



INTERNATIONAL GREAT LAKES COALITION
for Shoreline Preservation

The Newsletter of the International Great Lakes Coalition



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Dear Neighbors

This very thin, long neighborhood we share is subject to constant erosion, whether of our land by water, waves and wind or our rights by often ill-designed government regulation. I accept the challenge of being your “front-man” for the Great Lakes Coalition with determination to make our voice more persuasive and humbled by the many tasks before us. Your help, participation, and continuing financial support are vital to our success. Your time and effort do not go unnoticed.

Having lived on the lakes for over 50 years, I know that no water level is permanent. I also know we will always be the target of extraordinary governmental scrutiny, while suffering the consequences of government actions. We are responsible for protecting ourselves and defending our rights. We must speak out and hold back not only the forces of nature, but the whims of ill conceived governmental action. So sure . . . please send money. But please follow the money and attend local chapter or IGLC meeting. GET INVOLVED! This is OUR property we are fighting for.

In accepting these challenges, I need to acknowledge especially the contributions of Bill Andresen, retiring Chair of the Coalition. During his unprecedented service of eight years. Bill has faithfully worked to represent our concerns to international, federal and local agencies. He has kept the fires of IGLC burning strong. We appreciate his tremendous contributions, and I look forward to having his wisdom and guidance to help me along the road forward.

This issue of our newsletter has expanded to provide you with a lot of extra information on what is happening around the Lakes and where IGLC is today. Please pay particular attention to the legal rulings that are published here. These rulings are proof that we cannot patiently sleep on our rights or we will lose them forever. We have also included information on the technical work IGLC is performing on several fronts, including the Lake Ontario Plan of Study and lake level regulation.

As our cover suggests, nothing is static in the Great Lakes. If we do not succeed in moderating water regulation, extreme low waters in some areas will be followed by new, extremely high water levels for many. We must always be vigilant and work towards our objectives, never waiting for the crisis to be upon us. Great Lakes Coalition will always continue that work.


Homer S. Taft



New challenges for IGLC

A personal mission statement

Homer S. Taft, Chair, Intl. Great Lake Coalition

Water levels have been lower, especially on Lakes Michigan & Huron. Even Superior and Erie were starting to feel the effects. Some among us feel our problems have gone away. Quite aside from the fact that what nature reduces will be “remedied” by increased levels and greater channel dredging if the shipping and hydropower lobbys have their way, there are many new concerns that require our vigilance and our action.

We are beginning an important process examining and defining our mission and our action plan. On the national level, the shipping industry pushes for still deeper Great Lakes channels and harbors that would drain Lakes Michigan & Huron to flood Lake Erie threaten our shorelines and ecosystem. Invasive species could be a far more serious problem than it already is if these “improvements” happen. The Army Corps of Engineers sees this as an opportunity for more construction funding and mission creep as far as the eye can see. We also see all sand supply mitigation efforts on the Great Lakes grinding to a halt and continued reliance on “land side” management of water level issues (that’s moving you off your land).

Experiences of our Ohio and Saginaw & Traverse Bay neighbors prove that federally sponsored and funded “coastal management” has developed an ugly face. Regulators seek to prevent shoreline residents from protecting, maintaining or even reasonably using their own property! Regulators need to be challenged. State and federal lawmakers need to be informed, and legislative relief must be enacted.

What can we do? IGLC is moving on an agenda to include monitoring of the tremendous number of international, federal, and state/provincial initiatives that are threatening the rights and property of shoreline owners. In doing so, we do not wish to be merely reactionary or naysayers. Our members care more about protecting and preserving our Great Lakes than most. But we do seek fair treatment, honest science and sharing of the responsibility and cost by all those who benefit, including the power and shipping industries that have been heavily subsidized, sometimes at our expense.



