

Adams Chapter Update

A publication of the Adams Chapter of Trout Unlimited • Traverse City, Michigan • www.tctrout.com

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PRESIDENT'S REPORT

With the temperatures returning to normal for this area, warm weather fishing adventures are still in the planning stages a couple of pages ahead on the calendar. We took a brief trip to the Florida Keys in early January; packed light, and somehow managed to take our winter weather with us. With highs in the low 50's and nights in the 40's, the fishing guides was very impressed with our working knowledge of "ice paste" and promised to order more tubes to have on hand for our next visit. It's pretty bad when the guides cancel trips on you!

Steelheading has been somewhat productive. The new infrared stream thermometer seems to be stuck between water temps of 34 and 36 degrees, so I'm not sure how accurate it really is. My fishing friends point out that my ice floe dancing has improved over last year. The left foot of my neoprenes still leak, but not as badly as the new leak around the right knee. This confirms what we all have known, that wader leaks are contagious and tend to migrate in the off season.

The chapter has submitted the "gear restriction" recommendations for the Boardman River requested by the DNR. A fair amount of discussion and information sharing came up with a recommendation that could well help the quality of fishing on certain stretches of the river. More specific information is included in the newsletter. Thanks to all of those that worked to put this together in a timely manner.

The saga of the asian carp invasion continues. The Michigan TU Council has provided regular updates on the actions and recommendations being made by our state and congressional representatives. The latest meeting in Washington seems to have made some progress but falls short in closing all potential

carp access to Lake Michigan. Until that access is denied, the asian carp remains a continued and very real threat to our water resources in the Great Lakes basin. We need to continue to contact our local, state, and federal officials and loudly voice our concerns about this threat to our waters and fisheries.

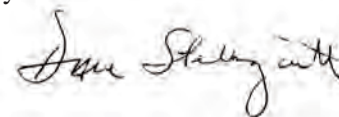
The banquet committee, Jeff Jocks, Mark Andres, Larry Thompson, and Jack Murray, are working hard at bringing things together for our annual fundraiser. Every year, it takes a great deal of energy and effort to hold a successful fundraising banquet. They need some additional members to help on a variety of activities. Please give a call or send an email, if you wish to contribute to your chapter's efforts. We've already received some great donations of guided fishing trips, local services, and underwriting of expenses. They're also working on some different ideas for activities and auction items that will help raise even more funds for our financial grants back to the community.

We'll let you know as soon as the banquet and raffle tickets are available. In the meantime, mark your calendar for April 17th and please plan on supporting your chapter. Your efforts are needed and appreciated in supporting this worthwhile project.

The Communication/Marketing committee is coming together. There are already several suggestions on how to better communicate with our membership and the general public. We need to do a better job of informing people of our efforts in giving funds and volunteer hours to actively protect and improve our cold water resources.

If you plan to attend the Traverse City Outdoor Show, March 19th through the 21st, please stop by the booth and say hello.

The next general membership meeting is March 24th. Hope to see you there.



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Trout Unlimited in the Digital Age

The Adams Chapter is currently in the process of improving our website and keeping it more up to date. We are also planning to add several new links that will allow you to gather much more information than you have been able to in the past.

The process of producing the Newsletter that you receive quarterly is time-consuming and somewhat expensive to produce and to mail. If any of you would prefer to have the Newsletter and other Adams Chapter communications sent to your email instead of regular mail, please send your name and email address to the editor, Ken Gum at kgumtrout@aol.com. We will produce a group list of everyone interested in this form of communication and eliminate some paper usage. Thanks and hopefully this will result in better and more interaction between the board and the membership.

Board Bios

Vice-president **Jeff Jocks** lives in Traverse City with his wife and two young boys. He grew up in Midland, MI, but fished the Au Sable with his Dad and Grandfather for as long as he can remember. He moved to Traverse City in 2004 to work as an attorney with the law firm of OLSON, BZDOK & HOWARD, P.C. His practice focuses on environmental, land use, and estate planning. When not working or spending time with his family, he can be found on the Boardman, the Manistee, Grand Traverse Bay, or one of our many inland lakes. Jeff hopes to make positive changes for the Adams Chapter and to encourage our members to participate.

