



Friends of Clam Lake Newsletter

Spring 2008

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Welcome - It's Spring!!!

We hope you all had a wonderful and safe winter but that was then and this is now -- it's Spring!!! Whether you toughed it out Up North with the snow and ice or enjoyed some warm temps and balmy breezes down south, it certainly is great to know that those summer days are not far off at the wonderful treasure we call Clam Lake and the Chain-of-Lakes.

Your organization, Friends of Clam Lake (FoCL), has not been dormant. This newsletter will bring you all up to date as we move through 2008. As always, we welcome your feedback either by email, from our website or a letter at our NEW ADDRESS:

Friends of Clam Lake
P.O. Box 173
Alden, MI 49612

President's Message

As my first "message" to our membership, it's not the greatest of news. After much thought and discussion, Tom Frey made the decision to resign as the first president of the Friends of Clam Lake. Fortunately for us, per our by-laws, he remains on the board of directors as the past-president.

As a founding member of the steering committee, Tom was key to the early growth of the Friends of Clam Lake and resolution of the initial issue with the dock expansion. He was also the ONE person who got the organization back on track in late Spring when the dock expansion decision was handed down and the organization started to falter slightly. Living year round on Clam Lake, Tom was able to best understand and comprehend what was going on and what needed to be done. He was willing to sit down with all involved groups, both pro and con, to understand their perspective while never compromising his commitment to Clam Lake and the organization.

Thank you Tom!

Now for some better news.

Each section of this newsletter has new information which I hope you'll find of interest. In particular, check out our efforts with the Elk River/Chain-of-Lakes Conservation Network and the new Naturopoly board game, a fun and educational celebration of our Chain-of-Lakes. **If you want one, you should probably pre-order now, using the attached order form.** A limited number of games are available.

Thanks for your continued support.

Paul L. Sak – President, Friends of Clam Lake (FoCL)

Conservation Network

Earlier this year, the Friends of Clam Lake were invited to participate in the Elk River/Chain-of-Lakes Conservation Network. The board of directors felt that this was an excellent opportunity to understand what other groups are doing and a place to ask, as needed, for assistance or feedback on what we may be doing. The participating organizations are: Friends of Clam Lake, Tip of the Mitt Watershed Council, Northern Michigan Environmental Action Council, The Watershed Center of Grand Traverse Bay Grand Traverse Regional Land Conservancy, Grass River Natural Area, Antrim Conservation District, Elk-Skegemog Lakes Association, Six Mile Lake Association, Three Lakes Association, Torch Lake Protection Alliance.

Check out the Upcoming Events section for information we've received from our participation in the network. The network's Mission, Goals and Strategies are shown below. If you have any questions or comments, please contact us.

Elk River/Chain-of-Lakes Conservation Network

Mission:

We are a group of concerned citizens and representatives of both local and regional environmental organizations who serve as a voice for the Elk River/Chain of Lakes Watershed and work together to implement the Grand Traverse Bay Watershed Protection Plan.

Goals:

1. Collaborate on issues affecting the entire watershed.
2. Actively improve communications among groups within the watershed.
3. Help build the capacities of local conservation groups.
4. Increase the knowledge and understanding of the connection between clean water and a healthy economy.

Strategies:

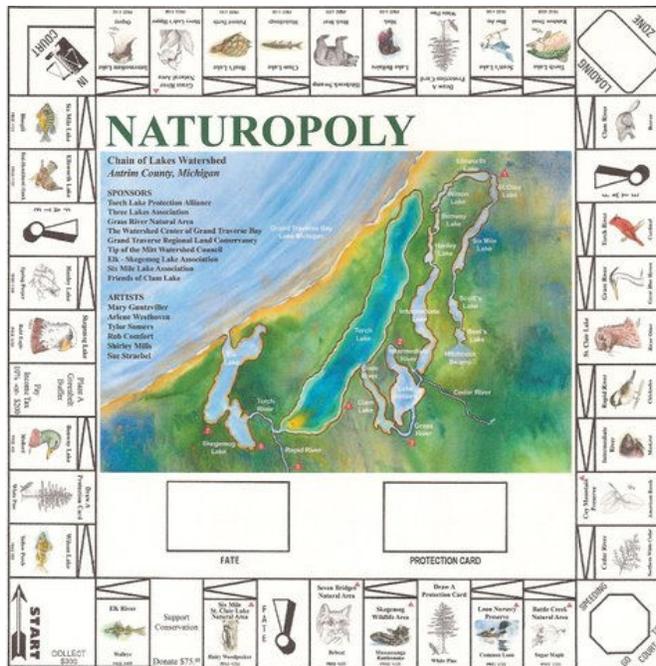
1. Market messages about the relationship between clean water and a healthy economy.
2. Publicize successes and economic contributions of environmental stewardship.
3. Advocate for positive actions to protect clean water.
4. Share responsibilities and resources to maximize impact
5. Support regional initiatives to increase effectiveness of environmental groups.

