



CRYSTAL LAKE & WATERSHED ASSOCIATION
P.O. Box 89 Beulah, Michigan 49617

CRYSTAL LAKE BOAT LAUNCH SETTLEMENT APPROVED

BEULAH – An agreement between government agencies and citizen groups will allow construction of a state boat launch on Crystal Lake, ending years of controversy in Benzie County.

As part of a settlement entered in Benzie County Circuit Court on March 31, 2010, the Michigan Department of Natural Resources and Environment (DNRE) agreed to make changes that will reduce the project's impact on the environment and on adjacent property owners.

In return, two local citizen groups agreed to drop all challenges to the boat launch.

"The battle over this boat launch went on far too long. I'm really, really happy to get it resolved," said Ed Hoogterp, president of the Crystal Lake & Watershed Association, which had challenged the project's environmental permits.

"Boaters will have a safe facility to get on and off Crystal Lake," Hoogterp said. "And the state has agreed to a new design with much less lake-bottom dredging, less wetland fill, and less hard-surface parking."

The agreement also allows the Crystal Lake & Watershed Association to develop a boat-cleaning station on the site. The boat-cleaning station, to be financed by private donations, is part of a larger campaign to stop the spread of invasive plants and animals, including quagga mussels, which have devastated the ecology in parts of Lake Michigan.

The state has not announced a timeline for construction of the launch ramps, which could be completed this summer or next.

Crystal Lake, at nearly 10,000 acres, is the 9th largest inland lake in Michigan. Boaters can access the lake at a number of points, including a launch ramp in the village of Beulah, but those sites are limited by parking, water depth, wind and other factors.

The DNR proposed a state-owned access site on the lake more than a decade ago, and completed plans in 2004 for a launch on the lake's south shore.

The property includes a large open area, 70 feet above the lake, near the intersection of M-115 and Mollineaux Road, and a smaller section of shoreline that includes a wetland and a portion of the Betsie Valley bicycle trail.

A two-lane paved road and a pedestrian stairway will link a parking area on the hilltop with the launch site on the lakeshore below.

Among major design changes approved in the settlement:

- A section of the Betsie Valley Trail will be built as an elevated boardwalk, preserving wetland that would otherwise have been filled.

- A separate "staging dock" has been eliminated, reducing both wetland fill and the amount of lake-bottom dredging. In the new design, a floating dock will extend from

one of the launch piers, giving boaters a convenient spot to tie up while they retrieve their vehicles.

-- One of two planned asphalt parking lots will be maintained as a grass area for overflow parking, reducing hard-surface paving by nearly 50 percent. All parties agree that the state has the right to pave the lot at a later date, if that is warranted by usage of the site.

-- The Crystal Lake & Watershed Association will have an opportunity to develop a boat-cleaning station on the upland portion of the site, as part of a larger effort to control the spread of invasive species into the lake.

-- Guardrails and “bollards” will be installed to keep vehicles off the bicycle trail.

-- Because of the reduction in wetland impact, the state will no longer be required to create an artificial wetland in a wooded area along the Crystal Lake Outlet Stream. That property will remain for now as a natural area.

-- Additional screening will be installed to reduce the impact on nearby residences.

The settlement resolves two separate legal cases, involving three governmental agencies and two citizen groups. Documents resolving the separate cases are being filed concurrently in Benzie County Circuit Court. All the parties have agreed to the terms of the settlement.

“This is a compromise,” said CLWA president Ed Hoogterp. “No one got everything they wanted, but everyone worked in good faith for an agreement.”

The parties to the agreement are:

-- The Michigan Department of Natural Resources, which owns the property and may now go ahead with the planned boat launch.

-- The Michigan Department of Environmental Quality, which issued permits to the DNR for filling wetlands on the site. (DEQ and DNR have since been merged into a single state agency, the Department of Natural Resources and Environment.)

-- The Crystal Lake Property Rights Association, which represents lakefront property owners along the Betsie Valley Trail. CLPRA argued that the launch plan violated an earlier agreement with the DNR restricting development along the trail. The group also challenged the DNR’s exemption from local zoning rules. The Michigan Court of Appeals in 2008 issued a split ruling on the trail and zoning issues, and sent the case back to Benzie County Circuit Court. The case has now been settled through a consent judgment signed March 31 by Circuit Judge James Batzer.

-- Benzie County, included because county zoning issues were involved. The county has rescinded its zoning ordinance, effective March 31, citing budget shortfalls. The settlement was entered in Circuit Court on the final effective day of the county zoning ordinance.

-- The Crystal Lake & Watershed Association, whose 1,000 members include lakefront property owners and others with an interest in the lake and surrounding landscape. CLWA had contested the DEQ permit, arguing that the state had not taken all possible steps to reduce the project’s environmental impact. CLWA attorney Jason Thompson of Traverse City signed the final documents dismissing this phase of the case, also on March 31.

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