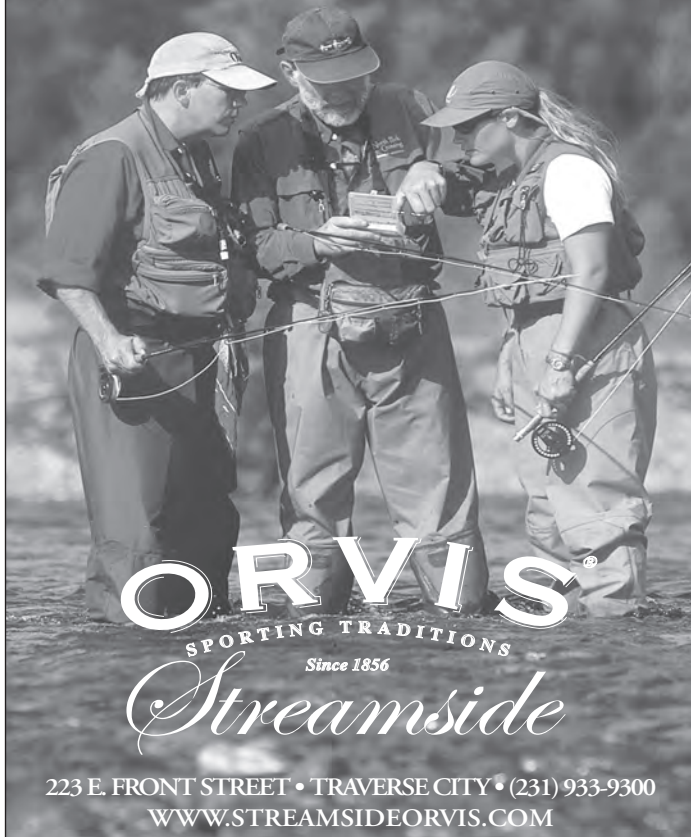
Current Treasurer of the Adams Chapter, **Dennis Taylor** is a charter member of the Chapter and was a member of the Board of Directors until he assumed the Treasurer position three years ago. He and his wife, Barbara, have been residents of Traverse City for 25 years since they moved from Detroit. Dennis was born and raised on the west side of Detroit. He graduated from Wayne State University majoring in English Literature. For thirteen years he taught English and journalism at Detroit Central High School (Detroit public) until he graduated from the Detroit College of Law and entered practice as a civil litigator. He is now retired. Dennis came to fly fishing upon his arrival in T.C. and describes it as a passion. He has fished widely and often in Michigan, Montana, Wyoming, and Idaho, less so in Pennsylvania.

Our secretary, **James Alan Zachow**, was raised in the small southeastern Michigan town of Milford. He was involved in Boy Scouts and came to love camping, hiking, canoeing, fishing and other outdoor activities. During his college years, Jim worked summers for the DNR, first as a laborer with the Fish Division on a survey of Lake St. Clair, then as a seasonal ranger at Proud Lake State Recreation Area. Jim was drafted into the Army and served at Fort Knox before a tour of duty in Viet Nam. After mustering out, Jim returned to college to get a B.S. in Architecture. Jim met his wife Susan while she was camping at Proud Lake where he had returned for summer employment and they were married a year later. After Jim graduated from Lawrence Tech, they started looking for work in northern Michigan. They settled in Traverse City in 1978 where Jim joined the firm of GBKB Associates - Architects. Jim became a Registered Architect in 1982 and rose through the ranks to become Vice President for Production. Jim left GBKB in 2000 to join Whiteford Associates, Inc., where he provides design and drafting services as part of a Design/Build firm specializing in Residential and Commercial construction. Jim joined the Adams Chapter in 1997 in support of a desire to be involved in conserving the Boardman River, and became its Secretary in 1999. In addition to fishing (all species), Jim enjoys camping with his wife, family, and dog, and riding his Harley-Davidson motorcycle.

Our director, **Gabe Schneider**, grew up in southern Michigan just outside Lansing in the town of Bath (former home to Fred Trost's Practical Sportsman Museum). Growing up in

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Adams Chapter T.U. 14th Annual Banquet – April 17, 2010

Name: _____
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Address: _____
[street, city, state, zip]

Phone: _____
[area code – number]

I would like to purchase _____ **banquet ticket(s)** - \$45 each

I would like a reserved table for 8 at the banquet \$315 (one seat free)

I would like to purchase the following raffle tickets:

_____ Gates' Au Sable Lodge \$1000 gift certificate - \$20 ticket

_____ 3 chances to win a \$500 fly shop gift certificate on 1 ticket - \$10 ticket

[1 each at Orvis Streamside, Old AuSable Fly Shop, The Northern Angler]

_____ Kayak ticket - \$10 ticket

I have enclosed a check for the following amount: \$ _____

Please make your check payable to: **“Adams Chapter T.U.”** and mail to:

