



de Cover 12

Birch Barken

ALL THE NEWS IN, ON AND AROUND THE LAKE.

A Publication by the Birch Lake Yacht Club

COMMODORES' COMMENTS

July 18, 1998
Issue 8

Just a couple of weeks ago I was congratulating Mike and Paul Russell (formerly Paul Toth) on their recent Lake property purchase. Mike inquired about the size of Birch Lake. I told him it was approximately 300 acres, and he commented that the 300 acres is the average size of an 18 hole golf course.

I was intrigued by the comparison between our Lake and a golf course. The thought then came to me that living on or near the Lake is not unlike belonging to a country club. We all hold the Lake in common, much like the members of the club hold their golf course in common. The lake commons ties us all closely to one another as neighbors, and many of us, as friends.

One of the functions of being Commodore is to be a "sounding board" for residents, on the Lake, that are frustrated with the actions or inactions of another resident. Within the last week I have listened to complaints, and been asked to comment on pet control, refuse or lawn scrap burning, trespassing and late night noise.

We all hold the ideal of private property, and independence of action dear to our hearts, but in the close confines of Birch Lake we must all be even more conscientious of our close neighbors. The value of our Lake property has been greatly enhanced and secured by all of us cooperating to keep the Lake water clean. And I submit that just as important as a clean lake is to our property value, is the reputation that Birch Lake has of being a friendly, safe and family oriented Lake.

Commodore notes: Join us at the Vice Commodores Cocktail Party this Saturday starting at 7pm. Please note time change from previous Barkers.

Please sign up early for the Men's and Women's Golf Outings.

It's neighbors like Tim Steffen that makes our Lake a great place to live. Tim towed a couple stranded boats, last weekend, while sustaining a wound in one of the rescues.

Al Cover, Commodore

1998 SCHEDULE

Indiana time

Vice-Commodore Party	Saturday, July 18, 7:00pm	BLYC
Ladies Luncheon	Thursday, July 23, 11:30	BLYC
Mens' Golf	Friday, July 31	Park Shore/BLYC
Ladies' Golf	Friday, August 7	Park Shore/BLYC
Corn & Sausage	Saturday, August 8, 5:30	BLYC
Homeowner's Association	Saturday, August 15, 10am	BLYC
Fall Dinner	Saturday, August 22	BLYC
Sailing Trophies	Monday, September 7, 10:00am	BLYC

VICE-COMMODORE PARTY

It will be "CARIBBEAN NIGHT" with Jimmy Buffett Music, Frozen Margaritas, and "Phun Foods" we will be grilling cheeseburgers, frying elephant ears, and preparing hot pretzels, so don't bring anything to eat, as you will be able to purchase the afore-mentioned items! Come casual, in your island attire and enjoy the evening. Cover cost \$1. See you at 7:00 PM, Saturday July 18 - Jim Beck

BARKER NEWS - Barker box is located behind 15222 Birch Lakeshore (South Side)

FOR RENT-LAKEFRONT on Westside - \$550 weekly - Please call Brad Walker 2515

If you are looking for a **BABYSITTER** during the week or weekends, call Natalie Dudeck at 2395.

LESLIE JENSEN turns 95 on Wednesday, July 2, please stop by our cottage (14918 Birch Lakeshore) for some birthday cake anytime between 3-7pm Indiana time - no gifts please, just come wish him **HAPPY BIRTHDAY**).

CAROL RIETH PRICE of Tallahassee Florida has been visiting her parents (Bud & Louise Rieth) during the 4th of July holiday. She has been enjoying our wonderful weather and all the fun time in the Cove. She is a RM at Tallahassee Memorial Hospital.

COMPLAINT DEPARTMENT - For most of us, Birch Lake is a welcomed retreat from city living and pride is taken in ownership with a desire for some privacy. There have been a number of complaints of flagrant disregard by some constantly crossing through lake front properties without permission from the owner it is, of course, trespassing and if the owners complain, it should be courteously heeded. Basically it is being respectful. Unsigned

Please look for the flier with your Barker this week. Dean Davis, of the Homeowner's Association has provided information regarding dog ownership and important telephone numbers. You might keep the boating rules, dog rules and phone numbers, provided with this Barker, for future reference or renters/guests use.