The Coalition will continue scientific research and education as its principal mission. We are developing a legal research library. We are also considering raising a legal fund to intervene in or bring lawsuits where appropriate to protect our interests. We are also looking to form a separate related lobbying entity, which could seek redress from our legislative forums and maintain awareness of developments that can affect us at international, federal and local regulatory agencies as well. Some of the recent developments that illustrate that need are:

- * IGLC is submitting its own Plan water level regulation on Lake Ontario to the Lake Ontario St. Lawrence Study Board which is to recommend changes in water level regulation on Lake Ontario. A member of IGLC participates in the Public Interest Advisory Group to the Board, and IGLC remains concerned whether littoral-riparian interests will be fully considered.
- * Proposed Navigation Study would deepen channels from 27 to 35 feet above “chart datum”, or up to 40 feet actual depth all the way to Lake Superior to allow “Panamax” container ships from abroad to transit the lakes.
- * Proposed “Great Lakes Restoration” would coordinate all state and federal efforts and spend billions, but not even a few million dollars can be found to modify regulation of the Niagara River as proposed by the Coalition to reduce extreme high and low water levels and produce \$1 Billion in additional clean hydropower.
- * The U.S. Coastal Management Act has received some extensions without considering the protection of shoreline owners against “regulatory takings” of their property proposed by the U.S. House of Representatives, but that Act is scheduled for further Congressional review, perhaps as early as this year.
- * Reform of the U.S. Army Corps of Engineers, and particularly its deeply biased and flawed “scientific” studies is high on the Congress’ agenda this year
- * Section 111 mitigation of harbor structures and dredging needs to be enforced since the Corps has failed to perform its responsibilities.
- * The International Wildlife Refuge being established along the Detroit River and Lake Erie shore to Port Clinton needs to be monitored to protect property owners from unreasonable restrictions on use of private property.



Michigan, the Great Lakes state with the most shoreline and shoreline residents, has experienced a significant attack on lakeshore resident property rights and interests. Witness the prohibition on grooming beaches to remove excessive, largely invasive species weed growth by both Michigan DEQ and US Army Corps. Despite court decisions to the contrary, Michigan regulators want to claim private beaches for public access. In Ohio, the Dept. of Natural Resources has reversed its prior recognition of private ownership of beaches, and now claims all beaches and lands to the “high water mark” (which on Lake Erie is artificially raised) are public lands. The Ohio EPA charges a \$30,000 per acre “contribution” for wetlands mitigation before any permit to build on one’s own land below this phony “high water mark” can be granted. In Pennsylvania, along the Lake Erie beaches, similar reversals of previous legal rights are being asserted below the “high water mark”.

If seizing of our privately owned beach is tolerated in any Great Lakes state, we all could permanently lose part of our property and encourage further regulation to prohibit our maintaining and improving our homes and protecting our lands from erosion in the future.

We need a permanent, well organized watchdog and advocate for lakefront residents. Most of us on the Board of IGLC believe that this is a mission that IGLC must broadly and permanently take on. We are taking steps to better organize ourselves for constant involvement and watchfulness.



Interesting websites

- International Great Lakes Coalition *iglc.org*
or *greatlakescoalition.org*

- Great Lakes Information Network *glin.net*
- International Joint Commission *ijc.org*
- Lake Ontario St. Lawrence Study *losl.org*
- Environment Canada *ec.gc.ca*
- US Army Corps of Engineers
 - Detroit District *lre.usace.army.mil*
 - Buffalo District *lrb.usace.army.mil*
 - Chicago District *lrc.usace.army.mil*

- NOAA *noaa.gov*
- US EPA *epa.gov*
- Ohio Lakefront Group *ohiolakefrontgroup.com*
- Save our Shoreline *saveourshoreline.org*



TECHNICAL NOTES

An Op-Ed by John H. Boyd, Jr., Technical Director

International Great Lakes Coalition

I offer my opinions and editorial comments on the management of the Great Lakes system as honestly and accurately as I am capable of doing.

The Boundary Waters Treaty of 1909 and the original Orders of Approval for Lake Superior regulation in the early 1900's focused on commercial navigation, hydropower production, and safe drinking water. When regulation of Lake Ontario was contemplated in the 1950's additional considerations were added for recreational boating, lake and river ecosystems, erosion and flooding, and the environment.

