009 TLA High School Internship Program

The TLA Educational Outreach Project includes the ongoing High School Internship Program now in its seventh year. This year we have six students representing four area schools: Central Lake (Alishia Youmans, Wilhelmina and David Witt), Bellaire (Billy Bohannon), Kalkaska (Jordan Gunderson), and Elk Rapids (Braden Ackerman). Three of the students are repeating from last year. The project started just after the end of the school year on June 16 with an orientation. Since then, there has been field work every Thursday morning on Lake Bellaire or Torch Lake. In August the students will analyze their results and write their report.

The project this year is a survey of the bottom of our deepest lakes to document the populations of two creatures (1) the most important macro-invertebrate, Diporeia, and (2) zebra mussels. The former, Diporeia, are the largest source of food for deep dwelling fish and live just below the surface of the bottom sediment, and the latter, zebra mussels, are an invasive that competes for the same food as Diporeia. In Lake Michigan Diporeia are disappearing and zebra mussels have almost been replaced by quagga mussels. As far as we know, quaggas have not invaded our lakes yet, but it is almost inevitable. So, we surveying the lake bottoms before the expected quagga invasion. Quagga mussels are similar to zebra mussels but considerably more aggressive

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and adaptable. They now live in Lake Michigan to depths of 900 feet and at densities exceeding 1,000 per square meter. No one knows what effect this change is likely to have on the lakes, but there is likely to be a serious disruption of the food chain and an opportunity for phosphorus to be recycled from the sediment back into our lakes, a disruption of the nutrient chain.

To do this survey the students will be using a device called a PONAR dredge, borrowed from the Inland Seas Education Association, to raise a sample of sediment to the surface and screen it for Diporeia and zebra mussels. They will do this at different depths and water temperatures in Lake Bellaire and Torch Lake. Secondly, they will make a photographic record of the bottom at specific locations to show bottom region and its vegetation. The latter will be done with a small underwater vehicle with a camera that sends images to the surface. Norton Bretz, TLA Executive Director, worked with Traverse City Central High School last



Above: Remotely Operated Underwater Vehicle (right) being controlled by Elk Rapids student Kelly Lark at Elk Rapids Green Day

winter helping Keith Forton, the physics teacher, with a group of students that build underwater vehicles and compete with other schools. Norton was inspired to build a couple of his own and the students are using them for this project.

So far the interns have not seen a single quagga mussel despite occasional reports of their existence in our lakes. Keep you fingers crossed and make sure to wash anything that has contact with Lake Michigan before putting it in our lakes.

Left: Central Lake High School intern Alicia Youmans, volunteer Trishia Narwold, and Elk Rapids High School intern Braden Ackerman sifting for bugs on Torch Lake

# Joint TLA/TLPA/GRNA Education Event Down the Drain

Down the Drain was the title and theme of the Joint TLA/TLPA/ GRNA Educational Event at the Alden Depot Wednesday, June 24. In case you are wondering what this is all about, consider your septic system, the issue raised in the previous article. Despite occasional family stories, usually relating to some unexpected expense or messy disaster, this topic is not one that is usually discussed around the kitchen table. So, to get the audience in the right mood, the first speaker was Glenn Ruggles, local historian and author, who discussed the last tectonic change in our septic habits with a talk entitled Passing of the Privy. For non-literary folks, this is also the title of a poem by James Whitcomb Riley. To further the mood Glenn gave his talk seated next to a real outhouse, courtesy of the Alden community, and a "two holer" seat brought for the occasion by the second speaker, Dr. Dendra Best. After a few introductory remarks, Glen recited The Passing of the Privy, the opening lines of which read:

When memory keeps me company and moves to smiles or tears,

A weather-beaten object looms through the mist of years. Behind the house and barn it stood a half a mile or more And hurrying feet a path had made straight to its swinging door.

And then to bring us into the 21st century Dendra Best, Executive Director of the On-Site Wastewater of NW Michigan [OWNWMI, www.michigan-onsitewastewater.org] discussed the modern septic system – what to put in it, what not to put in it, and how to check that it is working properly. She also gave out an excellent brochure entitled Water-Energy produced by OWNWMI on septic issues including some of the newer "self-contained" systems now legal in Antrim County. If you would like one of these brochures, please contact OWNWMI or TLA.

