



Spring 2011

News & Views from the Watershed

Narrows Land Once Slated for Dockage Forever Protected

from the website of the Leelanau Conservancy www.theconservancy.com (reprinted with permission)

Lovers of the Lake Leelanau Narrows will be happy to know that the Leelanau Conservancy has officially taken ownership of an embattled 2.25 acres and 430 feet along the eastern shoreline. Once the center of controversy, this land is now protected and will continue to preserve the water quality and scenic value of Lake Leelanau.

For the past five years, the Lake Leelanau Lake Association had sought to prevent docks from being built along this fragile shoreline. A DEQ approved plan would have allowed a 250-foot broadside dock with 22 boat slips protruding into the narrow channel. Plans for development were dashed in part by the souring real estate market. Also, the property changed hands in 2009 and new owners, Egan McGlynn and Tim Cypher, wished to see the land remain natural. After months of negotiations and fundraising by the Lake Leelanau Lake Association and the Leelanau Conservancy, McGlynn and Cypher sold the land to the Conservancy. The Lake Association took on the role as partial funder and holder of a conservation easement. It took until early December to close on the project.

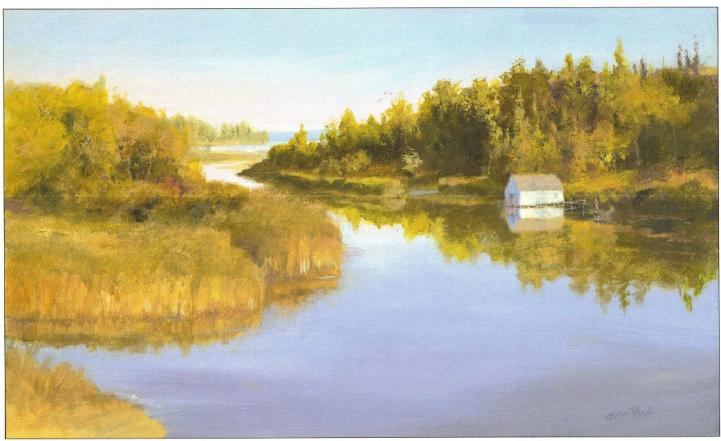
The land, which has been the subject of paintings and countless photographs taken from the M-204 bridge in Lake Leelanau, is adjacent to already protected land known as the Conservancy's Leugers Preserve at the Narrows. It is the third key parcel along the shore to be protected in a 10-year period. A total of 68 acres along the Narrows and 2,875 feet or about a half-mile of frontage now make up this beautiful Natural Area.

This latest expanse of scenic shoreline is treasured by thousands of boaters who annually traverse the Narrows. Wetlands here also provide fish nesting habitat and a home to a great diversity of wildlife.

"The Narrows have long been a priority for the Conservancy," says Matt Heiman, Director of Land Protection. "Many uses for the Narrows have been proposed over the years that have threatened its ecological integrity. Dredge spoils were dumped into wetlands in the 80s, marinas were proposed in the late 90s and again in the last few years. A couple of years ago Consumer's Power was ready to put a new power line across the Narrows which would have mowed down a swath of vegetation 100 feet

wide but we were able to convince them to move it. This project is the culmination of efforts by local property owners, the Conservancy, the Lake Association, and other willing partners to acknowledge just how important a healthy and intact Narrows wetland complex is to the whole community."

With the help of generous members, the Conservancy successfully raised \$150,000 toward the \$250,000 purchase price. The Lake Association pledged to raise the balance of \$100,000. John Fitzpatrick, past president of the Lake Association and Campaign Chairman for fundraising, says that \$95,000 in cash and pledges has been raised to-date, with another \$5,000 needed to achieve their goal. "For those who haven't yet offered their support, it's not too late to add their name to the list of members who helped preserve the Narrows," he added. "The idea that the entire shoreline has been protected, with these properties put together, is pretty incredible," says Fitzpatrick. "It's been a good and fair outcome for everyone concerned and cements our relationship with the Conservancy, which has always been a strong one. Our members are thrilled. Their response upon hearing the news has been surprise, relief and joy."