The International Great Lakes Coalition believed that the complete set of considerations should be used as a basis for a comprehensive system wide management plan for the Great Lakes system. The IGLC developed a set of proposals to improve the management of this vital natural resource as follows:

- * Objectives are to protect the ecosystems of the lakes, better utilize existing hydropower plants, provide additional electric power during summer heat waves, reduce the damage to public and private beaches from high water levels, and partially restore water levels and river flows to those that existed before man's changes to the Great Lakes system.
- * Modification of the Lake Superior regulation plan 1977A which targets water levels in the top half of the pre-project range will target a more natural level about 7 inches lower than the current plan with a partial restoration of the range between the highs and lows to that which existed before the control works were built.
- * Upgrades to the Black Rock Canal along side the Niagara River will partially compensate for the man made restrictions caused by various construction projects in the river by allowing more flow from Lake Erie when water levels are high and less flow when water levels are low and can also be used to increase flows to the hydropower plants during summer heat waves to avoid blackouts.
- * Modifications of the Lake Ontario regulation plan 1958D would decrease the incidence of high flow rates in the St. Lawrence River resulting in a marked reduction in flooding at Montreal and reduced interruptions to shipping at the Moses Saunders Dam.



The combination of these proposals would reduce flooding and storm driven erosion problems throughout the Great Lakes system, reduce electric energy losses caused by river flow rates that exceed the capacity of existing power plants, and increase electric power availability during times of shortages. Commercial navigation, harbors, and marinas would suffer some additional costs in dredging and for navigation slightly less load capacity partially offset by fewer shutdowns of St. Lawrence seaway shipping due to low water levels.

Total net benefits over the first decade would exceed \$1,000,000,000!

We also discovered that shoreline erosion was being accelerated by the many harbor structures built throughout the 1800's.

Researchers such as Prof. Edward Hansen of Hope College, Dr. Alan Arbogast of Michigan State, and Dr. Deanna Van Dijk of Calvin College have investigated dune history and found that after over 1000 years of stability the dunes have again become active within the last 500 years.

The activity is described as resulting from dune undercutting by wave action and 14 of the sites have a time frame established by carbon 14 dating that is consistent with the building of the navigation structures along the west coast of Michigan.

Photographs of harbors at Holland, Frankenmuth, and St. Joseph show evidence that river sediments and beach sediments are being diverted to deep water where they are lost from the shoreline sediment supply. These photographs at St. Joseph show storm driven sediments coming from the north being diverted to deep water while a second photograph shows storm driven sediments coming from the south also being diverted to deep water.

Calculations following the procedures described in the Coastal Engineering Manual developed by the Army Corps of Engineers determined that expected bluff erosion rates due to storms should be far less than the observed erosion rates.

We have now come to the point where the preponderance of evidence supports the hypothesis that a principal cause of erosion is due to the harbor structures.

The Army Corps has agreed that our model of the Great Lakes system is at least as accurate as their model. Both the Army Corps and the IJC have steadfastly refused to respond to our proposals for improving the management of the Great Lakes system. This appears to be a victory for special interests over the best interests of the citizens of the U.S. and Canada.



LEGAL NOTES

Warning: Sue Now or Maybe Lose Forever!

*An Op-Ed contributed by John Ehret, Esq.,
Vice Chair, Legal/Legislative Committee*

A recent decision of the United States Court of Appeals for the Federal Circuit, reversing the decision of the lower court in our case, has clarified and re-affirmed a very important principle that has permitted our suit to go forward against the United States for a “property takings” claim for depriving beaches of sand supplies caused by the St. Joseph, Michigan pier structures built by the Army Corps of Engineers. However, there is a warning in this decision that anyone who fails to bring a lawsuit for a property taking by the federal government, though unconstitutional, loses their right to compensation for the loss 6 years after the loss is open and obvious.

In our case, because the Corps denied the possibility of damage because of “improvements” to the pier and then commenced “mitigation” activities for a period of time, we were able to start the six year period after mitigation stopped and damage started occurring. However, others could be in a position where their legitimate rights are snuffed out if they do not bring suits early enough.