Please be kind to your neighbors, Don't Burn! It's hot, humid and some people can't tolerate smoke. Unsigned

These same comments are in the Barker year after year, I just wonder why people can't recognize the discomfort they cause others. Some people have breathing problems and other just don't care for their furniture and homes smelling like burning rubbish, etc. Same with dogs, the same dogs run year after year, poohing in others yards and frightening people when they come running toward them. Some people are really afraid of dogs. You may know your dog doesn't bite, but others do not.

BABY FURNITURE for sale - Call 476-9534 - Call Whiteman's for selection and prices.

"It's For The Birds"

Plans have continued and work on gifts for all those who will be attending is underway. We are enjoying getting things ready but we need your help. Chef Darlene needs to do the shopping and she needs to know how many ladies will be joining us. Please call to reserve tickets or pick tickets up from a committee member by Monday, July 20th. The exact amount of cash or a check made out to the Birch Lake Yacht Club would be greatly appreciated. Doris Sante has also offered to handle tickets for us on the south side, so if your on the south side see Doris.

The luncheon will be held Thursday, July 23 at 11:30 A.M. (IN time) or 12:30 P.M. (MI time) at the Birch Lake Yacht Club. The luncheon will consist of hors d'oeuvres, a variety of luncheon salads to please everyone, and dessert. There will be a special gift for each lady and many Door Prizes. The cost of the tickets are \$7.50.

We are still accepting any donated Door Prizes. Come join us for a delightful afternoon of friendship and delicious food. Let keep the Ladies' Luncheon tradition alive!

Darlene Troyer	476-2639	Linda Curtis	476-2431	Lind Harman	476-2039
Dawn Troyer	476-2198	Helen Toth	476-2877	Maryann O'Neill	476-2831
Doris Sante	476-2227				

MEN'S GOLF OUTING

38th BIRCH LAKE OPEN

Park Shores Golf Course, Cassopolis, Mi

Friday, July 31 at 11:00am (IN), shotgun start!

The \$50/man entry fee covers golf, cart, favor, door prizes, refreshments and prime rib dinner. While the deadline for registration is July 26th, remember this is on a first-come-first serve basis... we fill the course with 72 golfers. Thanks again to those who have sponsored holes and provided door prizes in the past, we hope you will support this years event as well.

Contact Rich Mullin at 8820/277-8884 - Al Cover at 9339 - John Ball - stop by his place or 219-295-6021

ENTRY FORM

38th ANNUAL BIRCH LAKE OPEN

I am registering for MENS WOMENS (Please circle one) Payment enclosed \$ _____

Name _____

Phone _____

Foursome:

1. _____

2. _____

3. _____

4. _____



LADIES GOLF OUTING

Park Shores Golf Course, Cassopolis, MI

Friday, August 7th at 9am (Indiana Time)

Join us at the next Birch Lake Ladies Golf Outing. We will play a "scramble" again, teaming four players of varying abilities... you needn't be a pro to play. Everyone takes their shot and you all move to the "best ball". It's a great way for both beginners and frequent golfers to go out on the course and have some fun!

After golf in the morning we will share a delicious lunch as well as the awards ceremony at the Yacht Club. The cost is \$25 - make checks payable to Birch Lake Yacht Club - Ladies Golf Outing. It is always helpful to make your own foursome, otherwise we will assemble groups as best we can. Please submit your entry no later than July 31st.

Call, drop off, or mail your form and payment to:

Pam Mullin
14859 Birch NoShore Drive
476-8820 or 277-8884

Leslie King
1958 Denslow Drive
299-0705

Liz Cover
62893 Lake View Drive
476-9339

CASS COUNTY BOATING SAFETY CLASS July 25 and August 8 8am to 1 Michigan time
 Classes we be held at the Sheriff's Office, 321 M 62 North in Cassopolis. Call 445-8644 between 9am & 4
 to register. No charge for class. Certificate for 12 to 15 year olds - must be 12 this year. Adults welcome,
 Need to bring: Social Security Number, #2 Pencil and Sack Lunch. According to the Sheriff's Office, the new
 law will grandfather this class. So if you are between 14 and 19, planning to operate a waver runner next year
 you might consider this class.



