

Mich. developers get judge's support

State NRC
to decide in
Dec. whether
to uphold ruling

BY PETER BLAIS

Developers have won the opening round in what looks like a long fight over building a golf course along a trout-laden river at The Homestead Resort near Ann Arbor, Mich.

Administrative Law Judge William C. Fulkerson recently ruled in favor of the resort's plan to build a

Bob Walker-designed golf course and 31 home sites along Crystal River near Sleeping Bear Dunes National Lakeshore.

The state Natural Resources Council is expected to decide in December whether to issue a building permit. The commission can accept, modify or reject Fulkerson's opinion.

Developer Robert A. Kuras hopes to begin construction next spring if the NRC approves. But waiting in the wings is the U.S. Environmental Protection Agency, which could object to plans to alter 3.68 acres of wetlands on the 266-acre site. The EPA has final say on state wetland

issues.

Then there is the opposition of just about every environmental group in the state. The 700-member Friends of the Crystal River was formed to oppose the project. It objects to the wetlands issue and possible golf course chemical runoff into the river.

The group has enlisted support from the Michigan United Conservation Clubs, Sierra Club, Audubon Society, Trout Unlimited, National Wildlife Federation and West Michigan Environmental Council.

Both sides predict further state and possible federal court battles

in what has already been a four-year struggle that has divided the community. Voters in a 1987 referendum favored the resort, 285-209.

"There were many public hearings before that vote," said Ben Whitfield, supervisor of Glen Arbor Township. "They had to be the most informed voters anywhere at any time on any project. And they supported it."

Kuras has spent more than \$1 million on legal and planning fees. He hired 27 consultants, nine from Michigan State University.

They developed a plan with buffer zones along the river that

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Fulkerson ruled would protect the water. The judge also determined canoeing would not be affected and fishing possibly improved.

"The river is anywhere from two inches to two feet deep, is absolutely crystal clear, and is full of steelhead trout. And therein lies our problem," said Walker.

Walker said the course has been designed to minimize impact to the river. Five holes would play along the water, but a buffer of native grasses intercepts runoff. Many fairways would have reverse slopes to channel runoff away from the river. Shoreline trees would remain largely untouched. As much vegetation would be saved as possible and a minimum amount of earth moved.

"The landscape is very conducive to a scenic golf course," he said. "The surroundings are the drawing card. So no one wants to change it any more than necessary."

"So far, the course has made headlines for all the wrong reasons. Once it's open, it will make them for the right ones."

The administrative judge's ruling pleased Kuras, who felt The Homestead had been held to a higher standard than past developments. DNR Deputy Director Jack Bails admitted that was the case because of the controversy.

"He (Kuras) has 266 acres zoned single family," said Walker. "He could put in 700 tract houses if he wanted, with each homeowner out there spraying his yard with three times as much herbicides, insecticides, chemicals, heavy metals and toxic materials as you would put on a golf course. There's no legal problem with that. But a golf course is a problem."

"That's because most people don't understand the maintenance procedures on a golf course and how sensitive they are to the environment."

Added Gerald Faubel, president of the Golf Course Superintendents Association of America:

"He (Kuras) has done an outstanding job of researching and trying to meet the demands of not only the Department of Natural Resources in Michigan, but also the EPA in Washington, D.C., and Region 5."

"And he won. I hope it (Judge Fulkerson's ruling) is the final decision because he has certainly proven his sincere desire to do it correctly. He did a wonderful job."

Fulkerson also noted the project would bolster the local economy. The Homestead would increase local tax revenues an estimated \$91,000.

"They (The Homestead) have met or exceeded all the requirements," Whitfield said. "They've really run the gauntlet and the permit should be issued so we can put this behind us."

"This will have a very positive impact on the area. It will expand our tourist season and provide more year-round jobs."

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