On January 2, 2003, a three judge panel of the Federal Circuit unanimously reversed the United States Court of Claims dismissal of our “Takings” suit under the 5th Amendment of the U.S. Constitution based on the six year statute of limitations. The Federal Circuit has the practice of “clearing” all precedential orders with all of the judges on its bench, not just the panel, before publishing the ruling. In this case, the U.S. Attorney representing the Corps of Engineers sought a formal rehearing of the case before the entire 10 plus judge court (“en banc”) after the panel’s original ruling. In May, the Federal Circuit decisively refused to re-hear the case, giving the decision very significant authority as precedent. Only a hearing by the Supreme Court of the United States, which the government has the right to seek until August, could overrule this decision.

This is the first case of precedential stature where there was a 5th Amendment violation claimed for blocking transport of longshore sand on one of the Great Lakes. The culprit in this case is the shore perpendicular, too long, too high, too solid, shore attached, steel encased jetties at the mouth of the St. Joseph River (Michigan). The responsible entity is the U.S. Army Corps of Engineers.

Sand trapped by the jetties would otherwise be distributed naturally along the shore, so the pier structures are a complete subtraction machine built by the Corps for large ship navigation (often little needed). Being too long, the jetties deliver river sand sediment into deeper water



beyond the point where it can return to shore (the depth of closure). River sediment is the geological source of beach nourishment. The Corps is stopping its beach nourishment projects - 4,000,000 cubic yards behind its obligations under the Rivers & Harbors Act, Section 111.

Damages can be measured in loss of sand by cubic yard (est. \$20/ yd), loss of lake access by thousands of dollars per front foot, loss of buildings and rentals, and cost of shore protection reventments.

What can you do? Get a lawyer and sue! At the very least, collect information and be ready to sue if necessary. What do you need?

Property Information

Owner's legal name(s) _____

Date property acquired _____ Tax ID of property _____

Address and tax ID of property _____

Owners phone numbers (summer, winter, fax, business)

Property dimensions:

Lake frontage _____ feet

PERPENDICULAR depth from shore _____ ft.

Elevation above lake _____ ft.

Do you have an appraisal of the property? Yes/no _____

Do you have a survey of the property? Yes/no _____

General description of loss during your ownership - to buildings, rentals, seawalls, stairs, moveback, beach, dune or bluff.

A survey of your property, including elevation of the land and the lake. Also, the survey should show location of large trees (measure diameter for age and value), stairs, houses and other buildings and fixed objects.

Take pictures showing location of water line and fixed objects (date them). Save old pictures.

Be advised that we are not soliciting for litigation. We are trying to inform our members of their rights and that the Army Corps thinks we are sleeping on our assets. Members of the Coalition (and all lakefront owners) should provide the above information to the attorney of their own choosing if they wish to pursue a claim. They should provide the attorney with the following case citations: *Banks vs. United States*, 314 F.3rd 1304 (January 2, 2003) and *Henderson County Drainage District No. 3 vs. United States*, 203 WL 179780 (Fed. Ct. of Claims, January 23, 2003) citing *Banks*.



If they cannot find an attorney admitted to the United States Court of Claims who has interest, they may choose to contact an attorney who has been involved in the Banks case and is willing to assist. He is John M. Donahue of the law firm Straub, Seaman & Allen, PC, 1014 Main St., P.O. Box 318, St. Joseph, MI 49085, telephone 269-982-1600, x713, e-mail: jdonahue@lawssa.com.

