



Lake Maxinkuckee Environmental Council

FROM THE DIRECTOR - 2010 Projects Reviewed

It's the end of another year here at Lake Maxinkuckee and time to give the LMEC final report. Everyone's been busy testing, planting, investigating, inspecting, etc. during 2010. While there isn't enough room to mention everything we do all year long, the highlights are as follows:

CURTISS WETLAND The LMEC began this year by spraying for phragmites, an invasive weed that has gained a toe-hold at the southern edge of the Curtiss wetland. Trees were also planted on the levees to give them strength. Work made more necessary from the rather extensive beaver damage the winter before.

Tests for e-coli were conducted along the Curtiss Ditch at three different places. The first reading was taken along Queen Road, before the water enters the wetland, and was a little over 1,050 col/100 ml. on base reading and 480 col/ml. storm reading. State lake and river maximums for e-coli are only 235 col/100ml. The high reading could be attributed to geese and/or deer though it's a bit high for that. The best reading was taken right as the water left the Curtiss wetland, only 120 col/100ml. base-40 col/100 ml. storm. This proves that the wetland is performing very well. The last reading, taken much farther west near the lake, had crept back up to 850 col/100ml. base and 930 col/100 ml. storm. We are currently forming plans to try to identify the source of this reading and hope to find a way to get it lower in 2011.

Everyone should be aware that high e-coli readings found in any of the tributaries that feed Lake Maxinkuckee DO NOT mean that the lake itself is polluted. For most of the summer these tributaries carry only an inch or two of water through them - at best. E-coli colonies grow when the air temperature heats up during the summer. When a storm event occurs, it can then flush everything down stream, including anything that is deposited near the banks of the streams or ditches. If high e-coli levels have been found to be present in a tributary, it would be advisable not to play in the water close to the shore, right where the tributary enters the lake, immediately after a heavy rain event. We mean immediately after a heavy rain event, because after the stream water enters the lake e-coli counts drop quickly when diluted by such a large amount of water. Once you move 15 to 20 feet into the lake, even high counts drop to a miniscule number!

Always remember that this is why the LMEC and others test regularly for e-coli any place the public might swim or play. Everyone, the LMEC, the Town, the Academies, the County, and the IDNR, wants to ensure that the water in Lake Maxinkuckee is safe for people to enjoy.

KLINE WETLAND We had fallen trees, yard waste, and litter collected and hauled away from in the Kline. The IDNR posted some new NO DUMPING signs. New stones were placed at the spillway. This year, the control structure didn't appear to be tampered with like it had been the past few years. Having people stop in during their walks and bike rides appears to be helping.

The LMEC also conducted e-coli testing around the perimeter of the 80 acre Kline due to a reading of more than 8,000 col/100ml. found in 2009. Here we found a 1,300 col/100ml. base - 3,650 col/100ml. storm reading at a northeastern point, the other 5 points were within an acceptable range. The LMEC will continue to monitor the outfall in the future. All of the e-coli sampling collected at the Curtiss and the Kline is handled by professionals. This service was paid for with funds awarded to the LMEC from the Ralph C. Vonnegut, Jr. fund that is administered by the Marshall County Community Fund.

CULVER ACADEMIES If you recall, LMEC Chair Allen Chesser and I met with the Culver Academies and their engineers in early 2008 to provide environmental input on their storm water system when they started the equestrian center. Now completed, there is a rather large cement structure that opens onto the lake. This area is in need of plants, both for aesthetic reasons and to help draw in any nutrients that might flow from the area above.

The LMEC has granted the Academies up to \$2,000 to select aquatic plants from JFNew's nursery for installation in the area at the water's edge. Sediment has washed into the concrete basin forming a bank-like area with a creek running through it. Again, the plants will help stabilize the soil and soak up any nutrients. If you remember, we tested this area last year once it was operational and the e-coli readings were only 110 col/100ml, well below state standards.

The new plants should ensure future low readings at this site. We believe that the Culver Academies will involve students with the installation of the plants in the spring of 2011.

MAXINKUCKEE LANDING - 18B Road The LMEC advanced the e-coli testing that was started in 2009 along this problematic ditch with the assistance of the Marshall County Health Department. For many years this ditch has had unusually high readings at different times during the spring and summer. We began to search for the sources this year.

Our concern stemmed from the fact that this outlet to the lake is a swimming spot for some who live in the area. We pulled samples twice a month since March and drove them to the state forensic lab in Indianapolis. Testing must take place

(2010 Projects continued from page one)

within six hours of samples being obtained to have accurate results. As summer progressed, we focused in on a couple of sites along the stream and eventually found one non-operational septic system through the help of a dye-test. Legal notices have been filed, and we soon hope to have this situation corrected. Our thanks go out to the members of the County's Health Department for their diligence and care. We will continue to test in 2011 for any other sources.