FLEET NEWS

July 1998

The wind last Sunday is difficult to describe. Words like "fluky" and "quirky" come to mind. The conditions ranged from fair breeze to no wind at all & the breeze we had "corkscrewed" as much as 180 degrees. Regardless, we did get in two races. Thanks go to our starting crew - Stan Pitakos & the Spratt boys on the Graceful Lady.

Saturday we go out in pairs to revive an old tradition on Birch - the Couples Race. Meet on the course for a laid back 4:00 pm start.. No rules to speak of (except no arguing over who holds the tiller), any couple, any boat, anything goes! Plan on one short race so we all have time to don our wildest beach togs & head to the Yacht Club for the Buffet party.

Some area sailing news: The Tall Ships are on Lake Michigan! A dozen majestic vessels are in Chicago 07/16-20. The fleet then moves to South Haven 07/24-27, where visitors can go aboard for tours. From there the Tall Ships move on to Milwaukee & Racine, WI. Another sailing item of note - the 100th "Mac", a 2-3 day race covering the 333 miles from Chicago to Macinaw Island sails 07/18 (the same day the Tall Ships sail an around the buoys race).

07/12 - Race Results:

		race #	
		1	2
Sunfish	S. Troeger	1	2
	B. King	2	1
	J. Howard	3	3
	J. Bolinger	4	4
	C. Spratt	5	dns
	D. Weaver	6	dnf
	D. Olson	dns	dns
	M. Machallock	dns	dns
	J. Gableman	dns	dns
	J. Slaytor	dns	dns
T. Athanas	dns	dns	
MCs	D. Harmon	1	3
	T. Howard	2	1
	E. Cramer	3	4
	B. Harlan	4	2
	R. Harmon	dns	dns
T. Troeger	dns	dns	

* Tom Howard sailed Earl's whale boat

Starters		
S. Pitakos		2
M. Seaton		dns
S. Piale		dns
W. King		dns

YACHTING

Birch Lake Yacht Club
 Sunfish race: Race 1: Stan Troeger (Howard), Ben King (South Bend), Howard (South Bend).
 Race 2: Ben King, Stan Troeger, Jeff Harlan.

MC class: Race 1: Don Harmon (Vandalia), Tom Howard (Vandalia), Harold Cramer (South Bend).
 Race 2: Tom Howard, Steve Norton (South Bend), Don Harmon.

Can't wait a week to learn the race results? Look in the Monday morning South Bend Tribune! Like last year the Sports Section will post our top 3 finishers for each race.

At the Buffet party there will be a table set up to buy or order a *Regatta Kidz* \$8 shirt, order Birch Lake Yacht Club coffee mugs, or add your name to the list of those who want to order a BLYC club burgee (Yacht Club flag).

Couples Race Saturday - 4:00 p
Season Races Sunday - 11:00a
Sailing Lessons coming soon!
 All times are in standard time... we never change

BIRCH LAKE WATER QUALITY

Historically, Birch Lake has been known as a clean lake. In the summer of 1984 Lake residents began noticing a change in the water. Birch Lake was gasping for air and swallowing sewage. The Health Department was alerted. Lee C. Maager, R.S. Director Environmental Health, Cass County Health Department, directed a qualified staff to take steps to locate the source of pollution.

1. Watershed runoff in Shorelands and Sub-Area was investigated.
2. Water samples were collected from designated areas to establish concentrations of coliforms. Biological tests included analysis of total coliform, fecal coliform and fecal streptococcal.
3. A shoreland survey was conducted to study types of weed growth. Observation included color, odor of the lake and condition of bottom. Wind direction was observed in conjunction with sewage slicks.
4. State agencies, D.N.R., and other helpful parties were consulted.
5. An airplane was hired to take aerial photos using infra-red film to pinpoint direct source of pollution.

It was determined that Birch Lake had a residential sewage pollution problem. It threatened the health of individuals and property value of the lake's 224 owners.