Any other attorneys willing to be on a panel of available attorneys are welcome to send their name and contact information to

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Editors Note: *Many state law decisions, relating to actions such as the “regulatory takings” and actual attempts at seizing beaches being attempted recently by the Michigan Department of Environmental Quality and the Ohio Department of Natural Resources, are putting similar short time limits on your ability to protect your property rights. In Ohio, for decades, we have believed you had 21 years to sue the state government if it exercised control over or seized your land. Recently, the Ohio Supreme Court appears to have overruled its own prior decision, and ruled that the “statute of limitations” to sue the State of Ohio for taking land was only 6 years. State ex rel. R.T.G., Inc vs. State of Ohio, 98 Oh. St. 3rd 1 (December 18, 2002). With the states recently asserting they own beaches up to an artificial “high water mark” that has no real relationship to historical property rights and preventing homeowners from reasonable use of their property both below and above that “mark”, Ohio lakefront owners may have less than 6 years left to sue their state regulators or lose their rights forever.*



Technical Committee Meets with Dr. Frank Quinn

The Technical Committee headed by Technical Director John Boyd had an extensive meeting prior to the recent IGLC Board Meeting. One of the highlights was the participation of Dr. Frank Quinn, retired Senior Hydrologist of NOAA’s Great Lakes Environmental Research Laboratory and a member of the Lake Ontario St. Lawrence Study Board. There was a tremendous exchange of information regarding the state of research on Great Lakes water supply, flows and levels issues, as well as discussion on erosion and sand supply issues, the computation and research on the International Great Lakes Datum (IGLD) adjustments, and an update of the



work of the Lake Ontario St. Lawrence Study. IGLC Director Henry Stewart is a member of the Public Interest Advisory Group for the Study and also submitted a written report of the meetings he was just concluding.

Lake Ontario plan — The Coalition plans to present results of its five-lake system model and the mathematical formula improvements John Boyd has previously presented to the U.S. Army Corps of Engineers and others. The IGLC plan derived under John Boyd's leadership for Lake Ontario would result in less flooding and erosion on Lake Ontario, less damage to wetlands, less flooding and erosion problems in the Thousand Islands area and along the St. Lawrence River, and a One Billion Dollar cost benefit through improved hydropower generation, while maintain necessary levels for Montreal harbor. All of this can be achieved at a very slight reduction in shipping tonnage capacity transiting upper St. Lawrence and locks to Lake Ontario.

Coastal Zone Conference — Another highlight was review of Neal Thurber's abstract for "poster" presentation at the upcoming Coastal Zone 2003 Conference in Baltimore, Maryland on July 15 concerning Water Levels Management as a Coastal Management tool. Neal's abstract is being posted on the IGLC website at iglc.org or greatlakescoalition.org, and makes compelling reading of our position.

Erosion issues — An all too brief time was spent on issues relating to the lack of mitigation on harbor structures and dredging issues that affect near shore sand supply and have increased erosion along many coastal areas. More attention will be paid this issue at upcoming Coalition meetings and with the Army Corps of Engineers personnel, among others. Much mitigation activity has been abandoned, which could lead to increasing erosion problems. In another article in this newsletter, the work of John Ehret to obtain damages for the erosion caused by interference with sand supply is highlighted.

Further research — From our conversations with Dr. Quinn and the attendees of the technical working group, John Boyd has identified several areas that are going to require further research and reporting. We also plan to garner much more scientific and public knowledge of the work of John Boyd and others. Their research has consistently proved more accurate and complete than present governmental models. In fact, we believe that the Army Corps of Engineers has actually quietly updated some of their mathematical models because of our work!



Other News

IJC Sept. 2003 Meeting, Ann Arbor Michigan

The International Joint Commission will hold its Biennial meeting and a pre-meeting conference on "Restoring the Greatness" in Ann Arbor, Michigan on Thursday and Friday, Sept. 18-19, 2003. Complete agenda and registration information is available on their website: ijc.org.

Any member interested in attending on behalf of IGLC should contact Chair Homer Taft.

Niagara Board of Control to Meet, hold public comment session

On Monday, Sept. 15, 2003, the International Niagara Board of Control will hold a public open house, including an opportunity for public comment, at The Old Stone Inn, 5425 Robinson St., Niagara Falls, Ontario at 7:30 P.M. Anyone wishing further information should contact Len Falkiner, Secretary, Canadian Section, at 905-339-4947 or contact the IGLC.

