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NEWS with THE BAY CITY TIMES

Tiff over beach weeds heats up

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By Amy Jo Johnson
TIMES WRITER

Environmentalists are reeling over the destruction of vegetation along miles of Saginaw Bay waterline as property owners work to keep their beaches free of weeds.

The Michigan Department of Environmental Quality, which enforces environmental regulations, has cataloged 110 shoreline violations of wetland laws in Bay, Arenac and Huron counties in the past two weeks. Those violations include the plowing and disking of weeds.

On Thursday, the local officials sent a list of residents not following proper guidelines to DEQ headquarters in Lansing.

Daniel Morgan, district supervisor for Land and Water Management in the Saginaw Bay District Office, said DEQ leaders likely will need some time to review all the information before they respond with a plan of action.

"We have not taken any enforcement action to date, but that doesn't mean we won't take any enforcement action," Morgan said. "It is something we're concerned about. We are investigating."

The Lone Tree Council, a Bay-area environmental group, and the Michigan Environmental Council issued a press release late last week calling for state and federal groups to take action against the plowing and disking of beachfronts.

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"We see a disaster in the making," said Terry Miller, chairman of the Lone Tree Council.

The environmentalists say more than 30 acres of coastal wetlands have been destroyed this summer because of what they say is the DEQ's failure to enforce law regarding public trust lands.

"Coastal wetlands, the cattails, the marsh grasses that grow at the interface of shoreline and water, the most valuable of wetlands for their wildfowl habitat, fish spawning grounds, and filtration of water, are under assault by property owners throughout the Saginaw Bay," Miller said.

Ernie Krygier, a Bangor Township beach landowner who helped form a local citizens group for beach control last summer, said he and other property owners are maintaining their beaches as they've done for years.

"If you think you've lost wetlands, then you should be very proud of our state park," he said in reference to vegetative growth along the public beaches of the Bay City State Recreation Area.

Krygier said waterfront landowners are trying to keep their beaches clear so they can enjoy them with their families. He said federal and state regulators, who are taking pictures and documenting the actions of property owners, are intimidating.

"We're not growing marijuana on our beach," he said. "We're trying to make our beaches safe for our kids to play on," Krygier said.

Early this year state regulators announced a plan that allows property owners to maintain their beachfronts, rather than contend with the vegetation growth in bottomlands exposed by recent low water levels.

The plan was an effort to work with waterfront landowners, who were up in arms over the plant growth, stagnant water smells and insect infestations that had claimed their beaches.

Under the plan, residents are allowed to mow all weeds; groom - by raking or dragging - 30 feet back from the water's edge, even as water levels change;

and with a permit, make a 6-foot-wide sandy path to the water in an effort to help those muck-filled bottomlands.

"It's kind of like give them an inch and they take a mile," Miller said. "That's the sad part of this thing."

Krygier said no clear-cut guidelines have ever been issued to landowners telling them what they can and can't do.

"We've never had any formal acknowledgment that these are what the rules are," he said of the DEQ's plan.

The DEQ's Morgan said the agency's normal course of action is to let landowners know that a permit is required and that what they are doing is a regulated activity, he said.

If someone persists in illegal activities, the DEQ can refer the issue to the county prosecutor's office or state attorney general, Morgan said.

"We don't issue tickets. We do not levy fines," he said. "That's all part of the judicial process ... if something is pursued that far."

William E. Leiteritz, physical scientist with the Saginaw Field Office of the U.S. Army Corps of Engineers, said the Corps has sent out about 50 letters to landowners in Bay, Huron and Arenac counties, telling them to stop unauthorized activities along the shores of Lake Huron. He said the Corps also has about 40 more letters to be mailed.

Morgan said people need to understand that the root systems of the plants growing along the waterfront are important tools that help prevent beaches from eroding away.

"That's an important function of that vegetation to the property owners," he said, adding that the vegetation is also important to fish and wildlife.

- Amy Jo Johnson covers Bay County townships and cities for The Times. She can be reached at 894-9637.

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