On November 26, 1984 Bob and Gertie Temple and Bernie and Helen Weesner attended a public County Board of Health meeting. Gertie Temple presented 23 of 169 water samples. The first sample was taken on August 16. The last sample was taken on November 20. The severity of the tests proved that immediate attention was needed to stop the destruction of the lake. As one of the majority of concerned residents who wanted an answer to the health menace, Gertie Temple requested a program of action by the Health Department to correct the pollution problem for all Birch Lake property owners. The County Board of Health granted the request.

On December 4, 1984 Mr. Maager met with Gertie Temple to discuss the program he designed. Donald Winne, Executive Director Michigan Lake and Stream Associations, was present and commended Mr. Maager for the unique program he presented.

On December 5, 1984 a meeting was held at the Robert Temple residence. Mr. Maager outlined the steps of the program to Birch Lake residents. The program was designed to identify and eliminate sources of contamination which was expected to result in the replacement of sewage disposal systems which posed a threat to the quality of the water.

Randy Welch, Commodore, and Earl Troeger, Vice Commodore, promised the cooperation of the Yacht Club.

1. Provide manpower to assist Mr. Maager and Field Environmentalist, Ross Voorhees.
2. Make resources available to the Health Department for funding when needed.

Gertie Temple committed to work as a private citizen on the survey and to volunteer her time to assist the Health Department to complete the project.

On December 10, 1984 Mr. Maager sent a form to each property owner asking for signed permission to inspect the sewage disposal system and to include a diagram indicating the location of the well, septic tank and final disposal.

Members of the Water Quality Committee were Randy & Fran Welch, Earl & Connie Troeger, Bernie & Helen Weesner, Bob & Gertie Temple. Under their direction permission slips and diagrams were collected by lake residents. A 100% compliance is indicative of the concern and cooperation of Birch Lake residents. The committee also directed a monitoring program set up by Ross Voorhees. The 11 stations were Mitchell, Curtis, Nagy, Lovejoy, Reynolds, Jankowski, Walker, Drolet, Holleman, Zesinger and Temple.

In 1987 high priority was given to finalize the evaluation of each sewage system. Letters were sent to homeowners whose system did not comply with the law.

At the end of 1990 under the direction of Lee Maager 96 lakefront properties were found to be in non-compliance and 84 of those 96 properties replaced their systems.

In 1991 the Cass County Health Department was closed. Birch Lake residents signed a petition sharing the concern of the Yacht Club in regard to the closing. Lee Maager was not contracted by Van Buren County Health Department. Birch Lake missed him.

In 1992 Water Quality Committee members Dan & Janet Reynolds, Terry & Linda Curtis, Bob & Gertie Temple met with the County Administrator and Van Buren County Health Department to seek cooperation. Dan Reynolds volunteered to assist the Department in order to secure the completion of the program and upgrade the remaining systems.

In 1994 the last of the 12 sewage disposal systems cited for violation was replaced under the direction of Bob Hause and Rob DeBeck. Dan Reynolds continues to have the cooperation and support of the Health Department in the desire to protect Birch Lake.

From 1994 to present a maintenance program has been in effect. Routine monitoring continues to confirm that Birch Lake has recovered and the water quality is excellent.

To help Birch Lake everyone had to believe "What is good for Birch Lake is more important than what is good for one person." The survival of Birch Lake did not happen without battle scars. Years of hard work and dedication, the commitment of every resident, the desire to reach a goal, and continued vigilance have rewarded all of us with a clean and beautiful Birch Lake.