Somerville attends 2003 Intl. Conference of Great Lakes Mayors

IGLC Vice Chair Bill Somerville attended the recent 2003 Conference of Great Lakes Mayors in St. Catherines, Ontario. This is the second consecutive meeting of the Mayors group Bill has attended. He was able to do much valuable networking. Many local officials are equally concerned as we are about the current management structures of the Great Lakes and welcome our input.

Navigation Study preliminary report urges forward movement on deeper Great Lakes channels and harbors, funds sought

The US Army Corps of Engineers has issued its "Reconnaissance Report" recommending moving forward to a feasibility study of deepening all Great Lakes channels from 27 feet to 37 feet to allow "Panamax" container ships to transit the Great Lakes. The full report and appendices are available on the web at: www.lre.usace.army.mil/glnav/index.htm.

Upper Great Lakes Study on hold

The plan to initiate a study of the regulation system for the Upper Great Lakes similar to that of the Lake Ontario St. Lawrence Plan of Study has been placed on hold unless and until funding is provided by the U.S. Congress and Canadian Parliament.

Thurber poster presentation to Coastal Zone 2003 Conference

On July 15-17, Neal Thurber provided a poster presentation of his abstract on Water Level Management at the Coastal Zone 2003 Conference in Baltimore, MD. The entire abstract was also printed in the Conference proceedings and can be read on the IGLC website: iglc.org.



Lake Michigan

WI//LM Annual Meeting October 25th, Port Washington

Wisconsin/Lake Michigan Chapter is planning to hold its annual meeting in Port Washington, Wisconsin on Saturday, October 25, 2003 at 8:30 A.M.. The meeting will be held at the Viking Room of the Smith Bros. Restaurant, 100 N. Franklin Street, Port Washington, WI. The IGLC Board will be meeting the same weekend in Port Washington, and Chairman Homer Taft and other Board members will report on IGLC activities as part of the Wisconsin/Lake Michigan meeting. Members will be welcome to stay and participate in the IGLC Technical, Legal and Board seminars and meetings if they wish.

MI/LM new officers elected

Michigan/Lake Michigan Chapter's Board elected William Somerville as the new Chapter President, succeeding Bill Andresen. Dave Koeze was elected Vice President, and Priscilla Mueller continues as Secretary / Treasurer. The Board plans an early meeting date and will be working on an annual membership meeting

Lake Huron

SOS bill passes legislature, signed by Gov. Granholm

Save our Shoreline has successfully steered a bill through the Michigan legislature to permit beach maintenance activities and to authorize a three year pilot study of simplified procedures for a beach grooming permit involvement the movement of sand or removal of vegetation. After the House had passed the bill, House Bill 4257 was amended by negotiation and passed by a 37 to 0 vote of the Michigan Senate in May of 2003. It was signed into law by Michigan Gov. Granholm on June 4, 2003. Save our Shoreline gave special credit to the sponsorship and support of Reps. Brian Palmer and Tom Meyer and Senators Jim Barcia, as well as Senators Brader, Burkholz and Sikkema.

Save our Shoreline is quick to point out that the pilot program for an expedited permit with clear standards sunsets in 2007, that the US Corps of Engineers has not agreed to adopt a similar expedited permit, and that the Michigan Dept. of Environmental Quality still asserts ownership over private beaches despite court decisions to the contrary.



Lake Erie

New Wildlife preservation areas established by law

Mary Ann Thurber reviewed the creation of the Detroit River International Wildlife Refuge and the Lake Erie International Wildlife Refuge by recent legislation. Michigan/Lake Erie Chapter has some concerns whether the Refuges will become a vehicle to further restrict private property owners in use of their property, and will be monitoring this situation.

Scot Duncan nominated as Ohio-PA/Lake Erie President

The chapter has experienced much growth. With the election of Homer Taft as IGLC Chair, he has stepped aside as OH-PA/Lake Erie President. Scot Duncan has been designated Acting President and nominated to succeed Homer. The chapter is planning several upcoming membership meetings on various subjects and will elect a new Board at an annual meeting. Rep. Tim Grendell recently introduced House Bill 218, seeking changes in Ohio law to settle private ownership of beaches and reverse many recent changes in "submerged land lease" regulation. Ohio Lakefront Group chair David Carek was an invited guest at the recent IGLC Board meeting.

