

**Testimony before the Michigan House Natural resources, Tourism and Outdoor  
Recreation Committee**

**May 10, 2011**

**Chris Kindsvatter Kindsvatter & Associates, Inc.**

**Representing**

**Burt Lake Preservation Association (BLPA) and the Torch Lake Protection Alliance  
(TLPA)**

**HB4554 - Submerged Logs**

My name is Chris Kindsvatter with Kindsvatter & Associates representing both Burt Lake Preservation Association (BLPA) and the Torch Lake Protection Alliance (TLPA). Both lakes organization have over 750 riparian members each.

The two association's committees and Board are very concerned about the development of "Good Stewardship Practices" needed in the legislation in the short term and what the long term effect be by logging in Michigan Inland lakes.

They have summarized some of the concerns in the legislation as proposed and the associations are willing to work with all affected parties to design a workable and environmentally safe lake logging bill.

- As recognized in the HB 4554, Riparian property rights own the bottom land in proportion to other riparian owners based to a fixed point in middle of the lake. The main principle to be preserved is the logs and all that rest on the bottom land is the riparian's ownership.
- The legislation reduces the application fee from \$3,500 to \$500 with permits issued for up to a 5 year period. Given the amount of state resources to monitor on such a sensitive activates, that fee should remain at the \$3,500
- A performance bond amount in the bill has been reduced from \$100,000 to \$20,000. In general performance bonds for \$100,000, the cost is approximately \$500 while the \$20,000 performance bond would be \$125. Given any reclamation need as the result of a not so diligent and permitted lake logger, the amount of even \$100,000 would be small. Retain or increase the performance bond requirement.
- In addition to the permitting process by the DEQ, our client suggests local control and approval should also be sought by that lake association or governing body in that area before a permit is issued.
- Establish a Statewide set of best management practice should be spelled out: ie: Tug or lifting boat maximum size; complete lifting and not dragging logs to get to shore; ingress and egress points; truck traffic; replacement of lost fish habitat area from the log removal.

BLPA and the TLPA strongly encourage a stakeholders group be formed of all parties effected by this type of operation so a clear understanding of all sides may be accomplished before legislation moves forward.

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