Naturopoly

ANNOUNCING: The first edition of the Chain of Lakes Naturopoly board game will be available June 14, 2008. It features a watercolor drawing of the watershed by local artist, Mary Guntzville. Property deeds include drawings by other local artists. Sponsored by members of the Conservation Network: Friends of Clam Lake, Tip of the Mitt Watershed Council, The Watershed Center of Grand Traverse Bay, Grand Traverse Regional Land Conservancy, Grass River Natural Area, Elk-Skegemog Lakes Association Six Mile Lake Association, Three Lakes Association, Torch Lake Protection Alliance.

Add this game to your cottage collection and provide your family and friends with lots of fun for many years to come. **Learn about your watershed: the names of the lakes, rivers, and natural areas, as well as the plants or animals.**

Only 500 games will be produced, so take advantage of this limited offer. Order one(or more) for your family today. Cost will be \$32 per game(includes tax). Please complete the order form and send it with your check made payable to GRNA, Inc. Pre-Sale ends June 1, 2008. Pick Up Date- Sat., June 14, 10-12a.m. at Alden Depot. Questions? Call Nancy Ludwa, 231-377-7034 or Peg Comfort, 231-377-7512.



CHAIN OF LAKES NATUROPOLY ORDER FORM

ALL ORDERS MUST BE PREPAID BY CHECK OR CASH

Name _____ Address _____

Phone _____ Email Address _____

of games ordered _____ Amount Enclosed _____

Send orders and payment to Nancy Ludwa, c/o GRNA, Inc., 7145 Cottage Dr., Bellaire, MI., 49615. MAKE CHECKS PAYABLE TO GRNA, INC.

Membership for 2008 - 2009

How quickly a year passes! Summer is just around the corner and it is time once again for Friends of Clam Lake to stand up and be counted. One and a half years ago our group came together, born of mutual concerns regarding Dewitt Marina's permit application for additional slips on Clam. Now, we continue with lofty goals to be responsible stewards of Clam Lake with regard to its water quality, environment, and its safe public and private use. We strive to protect our lake for future generations through education and the dissemination of information, and by taking action on issues which impact our goals.

To be an effective and responsible organization, a group such as ours is dependent on active members. We encourage you to renew your membership now for the 2008-2009 year. Dues remain the same; that is, \$35 per household, per year. The application can be downloaded from the website (www.friendsofclamlake.com). A blank area at the bottom of the application welcomes your comments and/or suggestions. Please let us hear from you at your earliest convenience.

At the end of last year, we had 220 members; our goal for this year is 50 new members. Of course, with a little help, that number could be 100 new members! How about demonstrating your active interest in Friends of Clam Lake by encouraging a neighbor or friend to join!

In the event you are unable to download from our website, please feel free to contact me and I will be happy to mail you an application. My telephone number after June 2, 2008 is (231) 377-9606. Please note the new post office address for Friends of Clam Lake is: P.O. Box 173, Alden, MI 49612.

Cottie Volle
Membership Chairman
tkvolle1@yahoo.com

HELP!!! - Watercraft Carrying Capacity Study

We learned quickly during our efforts with the DEQ that it's not good enough to just make general statements like "The lake is too crowded!" or "There are too many boats!" We need to have hard, factual evidence. Doing a capacity study now will give us a "base line" to use as future issues arise on the use of Clam Lake.

For this capacity study, WE WILL NEED VOLUNTEERS for the actual counting of boat use on the lake. During the next few weeks, we will schedule the exact days but we anticipate doing this one day during the July 4th weekend, one day in early August and one day during the Labor Day weekend. As much time as you can devote would be helpful but at a minimum, we would ask for a 2 hour commitment during one or more of the study days. From a point on land or from an anchored boat, a two member team would count the number and type of watercraft passing by them. It's that simple.

In late June, we would have a brief meeting with all volunteers to set the schedule, discuss the procedures and answer any questions you may have.

Please let us know if you're willing to volunteer by June 15th.

Send us an email at: friendsofclamlake@focl.info
Or call Paul Sak at 586-268-4140.

It's only with your help that we can continue our Mission:
To be a responsible advocate of reality, truth and vigilance, with a focus on the continued quality of Clam Lake and the safe public and private use of this wonderful treasure in the Chain-of-Lakes.