Lake Ontario

Henry Stewart has been serving for the past two years on the Public Interest Advisory Group to the Lake Ontario St. Lawrence Plan of Study. The Study is reviewing all of the competing interests of the Lower Great Lakes System and the Current regulation Orders. Henry reports that Technical Groups have been formed to work on various areas, such as Coastal Processes which concerns erosion, wetlands, and similar issues and is working on a computer model to measure levels of damage to shorelines under various proposed regulatory plans. There are also Technical Groups relating to Navigation and commercial shipping, Recreational boating and marinas, Hydropower, Hydraulics and Hydrology, and other groups. Our Coalition is presently working on a submittal of our regulatory plan for Lake Ontario to the Plan Evaluation technical group. Henry will continue to pursue the representation of riparian-littoral interests to assure that their concerns are at least reported, and will continue to report to us on developments so that we may provide further comment and technical data to the working groups.



IGLC Board Meeting

The IGLC Board met in Monroe, Michigan on May 30-31, 2003. The Technical working group meeting is separately reported on. At the Saturday session, an extensive review was made of current legal issues affecting lakeshore residents and what action IGLC should take. Under the leadership of Legal/Legislative chair Quincy White and Vice Chair John Ehret, the Coalition has started amassing a significant library of legal and scientific research material, and will expand this effort. The committee will review our options to intercede in litigation, commence litigation on our own, or assist shoreline residents with their litigation once sufficient funds are raised to make this feasible. In the interim, the Committee will work to be a more effective clearinghouse for research and information.

Attorney John Ehret reported on his successful appeal on behalf of property owners damaged by the interruption of sand supply from the St. Joseph, Michigan pier structure. The U.S. Court of Appeals for the Federal Circuit has laid down very clear rulings that give property owners a reasonable opportunity to sue the U.S. government for the damages caused by its structures. Full reporting on this issue appears elsewhere in the newsletter.

The Board also approved Coalition leadership meeting with International Joint Commission members and staff, Members of Congress and Washington, DC staff of U.S. Congressional Committees dealing with water issues, the IJC and the Army Corps of Engineers. The Legal/Legislative Committee will assist the Board in developing the agenda of research and concerns that we need to make legislators and regulators aware of.

Under new business, Homer Taft was formally elected as International Chair and President to succeed Bill Andresen, who had announced his wish to step aside after 8 years of leadership in December. Taft is currently serving as President of the Ohio/Lake Erie Chapter, but announced he will be stepping down from that post and is nominating L. Scot Duncan of Sandusky to succeed him. Another planned resignation was discussed and a further election will be held for other offices at the next meeting.

Chapter news was reported and appears elsewhere in the newsletter, Special reports were received from John Nash of Amherstburg, Ontario, including extensive research he shared on lake level issues. He provided a copy of his research for the library. David Carek, Chair of Ohio Lakefront Group, gave a further report on developments with Ohio Coastal Management and the efforts to pass corrective legislation in Ohio.



A highlight of the meeting was the “Ernie and Dave” show, with President Ernie Kreiger and Director-Vice President Dave Powers of the Michigan “Save our Shoreline” group presenting their efforts to pass legislation and obtain federal permits allowing traditional beach grooming activities, especially along Saginaw Bay and Grand Traverse Bay, where there have been significant invasive weed species growth. Save Our Shoreline’s efforts have resulted in a new law being enacted, as reported elsewhere in the newsletter, and in the dismissal with prejudice of the criminal prosecution by the Army Corps of Engineers of a retired couple. Ernie and Dave emphasized the need for further protection of private property owners.