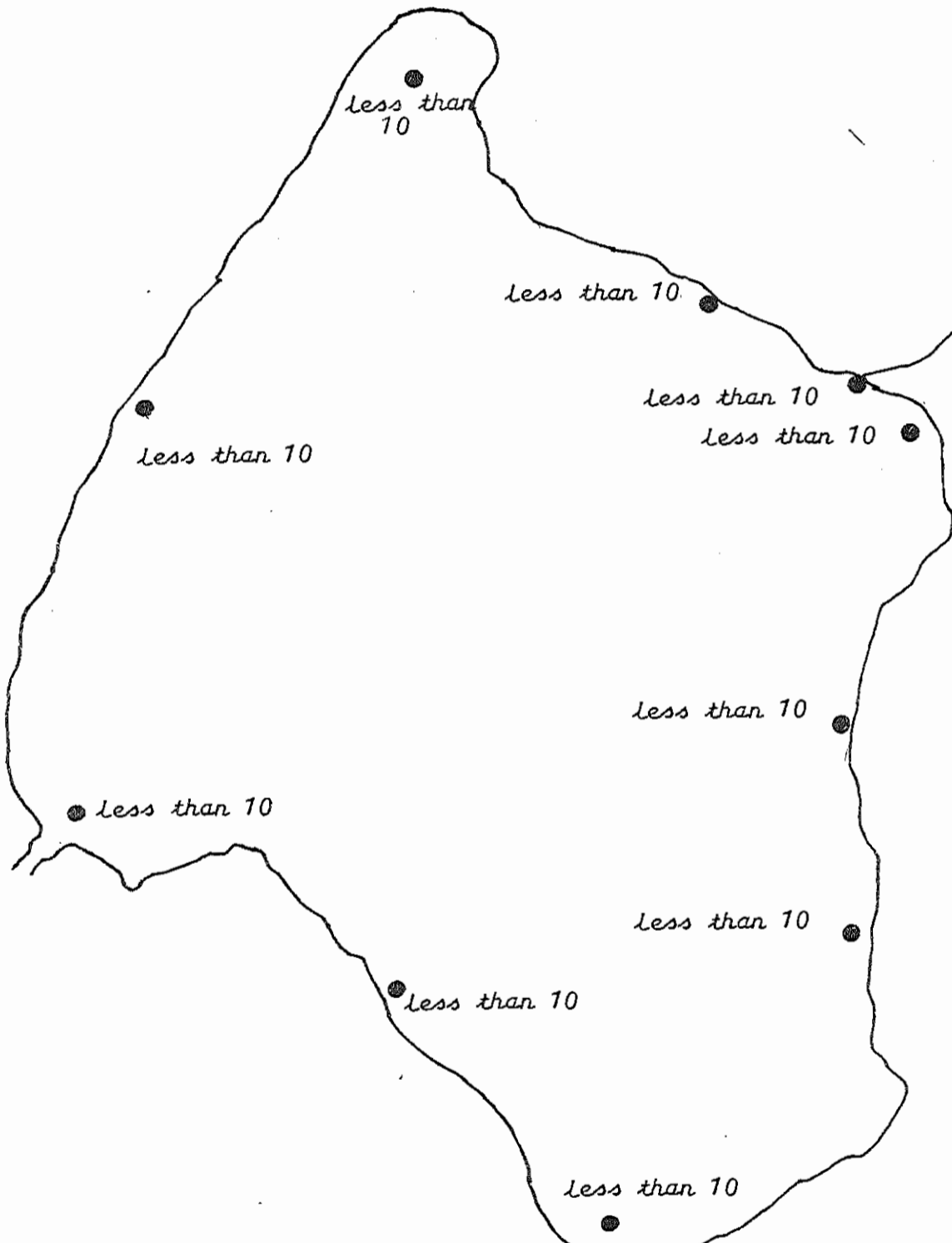
SUMMER UPDATE 1998
BIRCH LAKE WATER QUALITY COMMITTEE
MONITORING PROGRAM

Surface water samples were taken during the last week of June, 1998 at the designated areas as shown on the map of Birch Lake below.

The test results are shown in Fecal Coliform Organisms per 100 ml. EACH TEST RESULT SHOWS LESS THAN 10 FECAL COLIFORM ORGANISMS PER 100 ml.

Birch Lake's current water quality is excellent.

The State of Michigan Water Quality standard for fecal coliform is 200 colonies per one hundred milliliter sample. If this standard is exceeded the water is not suitable for swimming.



To illustrate the dramatic turn-around of Birch Lake the list below includes water test results just before and into the beginning of the water quality program.