Following the talks the audience was free to peruse displays set up by the Antrim County Conservation District, Tip of the Mitt Watershed Council, TLA, and OWNWMI and sample wine and hors d'oeuvres, provided by volunteers from our sponsoring organization.

Thanks to all of the volunteers and organizers of this event, especially its GRNA Educational Events Director, Melynda Bagley. And remember our second Educational Event In the Drink VI on the topic of the Elk River Chain-of-Lakes Fishery is set for August 18 at the Shanty Creek Beach Club with "inspirational" speaker is Jim Lynn who as a ten year old watched his uncles spear the last known sturgeon in the Chain-of-Lakes on Grass River in 1951 – almost eight feet long - with a photo. In addition there will be a demonstration of fly tying by Russ Cecil and a map of the fish cover locations on Lake Bellaire assembled by Mike Meriweather of the Antrim County Conservation District.



Glenn Ruggles



Dendra Best

#### **Shoreline Greenbelt Ordinances**

In response to concerns about the definition of allowable changes in the shorelines in Forest Home Township's current shoreline protection ordinance, the township, under the leadership of Supervisor Terry Smith, formed an ad hoc committee to develop more specific descriptions, especially for those changes involving cuts in shoreline banks for walkways and equipment. With the help of participants from other townships, the committee developed a shoreline protection overlay district that was reasonable for riparian property owners and responsible for protecting water quality.

What made this committee special were the representatives from Forest Home Twp. (Paul Trumble, Dan Steiner, Peg Comfort), Central Lake Twp. (Stan Bean, Bill Gadwau), Torch Lake Twp.(Bob Spencer, George Parker), Helena Twp. (Jim Gurr, Guy Molby), Milton Twp. (Chris Weinzapfel, Bill Geddes) and the Torch Lake Protection Alliance (Ray Ludwa). For the first time, townships around the lake agreed to work together to solve a common problem, "How can we develop a shoreline protection ordinance that is simple, consistent and effective?"

Beginning in May 2008, the committee met monthly. Model ordinances, information on greenbelt buffers and other best management practices, as well as guest speakers enabled the committee to share a common body of knowledge as a basis for their discussion. The following guests contributed: Heidi Lang, Antrim County Soil Erosion Officer, Greg Goudy, Michigan Department of Environmental Quality, Russ Clark, Grand Traverse County Parks and Recreation Commission, Ellen Kohler, Grand Traverse Bay Watershed Center, Grenetta Thomassey, Tip of the Mitt Watershed Council

The committee recognized that townships, as well as shoreline property owners, have special responsibilities to protect public waters, because, "Development needs to go somewhere or it goes

everywhere and looks like anywhere," The goal of the proposed ordinance was to protect water quality and property values, too.

The committee spent six months describing what they thought the shoreline should look like, creating a reasonable process for developing landscaping plans for waterfront property, and identifying the BMPs for protecting the shoreline. The desire was to create an ordinance that is enforceable, reasonable, flexible and consistent around Torch Lake.

The committee agreed that the ordinance would include the BMPs for protecting water quality: building setbacks of at least 50 feet, framed/limited view, greenbelt buffer of 25 feet, limited impervious surface, managed runoff, improved turf management, as well as reasonable pedestrian and equipment access. More than a dozen diagrams were included in the ordinance to illustrate best practices.

In January 2009, the committee approved the final draft and it has now been sent to Forest Home Township, where it has begun the adoption process. This process includes review by the Planning Commission, a public hearing, review by the Antrim County Planning Commission and adjacent municipalities and final review by the Township Board.

Heidi Lang, Antrim County Soil Erosion Officer, and Ray Ludwa, Torch Lake Protection Alliance executive director, will be encouraging other townships to begin the adoption process, too. The townships and conservation organizations have agreed to distribute information on greenbelts through their newsletters and websites.

The final draft of the Shoreline Protection Overlay Ordinance is available on line at <a href="www.foresthomnetownship.org">www.foresthomnetownship.org</a> and <a href="www.3lakes.com">www.3lakes.com</a>. If you have questions, feel free to contact Peg Comfort at 231-377-7512.

