

NEWSLETTER No. 6 - Little Bitterroot Lake Association – Oct/Nov. 2023



LAKE AND LAKESHORE PROTECTION REGULATIONS FLATHEAD COUNTY, MONTANA

Greetings All,

As your President, I am VERY proud of the effort our Association Members and BOD are making in so many ways to “Protect our Lake for Future Generations.” We are very happy to announce a NEW RECORD number of members – 131 WOW! And with that we have RECORD contributions...We can do so much more NOW because YOU CARE. Thank You! If you are reading this and NOT a member please join – “Make a Difference!”

NEWSLETTER No. 6 is about each of our responsibilities to PROTECT our beautiful lake. For the first time I am explaining the very important Regulations we all live by – The LAKE AND LAKESHORE PROTECTION REGULATIONS FLATHEAD COUNTY, MONTANA (LPR). I have cut and pasted critical parts of the Regs. Please read this NEWSLETTER. I get a lot of questions and calls about concerns that are mostly answered by these important Regs. Let’s start by explaining what the Lakeshore Protection Zone is - **The Lakeshore Protection Zone (LPZ) is the Lake, Lakeshore, and ALL the land within 20 ft of the Average High-Water Mark.**

PURPOSE OF THE LAKE AND LAKESHORE PROTECTION REGULATIONS (LPR)

- Protect the fragile, pristine character of Flathead County's lakes and recognize that the ecosystem of these lakes is inseparably intertwined with adjacent riparian corridor and upland areas.
- Conserve and protect natural lakes because of their high scenic and resource value.
- Conserve and protect the value of the lakeshore property; and
- Conserve and protect the value of the lakes for the State's residents and visitors who use and enjoy them.



BASIC RULES OF THE LAKE AND LAKESHORE PROTECTION REGULATIONS (LPR):

*Any construction activity which will affect the lakeshore protection zone should incorporate all necessary means to prevent pollution of the lake, including erosion, sediment, and storm runoff controls.

*The proposed activity should not cause, directly or indirectly, increased sedimentation, an increase in suspended sediments, or an increased discharge of nutrients into the lake either during its construction or utilization.

OUR RESPONSIBILITY IS TO PROTECT THE LAKE – PLEASE READ THIS

LPR states, Any proposed action SHALL NOT, during either its construction or its utilization:

- *Materially diminish water quality;*
- *Materially diminish habitat for fish or wildlife;*
- *Interfere with navigation or other lawful recreation;*
- *Create a public nuisance;*
- *Create a visual impact discordant with natural scenic values, as determined by the governing body, where such values form the predominant landscape elements; and,*
- *Alter the characteristics of the shoreline.*

WHEN IS A PERMIT REQUIRED?

In general (see details below), work on, and/or disturbance of a lake, lakebed, or lakeshore protection zone requires the issuance of a Lake and Lakeshore Construction Permit prior to commencement of work. Some exceptions exist to enable general maintenance and minor repairs to structures and shorelines, using hand tools and meeting certain limitations.

No person shall proceed with any work on, or alteration or disturbance of a lake, lakebed, or lakeshore as outlined in Section 2.5 (See Below) until he/she has obtained and has physical possession of a valid "Lakeshore Construction Permit" from Flathead Planning and Zoning or appropriate governing body.

LPR SECTION 2.5 - WORK REQUIRING A PERMIT

Without limitation, the following activities, when conducted within the Lakeshore Protection Zone (See Definition Above) are covered by these regulations and are examples of work for which a permit is required:

- * Construction of channels or ditches.
- * Excavation;
- * Dredging: To remove muck, silt sediment, rock or vegetation;
- * Filling, including artificial beach creation;

- * Construction of living quarters, building, or other impervious surfaces;
- * Construction of retaining walls and breakwaters;
- * Construction of docks;
- * Installation of shore stations, boat rail systems, boat ramps, boat houses and shelters, boat storage and parking facilities, buoys and floating docks;
- * Installation of water lines, sewer lines or other utility lines or facilities;
- * Any major clearing or removal of natural vegetations;
- * Reconstruction of existing facilities;
- * Stockpiling brush, trees, vegetation, construction materials or debris;
- * The construction of decks, ramps, stairways, and walkways;
- * The development of roads, roadways, and driveways;
- * Pilings; and,
- * Any other work, not herein mentioned, that may have an impact on a lake, lakebed or lakeshore.