<u>Date</u>	<u>Number of samples</u>	<u>Highest Test Result Fecal Coliform Organisms per 100 ml.</u>
1984	169	120,000
1985	103	8,000
1986	76	97,000

B.L.W.C. Water Quality Committee
 Dan & Janet Reynolds
 Terry & Linda Curtis
 Bob & Gertie Temple

MICHIGAN WATERCRAFT LAWS

1. **Boats Requiring Registration** - All motorboats; all sailboats; rowboats (privately owned) over 16'; rental or commercial canoes 12' or longer, rental or commercial vessels propelled by any means that are 12' or longer. The registration numbers must be affixed to the watercraft and the certificate of registration must be carried on board when the watercraft is being operated.
2. All boats are required to have aboard one coast guard approved personal flotation device for each person on board. Boats 16' or over must be equipped with a type I, II or III Coast Guard approved, wearable flotation device, plus one type IV throwable device. **New Law** - Children under six (6) years of age must wear a type I or II personal flotation device when in an "open deck area" of the vessel.
3. Approved fire extinguishers must be carried on motorboats with closed compartments and should be carried on all motorboats.
4. Running lights are required on all watercraft between sunset and sunrise. (Red and green on front, white on rear).
5. Children between 12 and 16 years of age may operate a motorboat of six horsepower or more only when accompanied by a person 16 years old or older, or when in possession of a boating safety certificate issued after satisfactorily completing a Michigan Department of Natural Resources approved course in boating safety. Children less than 12 years old may operate a motorboat of no more than six horsepower without supervision or a boating safety certificate. Young operators under age 12 may not operate a vessel powered by more than a total of 35 horsepower engine(s) even though that young operator is properly supervised.
6. No person shall operate any watercraft while under the influence of alcoholic beverage, or narcotic drugs.
7. Any person who operates any watercraft in a careless and heedless manner so as to disregard the rights or safety of others, and at a speed that would endanger or likely to endanger any person or property, shall be guilty of reckless operation.
8. No person shall operate any watercraft at a speed greater than will permit him to exercise reasonable care, to bring the watercraft to a stop with the assured clear distance ahead.
9. No person shall operate a watercraft in a manner so as to unreasonably interfere with the lawful use by others of any waters.
10. All Accidents resulting in personal injury or property damage to exceed \$100 shall be reported to local law authorities.
11. All motorboats must operate in a counterclockwise direction, insofar as it is reasonably possible
12. No operator of any watercraft shall have in tow any person on water skis, watersled, surfboard, or any similar contrivance during the period one hour after sunset to one hour prior to sunrise.
13. There must be one observer plus the driver in any watercraft towing water skis, or any similar contrivance. The observer must be a person capable of communicating the needs and condition of the person being towed.
14. No person being towed on water skis or other similar contrivance shall be closer than 100' to any swimming area, fishing craft, pier, raft or other watercraft.
15. The only exception to the regulation above is when landing and taking off - then, extreme caution must be used.
16. All persons must be seated in seats provided when the watercraft is underway or in motion. Sitting on the deck or gunwale is prohibited. Persons are also prohibited from being in or on the bow of a vessel if the vessel is exceeding a slow, no wake speed. This does not apply if there is seating installed by the manufacturer, or to sailboats under sail only.
17. No operator shall allow his watercraft to pass closer than 100' to any anchored fishing craft.
18. No operator shall allow his watercraft to pass closer than 100' from any swimming area except when docking or debarking.
19. A boat shall not be operated within 200' of a buoyed diver's flag (red rectangle with white diagonal strip) unless the boat is tending the diver(s).

NEW ANTI-DRUNK BOATING LAWS Boaters will be subject to stronger penalties if they are convicted

of operating a vessel or controlled substance, beginning March 1, 1993.

Persons convicted of violating the new laws that are designed to make Michigan waterways safer risk the following:

- Suspension of boating privileges
- Fines ranging from \$100 to \$10000
- Jail sentences from 90 day to five years and/or
- Community service requirements up to 90 days.

The Secretary of State's office will maintain a record of boating convictions. Exact fines, length of sentence and community service requirements will depend on the number of alcohol related violations on a person's boating record and the severity of those violations.

