



Michigan/Lake Michigan Chapter For Shoreline Preservation Newsletter – Summer 2011

HIGH TURNOUT FOR JUNE 18TH MEETING WITH IJC!!!

A total of 101 shoreline property owners came to the historic Douglas Town Hall on June 18th to hear Dr. Gene Stakhiv and Mr. John Nevin talk about the “Restoration” study that the International Joint Commission (IJC) is making to explore the possibility of raising the level of Lake Michigan by as much as 20 inches. The hall was packed! 65 seats—all taken, 30 standing room only, and 6 seated in an adjacent room. Many people brought pictures to show how their homes were endangered during cycles of high water, or even now.

Most shoreline folks wondered why the study was being made at all. Just last year the IJC decided not to put restrictions in the St. Clair River in order to raise levels. Dr. Stakhiv explained that since then, the IJC has received a number of letters from people around Georgian Bay in Canada, asking that levels be raised anyway, this time the reason being to “restore” levels to what they would be, if the river had never been dredged in the 1930s and again in the 1960s.

You people who came to the meeting did a great job! Just being there let the IJC know that we are 100% strongly against it. After all, the record high level of 1986 and the near record of 1997 happened after the dredging. Some of the comments made at the meeting and afterward were:

“The IJC is completely out of touch with the realities of living on the lake shore.”

“If the model shows no disproportionate impact for a 4 inch rise in level, the model is wrong. I almost lost my home in 1997. Every inch mattered then. I couldn’t have survived even 1 inch higher.”

“When homes go over the bluff it is permanent; they do not spring back into place when levels go back down. However, conditions for other interests like power, shipping, and recreational boating will pretty much return to normal when the present low levels rise again.”

“If you are exploring restoration, why haven’t you followed your own recommendations in the 1993 report and restored the Niagara River by removing the man-made flow restrictions there? Or why didn’t you halt the Long Lac and Ogaki inflows to Lake Superior in 1986?”

“Benefits to some people are take-aways from others. The government (tax payers) would pay for restoration; some people would get free benefits, and shoreline people would suffer.”

“Why don’t those who benefit pay the cost of restoration, or pay for the losses of others?”

“If you raise levels and I lose property, that is a ‘taking’ and you are legally responsible.”

“Why is the range of Lake Michigan (about 6’) almost twice the range of Lake Superior? That doesn’t seem like ‘sharing the pain’ equally.”

“If you want to preserve the Great Lakes, you will never again let the water get as high as in 1986 or 1997. If that happened, the senators from drought-stricken southern and western states will see ‘surplus’ water and make a grab for it.”

After the meeting, Roger Smithe, the Coalition chairman, gave the IJC a report on what happened, so they know of your strong opposition.

To view the IJC presentation made on June 18, follow this link:

<http://www.iugls.org/Docs/Restoration%20Analysis%20Briefing%20-%20Final.pdf>

WHAT HAPPENS NEXT?

You have a second opportunity to be heard on **Saturday, July 30**, at 10 a.m. The IJC will hold a public meeting and take comments at the Annis Water Resources Institute building at Grand Valley State University, at 740 West Shoreline Drive, in Muskegon, Michigan. The meeting is open to everyone, so people from all interests will be there. We expect the IJC to make the same presentation they did in Douglas, and then follow it with a report on what might be done to change the way Lake Superior is regulated (how the water is released to Lake Michigan). The IJC has said that any change in Lake Superior regulation will probably not affect Lake Michigan levels by more than an inch or so.

We also encourage you to make written comments, even if you already have (and thank you to those who have), or even if you attended the Douglas meeting. The address is:

International Joint Commission
2401 Pennsylvania Avenue, N.W.
Fourth Floor
Washington, DC 20440

Visit their website at: www.ijc.org

HONORABLE MENTION

Congratulations to Coalition director Bill Somerville of Cross Village who was presented with an award from the National Audubon Society and the U.S. Fish and Wildlife Service for his work with shorebirds, particularly the endangered piping plover. Bill reports that the piping plover is a good marker for the health of a lake. For nesting sites they require long-term beaches and are slowly making a return to nesting in the sand dunes.

IN MEMORIUM – DAVID KOEZE

Former Coalition board member David Koeze passed away at his home in Jenison, Michigan recently. Dave was a long-time Coalition member and served as vice president of the Board for several years. Our condolences go out to his family.

BANKS v. USA LAWSUIT

By John B. Ehret, Esq.

A second trial was held in April at the Berrien County courthouse in Niles, Michigan covering the “damages” phase of the lawsuit. Many of the 38 plaintiffs testified as to the damages incurred to their homes and properties and the cost of shoreline protection installed. Attorneys for both sides will now submit their briefs and a decision should be forthcoming by September.

1973 Michigan Court of Appeals: Tons of jagged rocks and boulders dumped on the entire length of the beach made access to the water virtually impossible and certainly unsafe. **THE UTILITY OF THE PROPERTY AS A LAKESIDE RESIDENCE WAS THEREBY LARGELY DESTROYED.** But this is what the government wants to put on our properties.

Michigan law requires that in a takings case the government/taker must return the injured property owner to his position before the taking as if no taking had occurred. We are asking for Shabica-type Headland or Embayment, or Pocket beaches for our damages. This would give sandy beaches and safety, which sandy beaches stand for. Nobody can climb down the boulders, and least of all the most important ones – the children and their grandmothers.

One plaintiff has settled for \$1,000 per front foot. We deserve more.

JULY WATER LEVELS

Lake Michigan water level during July is 578.29 feet. The long term average is 579.30 therefore we are just about 1 foot below the long term average.

THE GREAT LAKES COALITION HAS OPENINGS FOR BOARD MEMBERS

The Michigan/Lake Michigan Chapter of the Great Lakes Coalition has openings for two board members. If you are interested in getting more involved, please contact Marcia Wineberg at 847-965-5616 or e-mail at marciawineberg@yahoo.com. Board meetings are held bi-monthly at our office in Douglas, Michigan.

Time to renew your membership for 2011, or join us if not already a member:

**Michigan/Lake Michigan Chapter-Great Lakes Coalition
P. O. Box 429
Saugatuck, MI 49453
(269) 857-8945**

We are a 501(C) (3) tax-exempt organization
Contributions are deductible to the full extent of the law

NAME _____

MAILING ADDRESS _____

LAKE PROPERTY ADDRESS IF DIFFERENT:

E-MAIL ADDRESS _____

SUGGESTED MEMBERSHIP CONTRIBUTION: _____\$35 _____\$50 _____\$100 _____Other



**GREAT LAKES
COALITION**

Michigan/Lake Michigan Chapter for Shoreline Preservation
P. O. Box 429, Saugatuck, MI 49453
www.iglc.org

RETURN SERVICE REQUESTED