THIS IS A REPRODUCTION OF A PAINTING BY LEELANAU ARTIST GENE RANTZ WHO DONATED THIS IMAGE TO THE LLA'S FUND-RAISING FOR THE NARROWS.

has saved _____ square feet of the Lake Leelanau Narrows

Note: Commemorative certificates featuring prints of the Narrows by artist Gene Rantz (shown above) are still available for those donors who request them. Send your tax deductible check to Lake Leelanau Lake Association, PO Box 123, Leland, MI 49654. Say "certificate please" if you want a certificate. Supply is limited.

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Gene Wishowski, Solon

231-941-2302 | LKLelanaau@aol.com

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231-271-6091 | lshauser@aol.com

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231-941-4698 | wayneswallow@att.net

Image Credits: Crooked Creek Barn, Cathy Fisher, Lake Leelanau Landowner's Handbook, Larry Hauser, Leelanau Conservation District, Eloise Lund, Maggie Phillips, Gene Ranz., Richard Thompson

page.:1: GR | 2: | 3: LH,CC,CC | 4: LCD | 5: MP | 6: LLLH | 7: EL | 8: CF, RT
Note: the last paragraph of the article from the handbook (p.6-7) has been updated by the editor to better reflect currently recognized best hazardous waste disposal practices.

Help Wanted

email: leelanaulkassn@aol.com | phone: 271-6091

Township representatives are the Association's eyes and ears, and sometimes voices, in the several townships in the Lake Leelanau watershed. It is important that riparian concerns be considered, and riparian interests be represented, in these townships' deliberations. **We need Township Representatives in all townships.** We are actively seeking representatives in Centerville, Elmwood, Solon, and Suttons Bay.

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MEMBERSHIP UPDATE

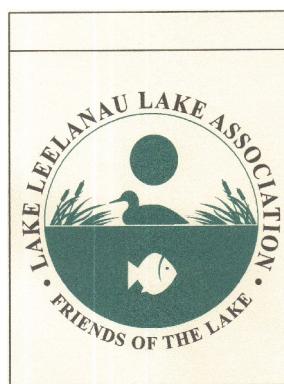
by Richard and Sera Thompson
Membership Drive Co-chairs

As a result of the Narrows Fundraising Project, which promised LLLA membership to nonmembers who made a donation of fifty dollars or more, we are pleased to report more than thirty new members! There is, indeed, strength in numbers as the membership increases. With each membership, a unified group of neighbors surrounding Lake Leelanau makes a stronger commitment to the health and quality of this magnificent lake.

For the purpose of continued growth, a committee has been meeting regularly since fall to identify and take steps to encourage just that. Several steps have already been accomplished, including the creation of a colorful brochure. A focused membership drive will take place in April and May, prior to the busy summer season around the lake. Goals of the drive include the following:

1. By 2012, increase membership by 150-200 members;
2. Identify people who enjoy the lake; e.g., friends and family of current members who would fall into this category; and
3. Increase the number of members who commit to a higher level of membership beyond Basic. Some current members will be part of a group of volunteer emissaries to help increase membership.

Larry Hauser, a member of the committee, and Communication Chair of our Association, designed and created the brochure about the Lake Leelanau Lake Association and its purpose and activities. Enclosed in the brochure, in addition to a wealth of information, is a membership form for those who might be interested in becoming a new association member. These brochures will be prominently displayed in area campgrounds and businesses, and available to visitors and residents who enjoy and use the lake. It is our hope this will result in some new members and additional support for the work involved in maintaining the quality of the lake.



Colleen Moose, committee member, has contacted a local business that has agreed to produce a garden flag that will be available to new and renewing members that request it. In upcoming renewal membership forms, members will be given the option to request one of the 14.5"x11.5" flags (depicted at left).