BOATERS WILL BE SUBJECT TO IMPLIED CONSENT LAW - Under the new anti-drunk boating laws, people operating a vessel who refuse a chemical test upon request of a law enforcement office will be subject to a suspension of boating privileges for six months. A second refusal within seven years will result in a one year suspension of boating privileges. People charged with operating a vessel while suspended may have their watercraft registration canceled for 90 days and upon conviction, will face possible impoundment of their watercraft. Violation of this new anti-drunk boating law will not affect your motor vehicle driving privileges.

OPERATION OF PERSONAL WATERCRAFT (effective January , 1991)

1. A person shall not operate a personal watercraft on the waters of the state unless each person riding on or being towed behind is wearing a type I, II or III personal flotation device as described in R281.1234 of the Michigan Administrative Code. (281.1063, Sec. 63,1).
2. While operating a personal watercraft equipped by the manufacturer with a lanyard type engine cutoff which on the waters of the state, a person shall have the lanyard attached to his or her person, clothing or personal flotation device as is appropriate for the specific vessel. (281.1063, Sec. 63.3).
3. A person shall not operate a personal watercraft on the waters of the state between the hours from sunset to sunrise. (281.1063, Sec. 63,3).
4. A personal watercraft shall at all times be operated in a reasonable and prudent manner. Maneuvers that are unreasonable or unnecessarily endanger life, limb or property, including but not limited to, weaving through congested vessel traffic, jumping the wake of another vessel unnecessarily close to the other vessel or when visibility around that other vessel is obstructed, and swerving at the last possible moment to avoid a collision, constitute reckless operation of a vessel, as provided in section 74. (281.1063, Sec 63,4).
5. A person shall not operate a personal watercraft on the waters of the state carrying more persons than the vessel is designated to carry. Carrying more persons than the vessel is designed to carry is prima facie evidence of reckless operation of a watercraft under section 74. (281.1063, Sec. 63, 5).
6. A person operating a personal watercraft on the waters of the state shall maintain a distance of 100' from any dock, raft, buoyed or occupied bathing area, or shall not cross within 150' behind another vessel, other than a personal watercraft, that is traveling at a speed greater than slow-no wake speed. (281.1063, Sec.63.6).
7. A person under the age of 12 shall not operate a personal watercraft on the waters of the state. A person 12 through 15 years of age may operate a personal watercraft on the waters of the state only when accompanied by a person 16 years of age or older, or without adult supervision when in possession of a boating safety certificate in compliance with section 62. (281.1063, Sec.63,7).
8. The owner of a personal watercraft or a person having charge over or control of a personal watercraft shall not authorize or knowingly permit the personal watercraft to be operated in violation of subsection (7). 281.1063, Sec. 63,8).
9. A boat livery shall not lease, hire or rent a personal watercraft to a person who is under 16 years of age.

Michigan has passed new laws, effective next spring, regarding personal water craft (wave runners). Minimum age to operate a runner will be 14, those under 19 will be required to pass safety courses and be licensed before hitting the water. Reckless riding will be not be permitted. Those over 19 who are caught operating personal water craft recklessly, under the influence or ignore other bill provisions will be required to go through the education program and be certified for future rides. Reckless operation carries misdemeanor penalties of 30 days in jail and up to a \$1000 fine on the first offense. Three or more violations in a five year period carries a 90 day jail sentence and up to \$2000 in fines.

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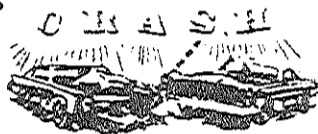
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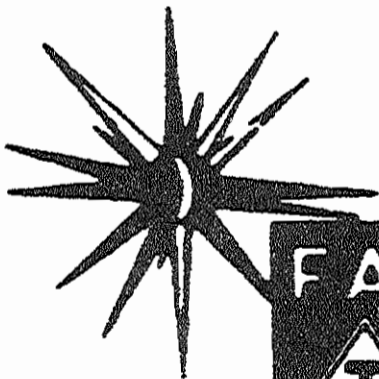
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