



**Three Lakes Association** PO Box 689 Bellaire, MI 49615 231-350-7234

Matt Kleitch, Field Reviewer  
MDEQ Permitting Staff  
2100 West M-32  
Gaylord, MI 49735

RE: Permit Application 13-05-0069-P

Dear Mr. Kleitch:

Since 1966, the mission of the Three Lakes Association has been to provide leadership to preserve, protect, and improve the environmental quality of the Elk River Chain of Lakes Watershed for all generations with emphasis on Lake Bellaire, Clam Lake, Torch Lake and their tributaries.

Three Lakes Association has reviewed the permit application for a proposed boathouse at 6833 Crystal Springs Road in Helena Township. We offer the following:

- The application suggests that Clam Lakes is a Boat House Community. With the exception of commercial operations on the lake, about 5% of property owners have boat houses and none have been constructed in recent history.
  - **Clam Lake Shoreline Survey Greenbelt Report, Friends of Clam Lake and Three Lakes Association - 2008.**
- The application will cause for severe disruption of shoreline and near shoreline aquatic habitat. Three Lakes Association, in conjunction with 3 other lake associations on the Elk River Chain of Lakes has been working hard to restore aquatic habitat. It is the goal of the associations to expand this endeavor to include shoreline habitat as well.
  - **Fish Shelter Project - Permit Numbers 12-05-008 to 12-05-012.**
- The application calls for the excavation of 170+ cubic yards of material for construction of the project. This equates to over 6 standard swimming pools worth of habitat removal.
  - **Permit Application 13-05-0069 - P**
- The application calls for the proposed disposal of the excavated spoils on site. This action will cause additional phosphorus loading into Clam Lake and the Clam River over time as the spoils settle. Our research shows that even small changes in phosphorus have a negative impact on water quality.
  - <http://3lakes.com/wp-content/uploads/2008/04/tlabellaireclamrptcombined.pdf>
  - <http://3lakes.com/archives/929>
  - <http://3lakes.com/wp-content/uploads/2008/02/Intern-Presentation-2013.pdf>

- The application makes no claim that there are any issues with the shoreline as it stands. Because shore protection structures can have negative effects on natural resources and other shoreline properties, shore protection structures should only be installed when they are needed to address erosion problems and the type of shore protection used should be carefully considered.
  - **MDEQ Website [http://www.michigan.gov/deq/0,4561,7-135-3313\\_3681\\_28734-164820--,00.html](http://www.michigan.gov/deq/0,4561,7-135-3313_3681_28734-164820--,00.html)**
- The application is in violation of Helena Township zoning regulations as building and structures are not permitted within 50' of the ordinary high water mark.
  - **Helena Township Zoning Ordinance - Section 4.02.01**
- The application is in violation of Helena Township zoning regulations as no permanent groin walls shall be allowed as a shoreline control device. If the excavation doesn't take place, concrete footings would not be necessary at the proposed "new" water's edge.
  - **Helena Township Zoning Ordinance - Section 5.02.02 A**
- The application is in violation of Helena Township zoning regulations as man-made extensions from the shoreline into or over said inland lakes, rivers, and streams shall have an open sub-structure construction so as to allow the free and unrestricted movement of the inland waters littoral current. The application proposes to change the shoreline and encase it in concrete.
  - **Helena Township Zoning Ordinance - Section 5.02.02 B**
- The application is in violation of Helena Township zoning regulations as a strip of natural vegetation shall be maintained to a depth of 25 feet from the high water mark of the inland lakes, rivers, or streams abutting or traversing the property in question....No land alterations including the removal of tree stumps shall be allowed within the native protection strip, except that a pass or walk may be constructed to the water's edge to a width of eight feet. The application proposes to eliminate over 100' of shoreline.
  - **Helena Township Zoning Ordinance - Section 5.02.02 C**

For the past decade, Three Lakes Association has been advocating for the use of natural shorelines. We have successfully worked to encourage local units of government to adopt ordinances that protect and manage shorelines and water quality. In fact, two demonstration projects were completed in the 2013 to showcase the effectiveness and beauty of the concepts promoted by the Michigan Natural Shoreline Partnership.

As the proposed application is not in keeping with the character with the area, does not comply with the Helena Township Ordinances, and does not support the goals and objectives of the Michigan Natural Shoreline Partnership, we request that the application be denied.

Environmentally Yours,

Leslie Meyers  
Executive Director