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LAND OWNERS VS. ENVIRONMENTALISTS: Falling lake levels bring weeds and stench, along with hotly debated bill

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BAY CITY -- Some say the whole thing didn't really begin until the man walked up with a jar of slime.

It was three years ago when he and a group of seething shoreline home owners confronted environmental regulators in a packed room inside the National Armory in Bay City.

The Great Lakes were shrinking. As the water retreated on Saginaw Bay, once-sandy beaches were being replaced by grasses and weeds muscling through the newly exposed lake bottom.

Today, it seems even worse.

On many shorelines, the plants are so tall, the water can't be seen from the shore and a stench rises from the primordial green ooze that coats the exposed lake bottom.

The Michigan Legislature passed a bill Tuesday that may allow some shoreline home owners to clean up the mess. The problem is, where home owners see a mess, environmentalists see the seeds of beauty -- and necessity.

The bill, which Gov. Jennifer Granholm signed Wednesday, won't end the fight. Property owners now want federal coastal regulatory agencies to adopt the more lenient state law so they can restore their beaches without hassle. Environmentalists want the federal government to ignore the new law.

At issue is an old set of coastal regulations no one paid much attention to until three years ago, when hundreds of Saginaw Bay home owners arrived at the town meeting at the armory.

That was when the man with the jar walked up.

Residents recall that moment because of its audacity, and because of its

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symbolism: namely, that of the inalienable American notion of owning property and doing with it what one wants.

"We are the stewards of the beach," said Bay City resident Ernie Krygier, who was at that meeting, and who two years ago formed Save Our Shoreline (SOS), a group of home owners from Caseville to Traverse City that banded together to try to keep the government from controlling the beach property.

Terry Miller was at the meeting, too. The Bay City resident said the grasses and muck were there before the beaches.

"Now they are coming back," said Miller, who runs the Lone Tree Council, an environmental preservation group in the Bay City area. "This is primarily a marsh ecology."

He was stunned by the man with the jar.

Toward the end of the meeting, the man walked to the table of regulators and spilled the green slimy muck on a government official's shoes.

Shore life hasn't been the same since.

They remember beaches

Tensions rose in 2000 when the lake began to drop. Lake Huron has fallen 54 inches since 1986, when the lake was at its 20th-Century peak -- exposing, in some cases, hundreds of feet of lake bottom. The water eases back, nutrient-rich muck surfaces, plants take root, and wetlands emerge.

Scientists say this is part of a natural cycle. Not only does the water level change, so does the makeup of the coastline. When the water is high, the shore is sand. When the water is low, the shore is marsh.

The phenomenon is most dramatic in Saginaw Bay, where the water is shallow and buffered. Without big waves, which tend to scrub the beaches as they do in Lake Michigan and much of Lake Huron, vegetation survives.

The only other spot like Saginaw Bay is Grand Traverse Bay, where conditions are similar. It is no accident that the most vehement members of Save Our Shoreline outside of Saginaw Bay are in Grand Traverse.

It has been almost 40 years since the water levels were so low.

The problem is, many Saginaw Bay residents remember the record low and don't recall wetlands. They recall beaches.

Ron Kuehnemund was riding his tractor on the beach three years ago when a neighbor stopped to tell him about the letter. The U.S. Army Corps of Engineers had ordered residents to quit grooming their expanding beaches with machines.

For a while, Kuehnemund ignored the letter.

The 74-year-old has lived on Saginaw Bay, near the mouth of the Saginaw River in Bay City, since 1955.

He keeps black-and-white photos to prove there were pristine, sandy beaches even in 1964, the last time the lake level fell so low.

He doesn't understand why the government won't let him keep his beach clean now. But he no longer defies regulators.

"I chickened out," he said.

Jerry Platko's home sits on a bluff in Caseville Township, on the bay near the tip of the Thumb. He figures his beach is sprouting plants because he can no longer use mechanical equipment to tear them out. He must do it by hand.

"It's too hard to do it all at one time," he said.

Michelle Kirchman is determined. For five years, she has kneeled on the lake bottom to pull what she calls weeds. Her home sits on a slope of sand in South Linwood Beach, north of Bay City.

The front yards in her neighborhood are fertilizer green and festooned with SOS placards. The backyards sport meticulous decks, piers and boats. When the lake level dropped, it invited more than plants. Residents say that since the lake has dropped, more garbage washes ashore.

"I've picked up trash from ice fishermen, cans of urine, propane tanks, bags of food, fishing lines," she said.

They argue for the wetlands

Many environmentalists are not without sympathy for shoreline home owners like Kirchman. But instead of pulling vegetation, they suggest building longer piers, creating walkways through the emerging wetlands to get to muck- and plant-free water.

Their argument is that the coast of Saginaw Bay is primarily wetland. There are anomalies, where sand has ruled for a while -- but even in those places, scientists say wetlands came first.

Wetlands are filters. They are spawning areas for popular game fish, such as perch and pike.

"Vegetation holds the shore in place," said Scott McEwen, the water resource program director for Tip of the Mitt Watershed Council.

When higher water levels return, wetlands help prevent flooding, McEwen said.

Selling the upside of wetlands has been tough. Many home owners said they think the environmentalists and their agencies have some secret agenda.

"We are not in the business of gaining money," said Lynn Dorad, a spokesperson with the Corps of Engineers.

She likes to tell people that federal shore regulations are no different than zoning commission rules requiring permits to remodel homes, or forbidding bonfires in backyards.

"People have short memories," she said.

Less than 20 years ago, waterfront property owners looked to the government for help against high water.

The corps said it will work with the new state law that permits mowing and grooming in the pilot areas of Saginaw Bay and Grand Traverse Bay. But it reminds everyone the water is still federal jurisdiction and that its obligation is to protect it -- at least below the high water mark.

That worries Krygier. His group, SOS, plans to take the fight to Congress, where he intends to pressure politicians into forcing the Corps of Engineers' hand.

"I'm a loose cannon," he said. "I'm the guy who says everybody should go out on Memorial weekend and clean their beaches -- though I would never encourage anyone to break the law."

Thursday, two days after his legislative victory, the stocky, affable SOS leader pulled into Bay City's state park, a place where he used to spread blankets and swim as a kid in the 1950s.

The place was packed then, a spread of white sand, umbrellas and civic pride. These days, much of the shore is head-high bulrushes and phragmites, a reedy invasive plant. The muck looks like cracked cow manure.

From his standpoint, the park shoreline is being abused and could help bring in more tourist dollars if properly managed.

"What I see is pretty sad," he said.

Later that day, the Lone Tree Council's Miller, 57, the local foil to Krygier, visited the park, too. The laconic, retired high school teacher recalls the sugar sand as well.

He said the beach started degrading even before the water level dropped. The fertilizer runoff from the nearby farms hasn't helped.

"When it's in transition, it's easy to say these are weeds," he said.

He would love to be able to bring his kids to the state park. But the reality is, he said, the sandy swimming beach is no longer here.

Nature has washed it away.

For now.

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