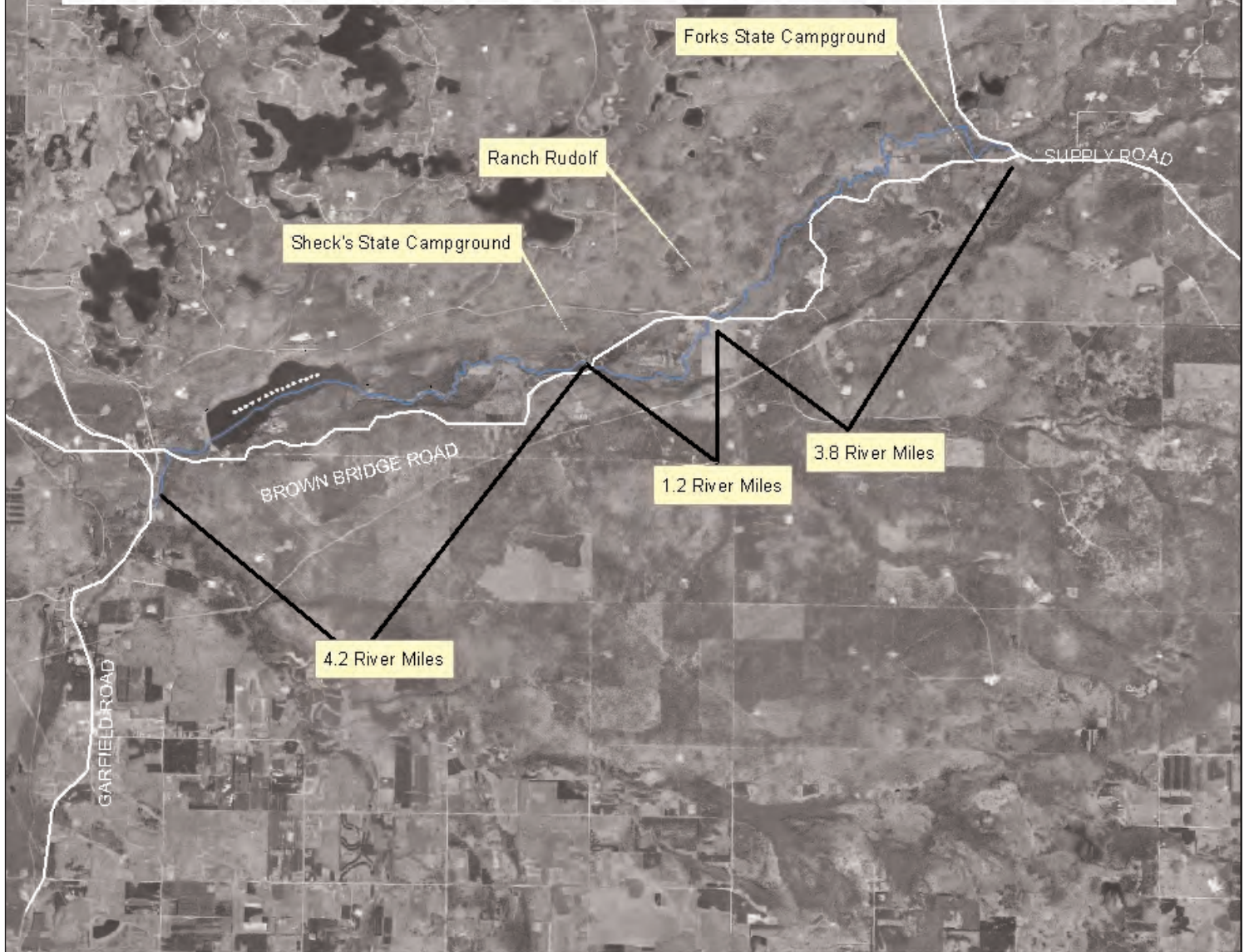
Adams Chapter P.O. Box 2129, Traverse City, MI 49686

by **April 3rd, 2010**

Thanks for your support.

BOARDMAN RIVER

PROPOSED GEAR RESTRICTED STRETCHES: GRAND TRAVERSE COUNTY



It's with great pleasure that the 330+ member, Traverse City based Adams Chapter of Trout Unlimited nominates nearly 10 miles of the Boardman River for addition into "gear-restricted" water. In addition, the Adams Chapter encourages the MDNRE Fisheries Division to adopt either "no kill" or slot limit restrictions due to the reported relative small size, young age-class, and low populations of both brook and brown trout within the proposed stretch.

The specific section (see attached map) is located in Grand Traverse County and starts at Supply Road just upstream from the Forks State Campground in Section 4 of Union Township (T.26N., R.9W.), downstream to Garfield Road in Section 21 of Paradise Township (T.26N., R.10W.). The entire stretch is dominated by public land with numerous access opportunities along Brown Bridge Road for the public. Furthermore, two state campgrounds (Scheck's & Forks) are located along this stretch.

The Boardman River is a state designated Natural River and Blue Ribbon trout stream. This stretch falls within the "Wild & Scenic" portion of the Natural River designation. The Boardman is a very

stable groundwater-fed stream with cold temperatures. The MDNRE Fisheries Division has intensively surveyed this stretch of the Boardman River since 2000 and are planning to compile and release the data in a forth coming fisheries management plan.