(continued next page)

President's Letter

It is snowing as I write this column, but I'm already thinking about spring! My wife, Jane, and I owned a seasonal cottage for 20 years before purchasing our current year around residence on Lake Leelanau in 1999. We always looked forward to that first spring weekend when we could open up the cottage for the season. Yes, opening up was a lot of work, especially when we discovered that a water pipe hadn't been drained properly the previous fall and had burst, but it was always a labor of love, anticipating the many wonderful summer days ahead of us during the coming season. Our expectations were always met! I wish all of our seasonal residents the best summer ever on beautiful Lake Leelanau!



Your Lake Association has once again been successful in further protecting The Narrows from inappropriate future development. On January 5th, Pete Taylor, John Fitzpatrick and I presented a proposal for an overlay district for The Narrows to the Leland Township Planning Commission. Our goal was the end up with some mechanism that would protect The Narrows from future inappropriate development, such as a large marina or a multiple-boat dockage area that could damage this beautiful and environmentally sensitive area. Pete and John, with help from Hugh Farber and Vice-President Rick Thompson, did most of the work on this project, including making the presentations and working with the Planning Commission.

After much discussion and negotiation over the several meetings, The Leland Township Planning Commission amended the zoning ordinance for commercial property to include a new definition of marinas. The new zoning ordinance now has separate provisions for small marinas and large marinas. Existing marinas are "grandfathered" and not affected.

Small marinas are defined as a property which otherwise meets the requirements for a dock and has paid (directly or indirectly) dockage for up to four boats/watercraft, but without any other marina services. Most rental property and waterfront businesses with customer dockage will need to be permitted as a small marina, including a homeowner who rents out dockage for up to four boats. It was our belief that the Planning Commission will look favorably on most applications for a small marina.

Large marinas are defined as a property which otherwise meets the requirements for a dock and has paid (directly or indirectly) dockage for more than four boats and/or offers marina services, such as repairs, gas, etc. Applicants for a large marina will need to demonstrate, among other things, that their proposed marina will not interfere with the character of the area or adversely impact or cause damage to environmentally sensitive areas of Lake Leelanau, including The Narrows.

We believe that the Leland Township Planning Commission has taken a huge step towards further protecting The Narrows, and we applaud their efforts. I would also like to thank all of the LLLA Board members who worked on this project, but especially Pete Taylor and John Fitzpatrick who spearheaded our successful efforts.

(Membership Update continued)

Finally, Kayaker, Runabout, and Cruiser level members are reminded to watch for an invitation in late August to the annual fall Legacy Circle Event, to be held at historic Crooked Creek Barn on South Lake Leelanau on September 10th. (see below).

THANK YOU to all who have renewed or initiated a membership! Your commitment is critical to the maintenance and improvement of the quality and health of Lake Leelanau. It is a commitment that ensures our lake will continue to be a setting for making memories in the present and for generations to come.

2011 Legacy Circle Celebration Set



Our fifth annual Legacy Circle Celebration will be held at Crooked Creek Barn on South Lake Leelanau (shown above) the evening of September 10th. Our host and hostess are Steve and Pam Kozelko. Legacy Circle members (Kayakers, Runabouts, & Cruisers) should look for their invitations in the mail in late August.

JOIN US!

Membership

as of 2/28/2011

- Basic (\$45): 175
- Legacy Circle: 197
 - Kayaker (\$100): 137
 - Runabout (\$250): 31
 - Cruiser(\$500): 29
- TOTAL: 372

Wayne's World

from Water Quality Chair Wayne Swallow

Care to Learn What Makes Lake Leelanau "Healthy"? Volunteer a Few Hours

With the completion of the Lake Leelanau Watershed Protection Plan, LLLA is increasing its activities to protect the watershed and lake water quality. Volunteers are a big part of this effort. In the past we have conducted stream sampling. Last summer we started a program to watch for invasive plant species near our boat ramps.

