

**SOS**  
**SAVE OUR**  
**SHORELINE**  
www.saveourshoreline.org

April 18, 2007

Dear Member:

I am writing to request your help in responding to a proposed MDEQ General Permit that would make it easier to obtain the MDEQ's blessing to groom some of our beaches.

Let me provide some background. The 2003 beach grooming law that we worked so hard for required the MDEQ to conduct a study on the effects of beach grooming and mowing under the law, and to report their findings to the Michigan legislature no later than January 1, 2006. That deadline was important, because the vegetation removal provisions expired in June of 2006. That gave the legislature five months to analyze the study. Unfortunately, although the underlying studies were completed, the MDEQ did not release its report until mid-March, cutting the legislature's response time in half. Hastily planned hearings followed, and although given little time to respond, SOS was able to obtain highly qualified scientists who analyzed the studies and found them significantly flawed.

As an alternative to a legislative battle, SOS offered in April to meet with MDEQ leaders in an effort to resolve the crisis. A May 2006 meeting in Lansing followed, and SOS found the MDEQ, too, was anxious to avoid further legislative action.

In May, the parties agreed to additional meetings which would include environmental leaders. Another meeting in Lansing took place in June, which involved an interesting debate about the ecological value of phragmites. This meeting, in turn, led to a full day tour of the Saginaw Bay from Caseville to Linwood. The next day, the attendees spent a full day in Bay City discussing what they observed and the methodology for approaching a general permit. A few weeks later, most of the attendees also toured several locations on the Grand Traverse Bay.

In August, SOS leaders met with the MDEQ and leaders from the Corps of Engineers and several environmental groups to hammer out compromise language. The meetings were not easy, and were not always pleasant, and there was a serious debate among SOS board members, and some substantial lack of agreement. But in the end, SOS leaders unified and the negotiations came very, very close to an agreed-upon compromise. After several drafts emailed back and forth between the groups involved, the MDEQ bridged the gap with a proposal which SOS leaders said they could live with.

The MDEQ's proposed general permit is not perfect. It does not authorize vegetation removal. We therefore worked on the assumption that if members had not removed vegetation from their beaches for three years under the law that authorized vegetation removal, they probably weren't going to do so now. For those that wanted to remove vegetation, but could not for lack of permission from the Corps of Engineers, the MDEQ director, Stephen Chester, has promised relief in the form of a Director's Letter for those who might subsequently obtain Corps approval.

The proposed general permit would authorize those who have legally been grooming under the 2003 law to continue, so long as grooming is done in compliance with the general permit. The general permit will also authorize mowing to the extent it was authorized under the 2003 law. Finally, the general permit will authorize the removal of phragmites where it is the prevalent vegetation, and provided you jump through a few hoops. A copy of the proposed general permit is enclosed. You should review it carefully and consider how it would apply to your individual case.

There is no doubt that the proposed general permit has some shortcomings. It fails to authorize vegetation removal even on traditional beaches—those areas which we all know have been beaches for as long as we, or even our parents, can recall. It places restrictions on our ability to remove phragmites, even while that invasive, non-native plant continues to ruin our traditional wetlands unchecked by government or the environmental lobby. It suggests limits on mowing, something that not even the Corps of Engineers has done. And it implies that the MDEQ is authorized to regulate our traditional beaches, something which we vigorously contest.

Our agreement to the general permit's terms is based on political realities, and the relative strength of our organization with the numerous environmental organizations that are either government-funded or are funded by tax-free donations. Your SOS board had to weigh these factors with the fact that the great majority of our members will benefit from the general permit.

Whether or not you support the proposed general permit, we want the MDEQ to hear from you. The environmental lobby is organizing a response, asking for additional restrictions on grooming, and removing mowing altogether from the General permit. For example, see:

<<http://glhabitat.org/mwac/beachgrooming.html>>.

We need to have our members voice their concern, too. Responses are due by May 6, 2007. Mail your response to:

Ms. Peg Bostwick  
Michigan Department of Environmental Quality  
Land and Water Management Division  
P.O. Box 3045  
Lansing, MI 48909-7958

If you have questions about the proposed general permit, we will do our best to respond. Please call any board member or email us at [sosboard@avci.net](mailto:sosboard@avci.net).

Sincerely,

Ernie Krygier, President  
SAVE OUR SHORELINE