CONSTRUCTION OR INSTALLATIONS NOT ALLOWED IN THE LAKESHORE PROTECTION ZONE:

- * Boat houses;
- * Wells;
- * Pump houses;
- * Sewage mains and service lines;
- * Storage buildings;
- * Elevated or cantilevered decks either free-standing or extending from a house or other structure;
- * Covering Beach with Impervious Non-native Material (material which does not allow water absorption);
- * Satellite Dishes;
- * Permanent or Temporary Living Quarters;
- * Hot Tubs;
- * Large Barbecue Pits;
- * Any Asphalt Application; and,
- * Fuel Storage Tanks.
- * Roads or driveways except to serve boat ramps.

GENERAL CONSTRUCTION MATERIALS

- * Wood preservatives leach over time and degrade water quality.
- * While metals are generally inert except for oxidation, surface applications of some foreign material (i.e., wet paint, grease, oil, etc.) can degrade water quality.
- * Any building material should be stable and free of silts, sands, fines, chemical preservatives, grease, oil, or any surface application which could immediately or eventually contaminate water quality.

SOME CONSTRUCTION MATERIAL CONCERNS:

Wood

- All wood used in the Lakeshore Protection Zone shall be untreated and left in its natural state. **No** preservatives including varnish, stain, paint, linseed oil, diesel fuel, creosote or any other surface or pressure treated preservatives are allowed.

Metal

- Any metal used in the lakeshore protection zone may be painted or coated with an inert metal sealant (i.e., paint, plastic, rubber, enamel, etc.) which has thoroughly dried/cured prior to its use.

Asphalt

- Asphalt or similar petroleum-based products intended for use as a travel or walking surface are **prohibited**.

Concrete

- **Concrete is the least desirable** construction material in relation to wood, stone and metal and should be utilized only where structural strength and location dictate no other alternative.

Rock or Stone

- Rock or stone is a **preferred** natural material for construction.

BURNING

- Burning of materials on the lakebed or lakeshore will cause a degradation of water quality and may create safety hazards or detract from the aesthetic characteristics of the shoreline.

BOAT RAMPS

- Only one dock is allowed per waterfront property ownership.
- Boat ramps have a potential to increase sedimentations in the lake, diminish water quality and alter natural shoreline characteristics.
- Private individual boat ramps within one (1) lake mile or three (3) driving land miles of a public boat ramp are not allowed.

EXEMPTION FROM REGULATION

Normal maintenance work for existing facilities which will have insignificant or minimal environmental effects upon the lake, lakebed, or lakeshore. Any work involving dredging, filling or excavation shall not be considered as normal maintenance.

IN CONCLUSION

Question: Why did I send out this Summary of the Lake Protection Regulations?

Answer: Because your LBLA deals with a lot of questions about what is OK to do near the lake and we have dealt with *violations* that negatively affect our lake.

LBLA educates, builds awareness, and leads our lake residents to collectively “Protect our Lake for Future Generations”. Thank you for taking the time to study this important guidance and please help apply its principles to how you “treat” our lake. Talk to your neighbors and collectively ensure we all understand our responsibilities.

Thank You!

Capt Dan President LBLA CaptainDanNWA@centurytel.net

IMPORTANT NOTES:

**Want your own set of Lake Regulations? Just google search - LAKE AND LAKESHORE PROTECTION REGULATIONS FLATHEAD COUNTY, MONTANA.*

Or select the “2 Page” Summary Pamphlet or “Entire” Regulation Below.

<https://flathead.mt.gov/application/files/9916/5894/6749/flp2021.pdf>

https://flathead.mt.gov/application/files/1216/5894/6748/lakeandlakeshoreprotectionregulations_002.pdf

**Certain “Grandfathered” structures exist that are not covered by this NEWSLETTER. They will be discussed in future communications.*

**More information is coming about the DAM and the Indians.*

**Those who have short-term rentals must follow the restrictions of their septic permit regarding occupancy.*

Serious Threats and Challenges:

- Invasive Water Species
- Septic System Age and Viability
- Increasing public use and abuse entering the lake from the south and north
- Water Quality
- Lake Level Challenges
- Transient Camping
- Noxious Weeds
- Algae
- Shoreline Erosion
- Lot over use
- The threat to Home Values should Pollution or AIS affect our Lake.
- Protecting our Loons

How LBLA is battling our Challenges:

- Expanded Spring/Fall Lake Water Sampling to determine the health of our lake.
- *NEW*Septic Education and Awareness Program (SEAP)
- Summer Boat Launch Volunteers Program/Stop Aquatic Invasive Species Initiative
- *New* Algae/Bacteria Septic Source Sampling (NEW DO Meter purchased)
- Grade School Support Initiative
- 200 FT No Wake Initiative
- Noise Problems Addressed with Signs and Newsletter
- Weed Control Education and Management Newsletter
- Monitoring VRBO/Airbnb Conditional Use Permits
- Clean Up Heroes – Picking up Trash and Investigating Contamination
- Lake Etiquette and Safety Initiatives
- Lake Education and Awareness – Road Signs, Newsletters and Community Events
- Loon Education and Awareness Program
- Natural and Non-natural Fish Species Research
- Maintaining Key Contacts/Relationships with ALL the Organizations that Affect our Lake.
- Actively fielding your many calls and working diligently on your concerns
- Full on Rehabilitation and Reorganization of our 35+ years of LBLA Paperwork and Historical Docs
- Investigating our Water Rights and the Indians
- Studying the DAM and explaining its operation/control
- Teaching the Lake and Lakeshore Regulations