The Board authorized Standing Committees in addition to the Executive Committee and the Chair’s appointment of leadership for those committees, including:

Technical Committee

John Boyd, Technical Director & Chair; Neal Thurber, Vice Chair;

Legal/Legislative Committee

Quincy White, Chair; John Ehret, Vice Chair;

Membership

Roger Smithe, Chair;

Public Relations (website, newsletter, communication) By-Laws, Mission & Reorganization

Bill Somerville, IGLC Vice Chair; Chair; Roger Smithe, Vice Chair;

The Board agreed that a significant update of our Action Plan was necessary and that we needed to reexamine and expand our overall mission objectives. A proposed statement of objectives and concerns drafted by John Boyd was discussed and referred to the By-Laws & Reorganization Committee, with Roger Smithe agreeing to head efforts to refine the statement and relate it to our Action Plan.

Special recognition was granted to Past Chairmen Bill Andresen, Sharon Hazen, Joe Milauckas, and Cliff Sassfy, each of whom was granted the title “Chair Emeritus” in recognition of their extraordinary service to the Coalition.



The Board adjourned from a long and arduous day at 5:30 P.M.. Participants included Michigan/Lake Michigan chapter Pres. Bill Somerville, Vice Pres. Dave Koeze, and Board Members Roger Smithe, Quincy White, John Boyd and John Ehret; Neal Thurber of Indiana/Lake Michigan (literally his last day in that location, as it was also his moving day to Michigan/Lake Erie shores); our host Michigan/Lake Erie President Mary Ann Thurber, and members Juanita Hatch (Acting Secretary) and Jan Morrow; Wisconsin/Lake Michigan Board Member Jack Smeis; Ohio/Lake Erie Pres. Homer Taft and Board Members Bob Henderson, Lou & Gail Lehmann, and Scot Duncan; John Nash of Amherstburg, Ontario; and guests Ernie Kreiger and Dave Powers of "Save our Shoreline", David Carek of Ohio Lakefront Group, and Dr. Frank Quinn, retired Sr. Hydrologist of Great Lakes Environmental Research Lab.



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Renewals, New Members wanted

We are asking every member to renew their membership for this year if they have not done so. A membership application is enclosed. If you are receiving this for the first time, we hope you will consider joining the Coalition. We seek to be a membership supported group that represents the interests of Great Lakes shoreline residents. We have conducted the technical studies over the years to support reforming the excessive water levels by regulation of the lakes primarily for shipping and hydropower concerns without consideration of other interests. We have supported the protection of sand supplies and mitigation of erosion. We have supported and assisted with property rights actions in the states and provinces, including legislation and litigation.

We need the financial and personal support of every lakefront resident to help in these efforts. Please feel free to pass copies of this application on to any lakefront resident.

Volunteers needed

The incredible work and achievements of the IGLC, which have gained international respect, are mostly due to the selfless volunteer efforts of many talented IGLC members. However, there is always a need for much more than any of us have time for. Please join with us and volunteer your talents, whatever they may be, to help us. Be it computer skills, engineering, seeking new members, legal skills, website help, or whatever, there is plenty you can do. Please let your local chapter or the International know of your willingness to help.



How Can I Help?

To each of us along the shore, our property is unique. It is an investment worth protecting. Help us help you. Please join us by completing and returning the application below with your dues - TODAY!

- Yes, we (I) want to join the Great Lakes Coalition.**
Please find enclosed our dues and contribution as follows:

Member Dues: \$35 yr, \$25 senior _____ **Dues enclosed:** _____
Voluntary additional contributions* _____ **Contribution:** _____
Total Enclosed: _____

Resident / Owners: _____
1st Member Name _____ **e-mail address** _____
2nd Member Name _____ **e-mail address** _____
Lakefront Address _____ **tel:** (____) _____
City _____ **State / Prov.** _____ **Zip / Postal Code** _____ **fax:** (____) _____
Permanent Address _____ **tel:** (____) _____
City _____ **State / Prov.** _____ **Zip / Postal Code** _____ **fax:** (____) _____
 Volunteer to help _____

Clip this page and send to:
GREAT LAKES COALITION
P.O. Box 429
Saugatuck, MI 49453-0429

*Contributions to "Great Lakes Coalition", a qualified non-profit entity, may be deductible for income tax purposes. Contributors should consult their own legal or tax advisor regarding the deductibility of contributions they may make.

GREAT LAKES COALITION

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