Boating Impact Study on Clam Lake & Grass River

There's the old adage that a "picture is worth a thousand words". We learned this was very true while dealing with the initial dock expansion issue last year. With the help of one of our board members, we will be sponsoring and visually documenting the effects of boat traffic on Clam Lake and the Grass River with aerial photographs. Our hope is that through education of the boating community and assistance from the Sheriff's department, we can start to minimize the negative impact on the Grass River and Clam Lake.

We will keep you posted on the progress of this study.

De-Icers on Clam Lake

As our mission and goal states, we will be vigilant and take action on issues which effect Clam Lake and its safe public and private use. The latest situation which required action by the FoCL Board started at the January Helena Township Board meeting. An ordinance was re-introduced by a county commissioner to greatly restrict the use of ice removal equipment on all lakes within the township. This ordinance was originally presented two years ago but was tabled at that time. Fortunately, one of our board members was at that January meeting and brought up issues with the proposed ordinance. The ordinance was tabled for further review until the next meeting.

After some research and discussion among the FoCL board members, it was decided that the best way to approach this issue was through education rather than legislation. At the next Helena Township meeting in February, we presented our education proposal which was based on two principles: the general public has the right to safe access and use of our lakes, no matter what the season; and our neighbors and friends are good people and will do the right thing once they are informed. We were confident that a safe and responsible solution for all could be reached through education rather than legislation, especially in the middle of winter when many residents and taxpayers are not available to provide their input. The township heard our proposal but then brought out a revised ordinance drawn up by the township lawyer. This ordinance version totally banned all de-icers on the lakes. After some further "discussion", the ordinance was again tabled for more review.

At the March Helena Township meeting, another version of the ordinance was introduced and discussed by the township officials. A number of FoCL members were present to show actual visual and scientific evidence that current de-icer use was safe, as long as people used common sense when out on the ice. It was generally agreed that all public accesses should be maintained so that the public could access the frozen lakes for ice fishing and other winter activities. The township officials again tabled the ordinance for further review.

At the latest Helena Township meeting in May (there wasn't an April meeting), they finally passed an ordinance which prohibits the use of any ice-removal equipment "within the required setback of all public accesses in the current Helena Township Zoning Ordinance." The township is basically prohibiting the placement of ice-removal equipment within ten shoreline feet of any public access lot.

This ordinance is certainly much better than the restrictions and outright banning which might have been, but it only covers half of the lake since Forest Home Township has no current plans for a similar ordinance. Its actual effect on the safe use of Clam Lake in the winter is questionable. For that reason, the Friends of Clam Lake will still be presenting an educational program in the late Summer or Fall which informs members and the general public of the benefits and issues of de-icers, their proper installation and use, and the cautions all users must take during the winter season.

Alba Injection Well

For the last few weeks, we've had information on our website concerning the proposed injection well in Alba, Michigan. We encourage you to check out the Friends of the Jordan River Watershed website. You'll find more detailed information and suggestions on how you can help fight this potential danger with letters to Governor Granholm and contributions to the legal fund:

http://www.friendsofthejordan.org/adv_alba.htm

At the current time, the approval for this well by the EPA and Michigan DEQ is being appealed. We need to support this appeal since this may be the proverbial "tip of the iceberg." At a recent Conservation Network meeting, it was pointed out that although there are other deep injection wells in the area for storage of brine water, this is the first deep injection well in Antrim County where toxic material (CKD - Cement Kiln Dust) will be deposited. The concern is that once you have one such well, others will follow.

Depending on who is presenting the "facts", the failure rate of these wells has been quoted as 2%, 5% and 9%. No matter what the actual number is, they are not 100% safe. Would you be willing to take a 2%, 5% or 9% chance that the waters of Clam Lake could someday become contaminated?

A recent letter to the editor of the Petoskey News Review by the president of the Friends of the Jordan River is an excellent summary of the situation:

May 11, 2008
Kendall P. Stanley, Editor
Petoskey News Review
319 State St., Petoskey, MI 49770

Dear Mr. Stanley,

Marci Singer's article in Fridays PNR, "Just what is an injection well?" was an excellent primer on the basic facts. I am disappointed that my reply to her questions was not included. I hope in the interest of fair and balanced journalism you will print this response. As they say, "there is more to this story."

Marci emailed me this question Thursday morning. Why is Friends of the Jordan (FOJ) so opposed to the injection well in Alba when there are already 110 natural gas producing and brine injection wells within a 2 mile radius? The following is in part my reply to her question and FOJ's response to the article as it appeared in Fridays PNR.