LAKE MAXINKUCKEE and its Shoreline No hydrilla or other invasive aquatic plant species were found when Aquatic Controls searched the lake this August. This project was 90% funded by the Ralph C. Vonnegut, Jr. grant which is administered by the Marshall County Community Fund. Hydrilla is the invasive aquatic plant species responsible for the closing of Lake Manitou for much of the last four years.

You can find the complete Hydrilla Report on our website at www.culverLMEC.com. This project is being discussed for funding next year also. Unfortunately, it seems to have become a permanent need. When people bring their boats, fishing gear, or personal watercraft from other lakes without waiting at least five days to launch or taking the time to clean their gear and watercraft, there is always the possibility that invasive species will move from water body to water body. Please be a responsible lake user - clean ALL of your recreational equipment before putting it in the water!

The LMEC completed another year of testing for Indiana University's water monitoring program. Tests are done twice each month from May through August. We test for Phosphorus and Chlorophyll *a*, take secchi disc readings for water clarity, and filter water to find the amount and type of algae in the lake. Lake Max remains one of the highest ranked lakes for good water quality. We plan to add dissolved oxygen and water temperature readings to next year's testing regime as this profile can tell us the most about the lake.

The Semler/Rhodes re-vegetation project has moved forward with one property owner planting bulrushes in front of his shoreline that came from another Lake Max homeowner. In 2011 he will move a few lilies from another area of the lake to his property, hoping they will take root. Next spring Jerry Semler and JFNew are ready to plant more lilies and a few other types of plants from JFNew's nursery along his portion of the shoreline. They will install better designed planting structures than in 2007 plus provide on-going care for three years. This time we are trying two types of approaches, do-it-yourself and professional, to see which method brings the most success.

The growth from the plants installed in 2007 with the help of a LARE grant, came back a bit stronger this year with water willow making a good showing... as well as a few white water lilies. LMEC is still keeping LARE personnel abreast of the situation at this project location and will continue to do so.



PLANNED UNIT DEVELOPMENT

Update by the President of the LMEF Board of Directors

On August 10, the Developer's petition to establish a sewer conservancy district for the Culver Marina PUD was withdrawn.

The approval of the conservancy was the first hurdle required for the PUD to proceed. In our opinion, this development located adjacent to the wetlands, would have threatened the health of the lake, so we opposed the petition. Subsequently, in February, the Indiana Natural Resources Commission conducted a public hearing in Culver at which the witnesses for both the Petitioner and the Lake Maxinkuckee Environmental Fund were heard, as well as many concerned citizens.

The Natural Resources Commission Hearing Officer wrote a comprehensive report which was submitted to the Commission for review and a vote. On May 19th, the NRC overwhelmingly accepted the proposed report of the Hearing Officer and agreed that the Petitioner had failed to meet several requirements specified by Indiana law.

The NRC decision was then forwarded to the Marshall County Circuit Court Judge. At a court hearing, this Judge would have heard witnesses from both sides and made a ruling on the petition to establish the sewer conservancy. But that hearing won't happen. On August 10th the Petitioner filed a motion to withdraw his request for the conservancy, the motion was granted, and the case was dismissed by the Judge.

The big winner here is the environment. A development that could have harmed Lake Maxinkuckee has been averted. What's more, we have served notice that any future development plans that threaten the lake will be met and tested every step of the way.

Besides providing you this update, we want to thank everyone who participated in the effort in any way....petitions, donations, letters, attendance at hearings, speaking your minds, whatever. It was all important, and together it made this great result possible.

We are grateful for your tremendous show of support, and know that, if needed in the future, you will be there again to protect Lake Maxinkuckee.

Carol Zeglis, President
Board of Directors
Lake Maxinkuckee Environmental Fund

DEDICATED FUNDS DISAPPEAR - By Pete Hippensteel

Mr. Hippensteel is an Indiana Lakes Management Work Group member as well the technical vice president of the Steuben County Lakes Council. These two articles, written in response to actions taken by the state government, are reproduced in part here with the permission of Mr. Hippensteel. This first one appeared in the Fort Wayne Journal Gazette September 3rd.

In 1989 the state legislature, with the support of many citizens, established the boat fee that funded the Lake Enhancement program. This specific tax (charged annually to each boat owner) funded several types of lake enhancement projects such as watershed land treatment, feasibility studies, wetland construction, ditch redesign and others that helped protect the water quality in Indiana's public freshwater lakes. These funds were matched by many sources such as lake associations, local environmental groups, and foundations. The relationships created by these projects garnered additional support to better manage and protect our state's valuable freshwater resources. The Indiana code, that created this program, also specifically stated that the funds were dedicated and were not to revert to the general fund.