Several volunteers are going through training in April, and we hope to start the following efforts this spring. We will sample at the deepest point in north and south Lake Leelanau. Measurements include: water clarity (as determined with a secchi disk), collection of water samples for total phosphorus and chlorophyll a (the green pigment in algae), and dissolved oxygen. The secchi measurements will be made once a week from May through September. It simply amounts to a boat ride to the sampling location, and about 5-10 minutes time to take the measurement. The other three measurements will occur 3-5 times during the summer, or roughly about once a month. Normally, they can be completed in about 2-4 hours. All of the sampling will be conducted on nice days to assure good measurements.

We would encourage others to join our core of volunteers. If you like being on the lake on a nice day, getting to know others with a common interest of protecting our lake, and in the process learning more about the lake, then this program is for YOU. Send an email to wayneswallow@att.net to get involved.

Swimmers Itch Update

Swimmers itch complaints were down for Lake Leelanau in 2010, as they were for most area lakes. Experts still are unsure the reason for the decline. If you encounter it this year make sure to report your case. We need to document and track swimmers itch incidence in order to objectively assess its status. Please report the following information to wayneswallow@att.net:

- Name, email, phone
- date, time, location (address)
- # of people affected
- severity of rash
 - mild < 10 spots,
 - moderate 10-99
 - severe >100

Thanks in advance for your help.

(continued next page)

Lake Leelanau Phragmites Treatment

Phragmites is an invasive species introduced from Europe. Once established, it quickly forces out native species and reduces wildlife habitat. Because it can reach 15 feet in height, it also obscures your view of the lake. Prior LLLA newsletters have reported that the plant has become established in Lake Leelanau.

LLLA and the Leelanau Conservation District (CD) are working together to eradicate Phragmites for our lake. We conducted a preliminary Phragmites boat survey last summer. Maps of potential stands can be found on LLLA's home page. (Note: locations on the map are tentative based on an initial boat-based survey.)



Perhaps you have observed stands of Phragmites on or near your property that may correspond to map locations. If a site is near your cottage, we request that you visually confirm the boat survey information. Pictures of Phragmites can be found at www.leelanaucd.org, the CD website. If you need help with identification send an email to wayneswallow@att.net.

Secondly, we request that you email LLLA to provide permission for the CD to treat the Phragmites stand. The CD's contractor cannot treat your property without permission.

The Conservation District is applying for a MDNRE/MDEQ permit, and permission from county commissioners to treat Phragmites on Lake Leelanau. This is an expansion of the work it conducted on the Lake Michigan shoreline. CD hires a certified contractor who also holds the required Aquatic Nuisance Control Permit. Normally treatment of Phragmites is about 75% effective. Follow-up is required the following year or so. Costs are higher the first couple of years, and then become minimal afterward. Once LLLA confirms the information on the map from your input, it will develop an estimate for treatment from CD's contractor. We hope to treat all stands during fall 2011.

LLLA Applies for Grant

Have you ever wondered what kind of critters live in that stream near your cottage? Well perhaps you (or your or children or grandchildren) will be able to find out. LLLA applied for a grant to develop a volunteer stream monitoring program. Its primary purpose is to train volunteers to sample and identify macroinvertebrates that live in streams. The different types of organisms are indicative of the streams 'health'. If LLLA receives a grant, it will develop a program plan this year, and start sampling in 2012.

Swimmers Itch (continued)

Glen Lake has tried to obtain permits for removal of mergansers, but it has had no success with the agencies. Duck hunters removed mergansers on Lake Leelanau during the 2010 waterfowl season. We hope this will reduce the number of returning birds.

We reported in last fall's newsletter about anecdotal information that "Swimmers Itch Guard" might be an effective topical application to prevent the itch. If you tried it, please let us know how it worked.