FOJ has always opposed any activity in the Jordan River Watershed that could possibly contaminate or degrade its natural resources or environmental quality including brine disposal wells. FOJ and the people of Antrim County are the grateful heirs to a proud conservation legacy and sacred trust. We inherited the unspoiled Jordan Valley from our prudent predecessors and have the solemn obligation to be good stewards of this priceless gift and pass this legacy on to future generations. The Alba waste disposal well represents a real and present danger to the "Crown Jewel" of Michigan's riverine ecosystems, the Jordan River Watershed.

Nearly every river, lake, city, farm and household in Northern Michigan depends on clean, fresh groundwater. Those who don't (City of Charlevoix and Mancelona) have had to find other sources of drinking water at great expense because the ground water has been contaminated with industrial wastes. The counties of Bay, Midland and Saginaw share a similar fate although their aquifers were mostly contaminated with brine. Of the 19 states that do allow deep waste well disposal, most have groundwater contamination problems as a result of these wells. EPA reports a 9% failure rate for deep injection wells. Others I fear are waiting to fail or have leaks discovered.

There are major differences between brine disposal wells and the Alba waste disposal well. The CKD leachate destined for Alba is toxic and corrosive. It contains hazardous heavy metals, petrochemicals and high levels of dissolved solids. An estimated 135,000

gallons of this toxic brew must be trucked over county roads every day, 10 - 15 times both ways, 365 days a year for 10 - 20 years. What then? Will the CKD piles at Bay Harbor quit leaching when the permits expire? How many more disposal wells will be needed if CMS is able to collect more than 10% of the total leachate? If one well is OK, why not 20? What other industrial wastes will be targeted for Antrim County? A dangerous precedent is being set.

Unlike the gas wells, the people of Alba don't want this waste disposal well. They derive no benefit or royalty check every month and only stand to lose should anything go wrong. Moreover, Beeland Group (CMS) doesn't even own the mineral rights to the property. What about neighboring property owners? What will happen to the value of their real-estate when this well is operational? Who wants to live and raise a family next to a toxic disposal well? Who will pay for the wear and tear of the county roads and emergency response personnel? Who will pay for a cleanup if a toxic plume emerges like in Mancelona? How would you like to have 15 of these massive tanker trucks drive by your house or child's bus stop twice a day, every day? These issues and many more were not considered by EPA or MDEQ because they fell outside the permit "rules."

The brine from a gas well is returned to the Earth from where it came, albeit in a deeper formation. The CKD leachate is a toxic industrial waste, hauled into a distant watershed against the people's wishes. Disposal wells do fail and there is no way to suck this material back up the hole once it's injected. The classification of CKD leachate as non-hazardous is by semantic definition only. It kills fish, insects and vegetation on contact and causes chemical burns.

The scientific evidence cited by CMS to reassure us is strongly disputed by knowledgeable people who have no financial incentive to fabricate the truth. Dr. Harrison (PhD. Geologist, Western MI Univ.) has identified two major fault lines in the deep limestone formations in SE. Antrim Co. Recent earth quakes in Ohio were caused by increased pressures and lubrication from a deep disposal well, releasing toxic wastes from the "confinement zone" and contaminating groundwater. Dr. McClurg (PhD. Geologist, Univ. of Wyoming) cites evidence that the "capping shale layers" are actually fractured and porous, not the impervious layer as CMS contends. Dr. Patterson (PhD. Geophysist, Exxon) has exposed numerous flaws in Beeland's permit regarding pressure gradients, limestone porosity and many critical calculations. I can go on and cite the volumes of public comments and scientific data compiled in FOJ's appeals to EPA and MDEQ. But you get the point. The "facts" cited by CMS's impressive PR campaign are not hard facts and are misleading. Many are mere theories and wishful thinking.

The regulatory agencies, EPA and MDEQ, have not thoroughly reviewed all aspects of this waste disposal well. The above comments and many others as well as scientific data were not considered because they fell outside the scope of the very narrow Underground Injection Control (UIC) Rules. The UIC Rules only consider the design and engineering of the well itself. Mr. Bates of EPA states it simply, "EPA's role is to evaluate permit applications and to regulate the construction and operation of the injection well to ensure compliance with the Safe Drinking Water Act." Even Dr. Vugrinovich, a senior geologist with MDEQ states, "The number of wells disposing of oil and gas field brine into the Dundee Limestone in Antrim Co. **suggests** that the Dundee Limestone will serve as a suitable disposal zone." Suggests? That's hardly reassuring. He must use the word, suggest, because solid scientific proof does not exist. Let's not forget the fact that in 2005, EPA ordered CMS to "remove, isolate or contain" the CKD at Bay Harbor, not transport its toxic leachate to Alba. Let's also not forget that nearly 20 years ago, a much stronger MDNR ordered Penn Dixie's owner, Holnam, to clean up the CKD according to rigid accepted standards. Sadly, and after careful and exhaustive study, FOJ finds the cleanup process at Bay Harbor today to be dysfunctional, inept, lacking proper oversight and cloaked in secrecy. It reminds me of the commercial saying, "let's put some lipstick on this pig and sell it."