Please Copy and Share

LAKE ADVISORY FLYER – 2023/2024

The Little Bitterroot Lake Association (LBLA) BOD asks you to be a good neighbor and “actively” take care of YOUR LAKE. “READ and SHARE” The Flyer below with your friends, guests and renters. TALK TO THEM about this important information. YOU can make a difference!

Boating regulations found in the FWP Montana Boating Laws Booklet 2021

Did you know? All must observe a 200 ft. NO WAKE ZONE from shore. Wakes blast docks, boats, destroy loon nests and shorelines. Motorboats and PWC max noise levels are 85 decibels within 50ft. Noise offends critters and neighbors. Children under 12 MUST always wear life vests. Be safe! Don't get a ticket! A person convicted of violating Montana's boating laws or regulations may be fined up to \$500. Our assigned Warden visits Little Bitterroot Lake every week or so in the season and is known to have handed out various fines including some for 200ft NO-WAKE fines for \$150.

Wash and Fertilize somewhere ELSE

Use of ANY detergent is totally unacceptable in or near our LAKE! DO NOT wash your boat at the boat launch. DO NOT take baths in our lake. Detergents of any kind hurt our lake! DO NOT use fertilizers near the lake, especially those with Phosphorus! Phosphorus makes algae. Algae contains toxins!

PROTECT Our Loon Species

If you harass our two Loon Pairs bad things happen: They will get spooked easily and leave LBL, with shore wakes you will damage their nests and kill their babies, with the use of pesticides and fertilized you will poison the chicks. These are very sensitive and beautiful creatures. Treat them with respect. Do NOT get closer than 200 Ft.

Septic BEWARE

Failing SEPTIC systems can infect our lake with FECAL BACTERIA. Every year check the sludge level. PUMP as necessary. If your system is over 25 years old, it must be monitored. CHECK IT! Do NOT overtax your system, i.e., if you have 50 people using a system designed for 3 bedrooms you may be POISONING our lake.

GET A PORTA POTTY! Some people drink our lake water. Many of us swim in it!

Aquatic Invasive Species (AIS) A DANGEROUS THREAT TO YOUR LAKE!

If someone brings a boat with Eurasian Zebra or Quagga Mussels from an infected lake to ours, the mussels will rapidly multiply and kill our lake's fish and marine life. How? One tiny mussel (smaller than your fingernail) removes nutrients (fish food) from over a liter of water per day. This will leave nothing for the fish to eat. Mussels multiply rapidly and have no natural predators in North America. One mussel produces a million eggs. So far there is no treatment to stop them. Adding to the challenge Eurasian Weeds grow rapidly and will take over the shoreline. *Property values will decrease 13 to 22% if our lake becomes infected!*

“ATTENTION” become an ACTIVE BOATER an ACTIVE RESIDENT

Times have changed DO NOT be a Passive Boater. If you see a boat from “OUT of our AREA” (check their license plate) ... TALK to them: ASK if they have been exposed to AIS - ASK if they have been inspected? If necessary, TELL them it is a \$10,000 fine for transporting AIS! If you observe AIS, you MUST tell us!!! Take a picture of their car and boat license. We will put divers in the water if necessary to eradicate the infestation...You MUST CALL 1 800 Tip Montana

ANNUAL DUES MIN Requested \$50

THANK YOU FOR YOUR MONETARY SUPPORT AND "ADDITIONAL CONTRIBUTIONS"

You are making a HUGE DIFFERENCE!

Remember, your contributions, whether large or small are tax deductible because we are organized under Section 501(C) (3) of the Internal Revenue Code.



ALL HANDS-ON DECK DUES/CONTRIBUTION FORM
PLEASE MAIL BACK

Mail TO: **LBLA - PO BOX 1003 - MARION, MT. 59925**

NAME _____ CONTRIBUTION AMOUNT _____

MAILING ADDRESS _____

EMAIL ADDRESS _____

PHONE NUMBER _____ CELL _____

COMMENTS and IDEAS _____

PLEASE READ
A comprehensive review of our
LAKE AND LAKESHORE
PROTECTION REGULATIONS