Over the years, many Adams Chapter members who fish this stretch regularly have witnessed numerous live-bait fisherman that have a "kill their limit" instead of "limiting their kill" mentality. The proposed special regulations combined with a "no-kill" or slot limit management of the fishery will go a long way toward bolstering the quality of fishing along this stretch of the Boardman.

Once again we appreciate this opportunity to nominate nearly 10 miles of the upper Boardman River for inclusion into the "gear-restricted" water category. If you have any questions please don't hesitate to contact me at (231) 271-4957.

Sincerely,
David Stellingworth, President,
Adams Chapter of Trout Unlimited

Board Bios continued from page 2

the country on a farm got Gabe interested in the out of doors at an early age. When he moved to Traverse City, 7 years ago, he took up the sport of fly fishing. Because of his love for the sport, the outdoors, and our cold water resources; Gabe decided to join Trout Unlimited. He has served as a Director for the Adams Chapter for the past 4 years. In addition to fishing, Gabe enjoys upland bird hunting, snowboarding, and telemark skiing.

The Kolke Creek Case and Michigan Water Law

by Jeff Jocks*

Many of you have heard that the Michigan Supreme Court recently took leave to hear the *Anglers of the Au Sable v Michigan Department of Environmental Quality* case. Although you may have heard otherwise, this case has always been important to the Au Sable River. Merit Energy's proposed discharge of treated wastewater to Kolke Creek would have increased its flow by more than 1000%. The drastic and immediate increase in flow would have caused a great deal of sedimentation and released organic matter both of which would have caused significant harm. The Anglers won in Otsego County Circuit Court and successfully defended that win in the Michigan Court of Appeals. However, the Court of Appeals used the "reasonable use balancing test" for the riparian rights analysis. The Anglers recognized that the Court of Appeals' use of the "reasonable use balancing test" was cause for alarm and asked the Michigan Supreme Court to reverse. The Supreme Court has now decided to take this case making it very important to Michigan's cold water resources and in fact important to all of Michigan's water resources.

The "reasonable use balancing test" comes from the *Michigan Citizens for Water Conservation v Nestle Waters North America* case. The test balances the harm to riparian waters against the public benefit of the use. In the real world it means that a use that uses a great deal of water, creates jobs and increases the tax base can cause significant harm to a water body. That is, the more one property owner desires to use the water the more harmful impact that property owner can inflict on all of the downstream owners. This new test is a significant departure from the previous 150 years of Michigan riparian water law and one that opened the door for new intensive water uses.

The Supreme Court will decide whether the "reasonable use balancing test" will be the test for all water disputes in Michigan or whether the Nestle case got it wrong. This is important to all TU members because riparian water law is the most important tool to protect Michigan's cold water resources. In fact, the new Michigan water withdrawal law requires that the MDNRE follow riparian water law and says that no withdrawal can violate riparian water law. When a damaging water use arises, whether it is a withdrawal, discharge, modification to a stream, or something else, a riparian property owner stands the best chance of stopping

it by enforcing his or her riparian rights. The "reasonable use balancing test" makes enforcing riparian rights much more difficult and favors use over protection. This is an important case and one that every TU member should be following.

*In the interest of full disclosure, I am one of the attorneys from Olson, Bzdok & Howard, PC that represent the Anglers. However, I am also a TU member and Vice President of the Adams Chapter.

Grants

The Chapter is accepting grant applications up to \$2,500 for restoration or stream habitat activities. The recipients will be announced at the Adams Chapter Annual Spring Banquet held April 17, 2010. **Applications must be post-marked by March 13, 2010.** Faxed or emailed applications will be accepted until 4:30 pm March 13, 2010. For information, contact Steve Largent.

2010 CALENDAR

- March 19-21** **Outdoor Show**
Traverse City Civic Center
- March 24** **General Membership Meeting**
7 p.m., Traverse City Eye Consultants, 5199 North Royal Drive, TC
(presentation by Jon Ray – “Keeping it simple for northern Michigan trout”)
- April 17** **Adams Chapter Annual Fundraising Banquet**
Williamsburg Showcase Dinner Theatre, 4230 E. M-72, Williamsburg
Speaker Brian Burroughs – Executive Director of Michigan T.U.
- June 23** **Outdoor Meeting on Manistee River**
6 p.m. at the C.C.C. Bridge
- July 24** **Boardman River Work Bee**
(contact Steve Largent for location and details)
- August 25** **General Membership Meeting at Ranch Rudolf**
- September 17-19** **Adams Chapter Wa Wa Sum Weekend**
Wa Wa Sum Lodge on the AuSable
- December 8** **General Membership Meeting**
7 p.m., Traverse City Eye Consultants, 5199 North Royal Drive, TC

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