Perhaps the biggest obstacle is also the simplest. In the midst of all the techno-babble, we lose sight of the simple truths. The goals are to cleanup Bay Harbor and halt

the release of toxic CKD leachate. Every time we discuss the problems with Bay Harbor and the Alba disposal well we get bogged down in, the technical details, miss-leading public statements to score PR points and the lack of credible, unbiased facts. The simple facts are that the waste disposal well in Alba doesn't solve the problems at Bay Harbor and only makes matters worse. There are still 2.5 million cubic yards of improperly buried CKD under the Resort that continue to leach millions of gallons of a toxic substance. The collection system installed by CMS is prone to failure and only captures a fraction of the total leachate. Most leachate still flows into Little Traverse Bay untreated. The Alba waste disposal well allows CMS to inexpensively dispose a toxic industrial waste into a distant, rural, less affluent community with no zoning to prevent it. It also will divert a large volume of water that should be flowing into Lake Michigan. Why risk contaminating a pristine groundwater aquifer that feeds the Jordan and Boyne Rivers and ultimately Lake Charlevoix with a poor and partial remedy? Would the people of Bay Harbor be willing to accept Alba's industrial waste if the roles were reversed?

FOJ has met with MDEQ, EPA, CMS and Tip of the Mitt to help find a better solution to the myriad of problems at Bay Harbor. There are prudent and feasible alternatives. We have been largely ignored. We have tried to educate the public through the media but also feel we have been shunned and cut off. I am shocked and dismayed that the people of Petoskey, Harbor Springs and Bay Harbor are not outraged and demanding better answers. This has been going on for 20 years! These issues demand more attention by the public, our elected officials and the press.

Tragically, FOJ has no option but to appeal these miss-guided permits, raise money for a protracted legal battle and appeal to the good people of Northern Michigan to take action. Support FOJ, write to your elected representatives and get involved. We challenge the PNR to print this letter, open a public dialog and allow your readers to weigh in on these issues. It may not be today or tomorrow, or even in our lifetime. But the contamination problems and the flawed cleanup process at Bay Harbor has the potential to, one day, be in all our backyards, not just Alba's.

For more information visit FOJ's website, www.friendsofthejordan.org.

Sincerely, Dr. John W. Richter - President, Friends of the Jordan River Watershed Inc.

Webcam of Clam Lake

We've had some problems over the last few months as we re-located the camera and tried to deal with a minimal computer set-up -- our apologies. Those problems seem to be over now after Art and Carol Hoadley loaned us a better computer to use. It's not the quality of some local network news van set-up with a 30 foot telescoping dish antenna, but it does give you an idea of what's happening on our lake.

So, is it useful? Have you looked at it? What's your feedback?

Check it out at our main website under "Clam Lake Live". Let us know what you think!

Annual Meeting

The annual meeting and election of officers for 2008 – 2009 will be held in early August. You will all be informed of the date and location soon.

Thanks for your support!

Upcoming Events

<u>MAY</u> May 24	Petoskey Stone Festival	Eastport- Barnes Park
<u>JUNE</u> June 1	Deadline to order Naturopoly (see article above)	
June 14	Pick Up date for Naturopoly board game	Alden Depot 10 - Noon
June 15	Requested deadline date to volunteer for Watercraft Carrying Capacity Study	
June 25	Your Northern Home & Garden – native plants and lake buffer designs	Alden Depot 4 – 6 pm
<u>JULY</u> July 24 – 27 July 26	Traverse Bay Harbor Days "Earth Voyager" – 60' Tri Hull Boat Tour	Traverse City Traverse City
<u>AUGUST</u> TBD	Friends of Clam Lake Annual Meeting	

Board of Directors

Paul Sak (vacant)	President PaulSak@focl.info
Art Hoadley	Vice-President
Carol Hoadley	Treasurer ahoadley@charter.net
Cottie Volle	Secretary
Bill Frost	Membership Committee Chair tkvolle1@yahoo.com
Jack Gartner	By-law Committee Chair wfrost55@comcast.net
Jim Marling	Membership Committee jgartner@gbbn.com
Tom Frey	Membership Committee jimredwing@msn.com
	Past President