Leelanau Clean Water

by Hugh Farber

The Leelanau Clean Water (LCW) effort was established as a county wide program to assess and support requirements for maintaining/improving the quality of surface and ground waters. It is funded by the County under the aegis of the Board of Commissioners, and is served by the Planning Department for necessary staff functions.

The group consists of representatives of all lake associations, and county & federal organizations with interests in the water and near shore environments. A list of the participants can be obtained from the Planning Department or at the County website www.leelanau.cc/ on the Leelanau Clean Water page.

There are four subcommittees established to orient efforts: Nutrient Loading (e.g. fertilizer, septage, etc), Invasive Species (e.g. phragmites, milfoil, etc), Wetlands Protection, and Water Sampling (streams, lakes, etc). LCW has been active in all these areas.

The primary role of LCW is education and coordination. Public meetings have been and will be held to further this goal. LCW meetings are open to the public and are held on the third Thursday of each month at 9 AM in the County Government Center.

Contact the Planning Department (256-9812) for more information or call Hugh Farber (256-7187).



Cozy Bay on South Lake Leelanau (Maggie Phillips)

Sewage Mounds

by John Popa PE

Some of you may have followed recent discussions with the Health Department, pertaining to sewage mound regulations. Present regulations are pretty restrictive when it comes to permitting an owner to install a sewage mound.

The Board of Directors of the LLLA supports changing the present regulations to permit the homeowners of Leelanau County to install sewage drain field mounds.

The LLLA works towards maintaining and improving the water quality of Lake Leelanau by actively addressing water and shoreline activities, and advocating action where needed. We recognize that one of the most critical issues is proper sewage disposal.

Many positive changes and practices have taken place over the years and the LLLA appreciates the implementation and enforcement of good sewage regulations. However, there are many instances where old septic systems and holding tanks are not providing adequate protection. Untreated sewage is surely entering our waters because of poor operating systems or wastewater dumping. Because of the diverse geology of our area, these poor systems may occur whether or not the system is along a shoreline or further inland.

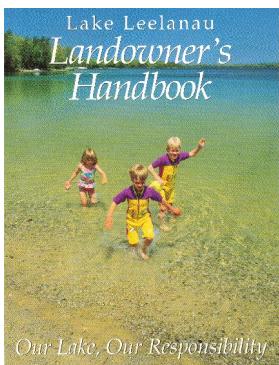
Many of these old systems and holding tanks would be removed if the present regulations permitted the installation of drain field mounds. Many surrounding communities have recognized the need for mounds and permit the installation of them in order to avoid unnecessary nutrient loading in lakes, streams, and the water table.

The homeowners of Lake Leelanau, and the County, would benefit by this small change to the regulations. This change would not conflict with the existing requirements for sewage disposal, such as wetlands, wells, boundaries, etc.

We will continue to work with the Health Department in changing these regulations and hopefully it will result in some positive changes. If you have any questions or comments pertaining to this subject, feel free to contact me.

Subscribe to *The Michigan Riparian Magazine*

The Michigan Riparian is a quarterly magazine published in February, May, August, & November and devoted to the management and wise use of Michigan's lakes and streams. The cost of an individual subscription is \$10.00. To subscribe, mail your contact information (mailing address & phone) along with a check for \$10 to The Michigan Riparian; 304 East Main Street; Stanton, MI. Or complete & mail the downloadable form from their website: <http://www.mi-riparian.org/>.



Shoreline Stabilization

by Mary Taylor

from
The Lake Leelanau Landowner's Handbook
online at
www.lakeleelanau.org/

Leave natural vegetation on shorelines.

As a rule of thumb, the size of a plant's root system is approximately the size of its trunk and branches. It follows that the extensive root system of a mature tree or shrub can consolidate and strengthen a substantial portion of shoreline. Leave natural vegetation in place and prune very selectively to establish a view. Leaving shoreline vegetation is substantially easier than reestablishing it, and in the process you will probably avoid shoreline erosion problems before they begin.