#### Stream and Shoreline E. Coli Surveillance

As you know, TLA periodically conducts water quality surveys of the lakes and their tributary streams in the summer. Our lake survey will continue through the Cooperative Lake Monitoring Program administered by Michigan Lake and Streams Association and carried out by TLA volunteers. And our TLA Water Quality team consisting of Bob Oswald, Jack and Becky Norris, Jim Allender, and Bob McCelland will continue our testing of E. Coli in tributaries. In addition TLPA volunteers Gary Bokerman and Paul Roush will again contribute. Last summer 23 streams that enter our three lakes were evaluated at the beginning and at end of the summer. This was more than the year before, and a few more streams and locations will be added this year. In particular we will look more closely at those streams that have had high E. Coli levels – about five in all. In these streams more samples will be taken upstream and on the shoreline where the streams enter the lake.

These surveys have been very useful in helping the discreet correction of unwelcome runoff from septic leach fields and other nutrient sources. There are three ways in which you can participate:

Suggest the name of a volunteer for the survey team, or

make the loan of a canoe or kayak for short-term use.

- Survey your own and nearby shoreline, looking for excessive weed or algal growth, or other unusual quality, and alert us to what you find.
- Ask for one of us to meet at your place, perhaps along with several neighbors, and lead a brief demonstration of useful shoreline surveillance.
- $\bullet$   $\;$  Help in establishing a complete stream atlas shoreline surveillance.

Because many of the streams that enter our lakes are small and seasonal, we could also use your help in establishing a complete stream atlas for our region. Official maps don't show all that exist and omit small tributaries altogether. These water courses will become more and more important as possible pollution conduits as land development continues, so it's important now to improve out knowledge of them.

For more information on this project, please contact Bob Oswald, Water Quality Chairman, 264-5809, Jack or Becky Norris, 599-2894 or Norton Bretz 599-2729

#### **Septic Point-of-Sale Ordinance**

TLA's Nutrient-Based Water Quality Project in 2004-2006 taught us that one of the most important sources of man-made phosphorus to our lakes is shallow groundwater septic systems – comparable or larger than any other man-made source. However, in Antrim County there is no formal health or water quality requirement to check a septic system once it is installed in a residence. Of course, septic systems are re-evaluated by the Health Department if a house is replaced or substantially modified, but this leaves many homes and cottages unchecked. Experience in other communities has shown that 10-30% of existing septic systems would considered failing under current code. So there is a significant opportunity to uncover and fix failing septic systems with some kind of regular checking system. The least disruptive of these is a required septic inspection when a property transfers its ownership through a Septic Point-of-Sale Ordindance.

In December 2007, TLA hosted a focus group of representatives from each of the eight townships to clarify the nature of support from TLA that the townships could expect as they pursued these water quality protection initiatives. TLA took the lead on this mission of advocacy, in part as an identified partner in The Watershed Center's grant application to accomplish this objective.

So, TLA has begun to discuss Septic Point-of-Sale ordinances with our townships. Torch Lake Township was approached first because it has developed an admirable collection of water protection ordinances in the last few years and the Board appeared to be open to the idea. In the meantime without any urging on our part, Kalkaska County County adopted a Septic Point-of-Sale ordinance which was advocated by its regional Health Department. So, Clearwater Township at the south end of Torch Lake became the first of our townships to adopt this plan.

On May 19 Torch Lake Township resident and TLA Executive Director, Norton Bretz, presented the case for a Septic Point-of-Sale ordinance and a supporting petition signed by 42 Torch Lake Township residents to the Torch Lake Township Board. The board then passed a resolution to take this up with their Planning Board and have a Public Forum on June 19. The forum consisted of a panel made up of the following:

- Scot Kendzierski, Regional Health Director, including Antrim County
- Dick Courson, Regional Health Director, including Kalkaska County
- John Springstead, Licensed Home Inspectors, expert in septic system inspections
- Bob Edwards, Exit Real Estate Agency
- Dean Branson, President of Three Lakes Association

The evening was productive and the stage is now set to explore this matter with the Planning Board.

Dean Branson assembled a collection of background material for the Torch Lake Township Board including copies of similar ordinances passed by Kalkaska County and Long Lake Township in Grand Traverse County, an analysis done by the Barry-Eaton Health District in southern Michigan which had adopted an inspection policy and then analyzed the results, a set of Frequently Asked Questions, and some material from the NW Michigan Health Department on septic failures in our area. TLA now expects to begin working with the Torch Lake Township Planning Board to craft an ordinance to be put before the board and the public in the fall

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### July 2009 issue of the TLA Quarterly

The Mission of the Three Lakes Association is to provide leadership to preserve, protect, and improve the environmental quality of the chain of lakes watershed for all generations.

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