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Shoreline plan gets backers

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CRYSTAL HARMON
THE BAY CITY TIMES

BAY CITY -- State lawmakers have recruited two powerful allies in Washington in the battle to keep some Michigan shorelines from going green.

At the urging of Michigan legislators and property owners, two congressmen have introduced a bill that would bring federal beach maintenance rules for the Great Lakes in line with a recently passed Michigan law.

U.S. Reps. Bart Stupak, a Menominee Democrat, and John Duncan, a Tennessee Republican, have introduced a House bill that would require the U.S. Army Corps of Engineers to permit beach maintenance "in accordance with" a state law that took effect last month.

The Michigan law is more permissive than federal law when it comes to what property owners can do to combat plants springing up on exposed shorelines as water levels drop.

Specifically, the state Legislature established two "pilot areas," the Saginaw and Grand Traverse bays, in which residents can get permission to mechanically remove vegetation from their beaches. Federal regulations forbid such activity in nearly all cases.

"We've got to get the federal government and the state enforcing the same laws," Stupak said. "The state was moving quicker on it, so we were able to take that language and get it mirrored in this bill as a way to resolve this conflict."

Stupak represents the entire Upper Peninsula and most of northern

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Michigan, as far south as northern Bay County.

He said the state law strikes an appropriate balance between environmental concerns and rights of property owners.

"They're only allowed to go down 4 inches below the soil," Stupak said of the mechanical beach-grooming allowance. "Over the past five or six years, some wetlands may have become established with roots going down deeper than that."

The bill, which likely will go before the full House this month, would apply only to Michigan.

"It seems extremely reasonable that shoreline property owners should have the option to deal with low lake levels with these simple and limited measures," Stupak said. "Landowners should not be caught between conflicting federal and state laws as they try to maintain their beach property."

Joseph E. McBride, one of the directors of Save Our Shoreline Inc., said the property owners' group has lobbied for years to get the right to eradicate encroaching weeds.

"If you have any vegetation on your shoreline, (the federal government) thinks it's sacred and should not be moved, and for us, that's hard to understand," McBride said. "Much of this vegetation is invasive in nature and is a nuisance."

McBride, of Sand Point near Caseville in Huron County, said the group will continue to lobby members of Congress and others regarding what he called the Corps of Engineers' "unreasonable" enforcement efforts.

"In lower Michigan, we have well over 125,000 acres of coastal wetlands, and the amount that we want to groom residentially is about 150 acres," McBride said.

"It's such a small amount that we're fighting over, and it's such a waste of time and resources."

Lt. Col. Thomas H. Magness, commander of the Detroit district of the Corps of Engineers, said he hadn't seen the bill and could not comment. But he said things are "going great" under a regional permit the Corps approved six weeks ago. The one-page permit allows minor residential activities such as sand leveling and grooming of non-vegetated soil.

"We've had 160 applications, and of those, we've issued 102," Magness said. "Nearly all of those are for the Saginaw Bay. Even those we rejected were mostly partial rejections."

"Compare that to last year, when we issued four permits."

State Sen. James A. Barcia, a Bay City Democrat, got unanimous support in the Senate last month for a resolution to seek support in Washington for the new state beach maintenance law.

House action on the resolution is expected soon. t

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