When a wave sweeps into a shoreline wetland, a myriad of stems, branches and leaves absorb the energy of the wave before it can reach the soil level. In the winter, shallow wetlands freeze solid and resist the tons of pressure that result from wind-driven ice pushing up against the shore. Similarly, shallow sloping shores also deflect and frustrate the force of water. When these natural barriers are removed, we are left with a naked power struggle between man-made contrivances and the forces of nature. In the struggle between the natural forces of wind, water, and ice, on the one hand, and man made structures, like seawalls, rocks, or the unreinforced lip of a yard on the other, the forces of nature will always win. Man-made obstacles need regular maintenance. Natural obstructions maintain themselves, and work better, too.

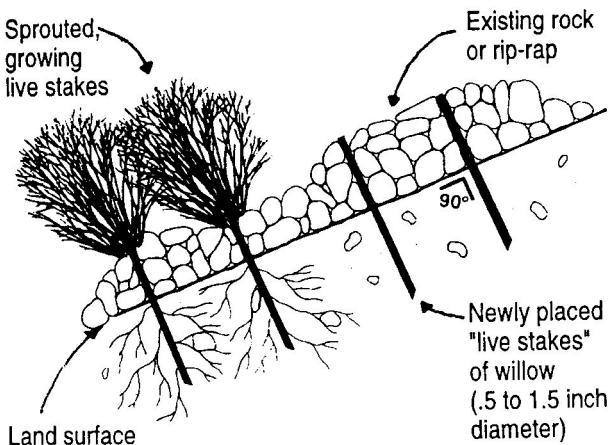
Use plant material to stabilize shorelines.

A wide variety of techniques have been developed over recent years that combine plants with physical structures to stabilize shorelines. Usually, the structure is temporary in order to allow the live plant material to root and eventually replace the structure as the principal means of stabilization. One technique uses live stakes (cuttings of species that will sprout from branches) driven into a rip-rap reinforced embankment (see figure above). The buried ends of the stakes root, the exposed ends of the stakes leaf, and eventually the bank becomes an unbroken thicket of willow trees.

Even if you already have a seawall, you may want to consider replacing it with a plant supported embankment. Seawalls do little to filter nutrients from runoff and migrating groundwater. The shallow water in front of seawalls affords no cover for baitfish or the fry of fish species, and the turbulence stirs up sediment and discourages the rooting of plant life. Biotechnical erosion control measures (the technical name for the above mentioned stabilization technique) make a perfect shoreline buffer when installing a shoreline greenbelt.

Avoid installing beach sand.

If your slice of the shoreline was suitable for a sandy beach, chances are that nature would have already established one there. Artificial beaches are very poor filters of nutrients and attract the snails and waterfowl that cause swimmer's itch. Since an artificial beach usually abuts a fertilized lawn, it acts as a racetrack for nutrients washing into the lake. Dumping sand at a shoreline will probably require a permit, so contact the Leelanau Conservation District (page 46) if your heart is set on it. Better yet, anchor a swimming raft in the deeper water and take the kids to the Lake Michigan shore when they want to play on the beach.



Live stakes installed through rip-rap, from Tip of the Mitt Watershed Council's guidebook on shoreline erosion (616) 347-1181.

Hazardous Household Chemicals

Whether buried in the landfill, poured down the drain or dumped on the driveway, hazardous household chemicals pose a serious contamination danger to groundwater. Here are a few guidelines for the safe handling and disposal of household chemicals.

Read the label.

As with pesticides, it pays to read the label before use. Many common products like drain cleaner, furniture polish, oven cleaner and spot remover are toxic to people and the environment. Compare products and know what you are buying before you bring it home from the store.

Reduce the use of hazardous materials.