Three components make up the Lake and River Enhancement program (LARE): Lake projects, dredging projects, and the marine conservation officers fund. The July 16, 2010 report by the State Budget Agency indicated that approximately \$2.4 million from the lake/dredging fund and more than \$1.3 million from the conservation officers marine fund was reverted to the general fund for the 2009-2010 budget year. Also, the use of approximately \$1,700,000 of this year's (2010/2011) LARE budget has been suspended indefinitely; only projects that were continuations from the previous year had funding maintained this summer.

Each year there are more than twice as many requests for funding for projects that reduce environmental problems on our Indiana lakes than there are funds available. Lake residents and other citizens who use the public waters of Indiana for recreation have actively supported, both financially and with their time, these efforts to help protect the valuable public water resources of Indiana. They need to be assured that an important element of our state's economic engine, Good Water Quality, is not sacrificed.

October 13th, the Governor responded to an Indianapolis news station (see TheIndyChannel.com article "Boaters Blast \$2.4M Budget Transfer) saying he does not believe the money transfer will impair the condition of Indiana lakes and rivers. Part of Mr. Hippensteel's response follows. It can be found in it's entirety at www.kpcnews.com.

RELEASE OF LARE FUNDS ESSENTIAL - by Pete Hippensteel

There are many studies that correlate the value of lake property to water clarity. A New Hampshire study indicated that 69 percent of the lake recreational users would reduce their use of a lake if its water clarity declined. A study in Maine concluded that a decline of water clarity of one-half meter would reduce property values from 3.1 percent to 8.5 percent. This study also indicated that people were willing to pay for the maintenance of good water conditions.

Using Steuben County's GIS system, I have looked at the year 2009 value of parcels of land adjacent to our lakes. Only assessed land values were used and the value of the improvements on the land was not included. There are 40,054 parcels of land with an assessed land value of \$1.9 billion. This averages \$47,437 per parcel throughout the county. The assessed land value of lake front property for the 23 larger lakes was surveyed. These 23 lakes have 7,406 parcels at a total of nearly \$1.2 billion assessed land value. This averages \$161,249 per parcel for lake property. This indicates that these 23 lakes, while having only 18.5 percent of the county's parcels, produce 62.9 percent of the land tax base for the county.

In addition to the enhanced tax base there are many businesses that benefit directly from the lakes. The marinas, construction contractors, restaurants, realtors, landscape and lawn care services, golf courses, and many others all benefit. Hundreds of jobs are supported by revenue generated by the presence of the lakes.

The continued investment of LARE funds is important to protect our lakes and streams. If we don't we are risking environmental decline and the corresponding economic problems. It is clearly in Indiana's economic interests to maintain and improve the water quality of the state's public freshwater lakes. Why doesn't the governor, the State Budget Agency members, and state legislators see this from Indianapolis?

(The LMEC requests you also read the information provided on the last page of this newsletter.)

"I find the great thing in this world is not so much where we stand, as in what direction we are moving: To reach the port of heaven, we must sail sometimes with the wind and sometimes against it, - but we must sail, and not drift, nor lie at anchor."

Oliver Wendell Holmes, *The Autocrat of the Breakfast-Table*, p. 93 (1891)

LARE Funding Notes - By Kathy Clark, Executive Director LMEC

Lake Maxinkuckee has benefited greatly from LARE grant funds and we need them today just as much as we did in the past. The Kline and the Curtiss wetland areas were both recipients of LARE funding in the late 80s and the 90s. Our 2005 Watershed Management Plan was underwritten in part by a LARE grant. The Shoreline Re-vegetation project in 2007 and our Aquatic Plant Management Plan in 2005 would not have been able to be completed without this money.

You can help protect this funding source by asking your state legislators to re-affirm that the boat fees collected (between \$5 and \$25 per water craft) will be used in 2011 for what they were meant for - safeguarding the high quality of our rivers and lakes. (See *article on page three.*)

The new Chair of the Lake Management Work Group, Senator Buck, suggested focusing on the economics of having a lake in your community; this was the impetus for Mr. Hippensteel's second article. We will try to complete a similar study for the lake communities in Marshall County by the end of the year.

You can send your opinion of this situation to the legislators who represent you where you live, or anywhere you own property in Indiana. Simply go to <http://www.in.gov/apps/sos/legislator/search/>. Then enter your zip code. A box will pop up showing your Indiana Senator, and Indiana Representative. You can e-mail either Indiana legislator from this point or click on their website and it will provide you with their regular mailing address.

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