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Dear

What do we have to do to get someone to help us? The ACOE and MDEQ are taking over Michigan beaches, County parks, State parks and private beaches. If you have a weed, you immediately have wetlands according to them.

Why does it have to cost us a court battle to defend our property rights? Why doesn't someone in the government of the people by the people and for the people care about this take over? What about TOURISM and loss of TAX DOLLARS? Does that get anyone's attention?

A 1930 SUPREME COURT DECISION [Hilt v Weber (1930)] states that beach owners own to the WATER'S EDGE. And for 60 years and more beach owners have been keeping their beaches beautiful through lots of hard work without any help from the State or Federal Government. We spend hours cleaning up smelly dead fish, and garbage that polluters dump in the lakes, shoveling and filling barrels with zebra mussels so people don't cut their feet, building costly seawalls when the water got high and when it was at the highest level and threatened to take our front lawns, filling hundreds of sand bags in the cold, with shovels cutting our hands as we held open the bags. But, that is what you do to protect your beautiful beaches.

Beaches are for kids to run on and dig-in to make sandcastles and to rake trails to follow and to enjoy bon fires with family and friends. They are to lay in the sun on and playvolley ball or baseball or frisbee. They are to build memories and for families to enjoy for generations.

Who cares about Michigan's Water Wonderland? Who cares about Caseville County Park and Sleeper State Park which have been told they can no longer clean their beaches that tourists and local people have enjoyed for years and years? People from Bay City come to Caseville beaches because weeds have taken over theirs, and weeds bring mucky sand, not fun to sun or play in. ( See attached photos) People won't be able to walk the beautiful beaches of SAGINAW BAY anymore if the sand is covered with weeds and muck and infested with mosquitoes, rodents and snakes. Michigan will lose thousands of tourists who love to visit the Eastern Shoreline.

When someone believes they own and can regulate land that YOU believe YOU own, that YOU care for and YOU pay huge taxes on, it would seem to me that YOU should be notified by personal letter of the change of ownership. Instead, ACOE and MDEQ issue cease and desist letters to beach owners to stop taking care of their BEACHES because they are now WETLANDS and what they are doing is discharging or filling sand on top of sand. Is that not what you do when you go to a beach and build a sand castle? People from Linwood to Caseville (so far) who got these letters are informed they no longer can take a hoe, rake or shovel on THEIR beach. They are no longer allowed to have a tractor level THEIR sand to keep it out of THEIR front yards. They can not move sand into low spots that will fill with stagnant water and attract mosquitoes. If you still continue to clean your property, you will be sued by the Federal Government. You could have to pay fines up to \$25,000 a day (Clean Water Act fines). If you settle because you can not afford to go to court against the Federal Government, you pay \$1000.00 and give up your rights to ever clean your private beach again, and I understand that this restriction passes to anyone who might buy your property in the future. So far, two beach owners have been sued and one of them was forced to settle out of court due to lack of a fortune necessary to take his case to court. He had to pay the ACOE \$1000.00 and give up his property rights forever. We have been told that the ACOE has requested the US Justice Department to issue 100 more lawsuits immediately to beachfront owners. The ACOE is using the great power of the Federal Government to frighten people into paying up and giving up their property rights forever. Who can afford to fight the Federal Government? The ACOE has YOUR tax dollars to fight YOU in court.

The ACOE interprets the Clean Water Act in a manner which they believe allows them to regulate any sand with or without vegetation on it (wetlands by their definition). The ACOE wants wetlands to grow and fill in the shoreline of Saginaw Bay. According to their web site, they falsely state our beaches have been wetlands in the past and they are now just returning them to their original state. Pictures we have seen from 100 years ago of private beaches of our neighbors and from the Caseville County Park prove them wrong. ACOE claims that the weeds will clean the Great Lakes of 55 billion gallons of raw sewage and the oil spills and illegal dumping that presently occur on a yearly basis. Instead of really focusing on the polluters, they would have the attention be upon beach owners. WE are not the polluters of the Great Lakes.

Many lawmakers have said that the Clean Water Act was never meant to regulate beaches. But it seems the ACOE is free to define this law as they want. Will they get away with it? It depends upon what you and I can do to stop them.

Why do most of our State representatives and congressmen say to us this a Federal problem so WE need to contact OUR United States Senators and Representatives?

Why have State lawmakers if they won't get involved to help their constituents. Doesn't anyone care about the unreasonableness of the ACOE's actions?

My family has owned property on the beaches of Saginaw Bay since 1938 (64 years). We have always used a rake, hoe, or shovel and had tractors move sand away from seawalls and filled in low areas to prevent mosquitoes. We have always had a beautiful beach and never had weeds like I now see on our neighbor's beaches. People are afraid to remove these weeds for fear of fines and loss of property rights. For the last two years the Michigan Dept. of Environmental

Quality and ACOE have been telling beachfront property owners different rules we must abide by, and they significantly contradict each other. Beach owners have had to call the DEQ and ACOE because of the lack of personal notice of their new rules for our so called wetlands, resulting in lots of rumors and confusion. This may be intentional so beachfront owners do not really know what the law is. Yet, all of us still hold onto the 1930 Supreme Court ruling that states we own to the water's edge, and I think any court in Michigan as well as any Federal Court will agree. Getting the issue to one of the courts will be expensive and most unnecessary if our leaders will act now. If they do not, then they can expect a reaction from all of us at the polls.

Now, five miles down the shoreline from our clean sandy beach, the ACOE and MDEQ have given a permit to developers to mechanically dredge and suck sand from out in Saginaw Bay and move it upon property that has really been wetlands for years. This bottom sand is being used to fill in an area between two seawalls recently built for this purpose. Creating land to build more beach homes so developers can make more money is more important than those precious wetlands that we need to clean the Great Lakes.

I am so angry to think we might lose our beautiful beaches and that our homes that we have heavily invested in could lose their value if we have to live on weeds and muck. I am outraged that our pristine Caseville County Park (where Huron County has just spent over \$400,000.00 on new bathhouses, picnic shelters and playground equipment) and Sleeper State Park could be left ungroomed and filled with stagnant ponds of water. These parks attract tourists who support many businesses in small towns, and they will be devastated economically.

I feel helpless to be able to defend beachfront rights against the Federal Government's ACOE. I am so discouraged that governmental officials won't get involved. This is their State too and we are all part of the great USA. Who will want to visit Michigan the Wetlands State known for its ability to clean all of our Great Lakes while someone keeps dumping chemicals and raw sewage into the Lakes? Has anyone stopped to think that by catching polluters, we might be embracing the true intent of the Clean Water's Act? Beachfront owners are NOT polluters. The waterfront environment is precious to us.

I sincerely hope you will get involved. I hope you will get others involved and renew my faith in this great country of ours.

Most sincerely yours,

Margaret Ann McBride

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