Use discretion in selecting household chemicals. Often, less toxic alternatives exist for many of the hazardous household chemicals. For instance, try remedying plugged drains with a plunger or metal snake before resorting to a drain cleaner. Ovens can be cleaned by applying table salt to spills and then scrubbing with a solution of baking soda and water. A combination of linseed oil and lemon makes a good furniture polish. The book, *50 Simple Things You Can Do To Save The Earth*, features many alternatives to chemicals around the house. (continued next pg.)

Several members have e-mailed asking our opinion of the recent (12/10/2010) Michigan Supreme Court decision regarding riparian rights and public right-of-ways. The following editorial from *Michigan Riparian* magazine explains the point at issue and expresses a very strong opinion regarding the wisdom of the Court's decision. The Lake Leelanau Lake Association Board of Directors has taken no official stand on this matter. Frankly, most of us are still in the "say what?" mode like you; including me (the editor). For your information and consideration we give you the following: consider it an op-ed piece. Comments welcome on our blogs at www.lakeleelanau.org.

2000 Baum Family Trust v. Babel

by W. Scott Brown, Executive Director, Michigan Lake & Stream Associations Inc.

from the Winter 2011 *Michigan Riparian* (reprinted with permission)

Michigan riparians dodged a bullet! On the last day of its 2010 session, December 29, 2010, the Michigan Supreme Court reversed the disastrous Michigan Court of Appeals decision in 2000 Baum Family Trust v. Babel, 284 Mich App 544; 733 NW2d 44 (2009). A copy of the Michigan Supreme Court's lengthy decision can be viewed by going to the Michigan Lake and Stream Associations Inc. ("ML&SA") website at www.mlswa.org.

Great credit should go to pro-riparian attorneys Bill Casey and Cliff Bloom, who helped navigate the case through the Michigan Supreme Court. The Michigan Waterfront Alliance and the Higgins Lake Property Owners Association helped fund amicus curiae briefs in support of the riparians, together with as much publicity and educational resources as possible. Finally, waterfront property owners throughout Michigan owe the riparians in the 2000 Baum Family Trust v. Babel case a great debt. Without their perseverance and decision to fight all the way to the Michigan Supreme Court, the disastrous Michigan Court of Appeals decision would have stood.

Untold riparians throughout Michigan probably have no idea how close they came to losing their riparian rights. Happily the Michigan Supreme Court has now held that where a platted road was created in the original plat along the shoreline (with no intervening land shown between the public road and right of way and the water on the plat), the first tier of platted land owners are deemed riparian. Both the Charlevoix County Circuit Court and Michigan Court of Appeals had ignored nearly a century of appellate case law and held that in such situations, the local road commission actually owns the public road right-of-way (almost like a separate parcel) and that the first tier of lot owners are not riparian.

The final Michigan Supreme Court decision in this case was a close call for riparians – the vote was four to three, with one liberal justice joining three conservative justices in the majority opinion.

Given that the Michigan Supreme Court's decision came down just before this article deadline for this issue of the *Michigan Riparian*, there will be more about this case in future issues of *The Michigan Riparian* and on the ML&SA website and in ML&SA newsletters.



Ice-Rafting the Leland River

by Larry Hauser (thanks to Eloise Lund)



Every Spring, it happens. Unannounced. A regular Leland rite. On some Sunday before the ice breaks up, the celebrants gather. Ice-rafts are cut from the leading edge of the North Lake's ice-sheet, where the Leland River starts, and people gather on these rafts with their chairs, beverages, even brats and BBQ grills, to float down the river to a point near the Bluebird. "It seems there's more of them every year," says Eloise Lund. Eloise took these photos of the 2010 float.

Hazardous Household Chemicals (continued)

Use care in storage and disposal of chemicals.

Household chemicals should be stored in their original containers with their original labels and **out of children's reach!** Dispose of hazardous chemicals during hazardous waste collection programs. Some auto service stations will accept waste motor oil and antifreeze for a small fee. Hazardous waste is anything in your home labeled toxic, flammable, corrosive, or radioactive, including pesticides and poison. Call 231-256-9812 for more information.



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The drinks are on ice!