



OFFICE OF THE MAYOR
CITY OF MICHIGAN CITY

RON MEER
MAYOR

February 26, 2019

The City of Michigan City is vehemently opposed to Indiana Senate Bill 581. Michigan City has taken great strides in the protection and restoration of our natural resources while providing public access to Lake Michigan and the lakeshore to residents and visitors. We have made significant investments on park property, in areas which would become "Lake Michigan Shore Zone," under Senate Bill 581. The new zone will allow disturbance of the restored and protected areas.

YEAR	PROJECT	BUDGET	CITY FUNDING	GRANT FUNDING
2012	Sheridan Beach Assessment	\$40,000	\$20,000	\$20,000
2013	Fedder's Alley Secondary Dune Restoration	\$45,000	\$25,000	\$20,000
2014	Sheridan Beach & Esplanade Land Management Plan	\$27,000	\$13,500	\$13,500
2015	Bismarck Hill Assessment	\$28,050	\$28,050	\$0
2017	Fedder's Alley Public Access Beach Boardwalks - design & engineering	\$100,000	\$50,000	\$50,000
2018	Bismarck Hill Restoration Project	\$300,000	\$300,000	\$0
2019	Sheridan Beach Erosion Control & Public Beach Access	<u>\$89,000</u>	<u>\$44,500</u>	<u>\$44,500</u>
	TOTALS	\$629,050	\$481,050	\$148,000

In addition, as part of the Sheridan Beach Land Management Plan, the Michigan City Park Department issues license agreements to allow homeowners to remove invasive species and plant native species on the park owned esplanade adjacent to their private property, furthering our restoration goals. The projects are completed at the sole expense of the homeowners. Since 2005, 26 homeowners have taken advantage of the restoration license program, improving the dune habitat with no burden to our taxpayers. Senate Bill 581 would allow for development in these areas, which could potentially destroy the restored dune habitat.



In May of 2017 the Michigan City Park Board suspended the beach path license program which allowed homeowners to create paths from their private property line, through park property, to the beach. Currently there are upwards of 70 beach paths between the Park Department's designated beach access points and private homes throughout the dunes. The social trails have destroyed soil stabilizing dune vegetation which has resulted in exposed sand that is blowing and forming nuisance dunes. These large dunes are moving south, away from Lake Michigan, at an alarming pace. The sand is already covering the foundations of some private homes and threatening first story porches and rooms on others. Senate Bill 581 would allow for private beach paths, exacerbating the current erosion conditions.

Senate Bill 581 supersedes our current local Ordinances and rules which were put in place to protect and preserve our natural resources while providing public access and promoting public safety.

In 2018 the Indiana Supreme Court in *Gunderson v. State* unanimously held that the shore of Lake Michigan has been public land since Indiana's statehood and that Indiana holds that shoreland "in trust" for the people of the state. On February 19 of this year, the U.S. Supreme Court declined to hear the *Gunderson* petition for a writ of certiorari, thus ending any further appeals of the case and solidifying the decision as Indiana law. Our interpretation of Senate Bill 581 is that it clearly contradicts the Indiana Supreme Court's decision above.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Meer". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Ron Meer, Mayor
City of Michigan City, Indiana