

COUNTY OF OTTAWA

STATE OF MICHIGAN

RESOLUTION REGARDING GRAND RIVER DREDGING

At a regular meeting of the Board of Commissioners of the County of Ottawa, Michigan, held at the Fillmore Street Complex in the Township of Olive, Michigan on the 23rd day of April, 2019 at 1:30 o'clock p.m. local time.

PRESENT: Commissioners: _____

ABSENT: Commissioners: _____

It was moved by Commissioner _____ and supported by

Commissioner _____ that the following Resolution be adopted:

WHEREAS, the Ottawa County Board of County Commissioners ("Board"), pursuant to MCL 46.11 to pass resolutions and take actions relating to County affairs; and,

WHEREAS, the Board is aware that the State of Michigan is considering a project to dredge a 50-foot-wide, 7-foot-deep channel in the bottom of the Grand River from Fulton Street in Grand Rapids, (Kent County), 22.5 miles downriver to the Bass River Inlet near Eastmanville in Ottawa County (hereinafter "Dredging Project");

WHEREAS, for parks and recreation purposes, Ottawa County through the management of its Parks and Recreation Commission ("Parks Commission") owns more river

frontage subject to the Dredging Project than any other property owner and has received a resolution from the Parks Commission opposing the Dredging Project;

WHEREAS, the Board held a well-attended work session on the Dredging Project on April 9, 2019;

WHEREAS, the Board received statements in support of the Dredging Project from a representative of Grand River Waterway, Inc., a nonprofit dedicated to the Dredging Project and a couple of its supporters. However, the vast majority of the public who spoke at the work session were strongly opposed to the Project;

WHEREAS, while many kayakers, fishermen and other small boat users expressed their opposition and concern about the possibility that the Dredging Project would adversely affect their boating use, not a single power boat owner appeared to report that he or she was in support of dredging and channelizing the river as proposed;

WHEREAS, the Board also received information from County officials who would likely be affected by the Dredging Project to the effect that the Project would threaten the County's multi-million-dollar Greenway park project through potential river level and channel changes that dredging can risk, as well as significant public operational costs over a ten-year period due to increased pressure on marine law enforcement, buoy acquisition/maintenance and river debris monitoring and removal;

WHEREAS the Board has received a legal opinion from its Corporation Counsel that there are unsettled questions as to whether the State of Michigan possesses the statutory or common law authority to undertake the Dredging Project without the express permission of riverfront property owners, including the County, who possess riparian rights to the center of the Grand River and would have their property rights adversely affected by the Project;

NOW THEREFORE BE IT RESOLVED, that Ottawa County is opposed to the Dredging Project for reasons that include but are not limited to the following:

- A. The State of Michigan currently appears to lack the express statutory authority to undertake the Dredging Project without obtaining the consent of Ottawa County and the other riverfront property owners, who also have riparian rights that would be unreasonably affected by the Project;
- B. There is no demonstrated need or request by large power boat owners to use the dredged channel and certainly no expressed interest that would come close to justifying the public monetary costs of the Dredging Project itself, much less the ongoing law enforcement and channel maintenance costs that would have to be incurred annually;
- C. In addition to economic concerns, there are substantial, unresolved geological, hydrogeological and water quality risks associated with disturbing over 22.5 miles of Grand River bottomlands that put the nature, path and health of the river in jeopardy, including its fishery and other aquatic life;
- D. There are also substantial, unresolved concerns expressed by officials of the City of Grand Haven regarding the possible threat to its drinking water source beds at the mouth of the Grand River, disturbance of a century of potentially contaminated waste that may be loosened and made soluble as a result of the dredging;
- E. There are also substantial, unresolved concerns expressed by the River's current commercial fishing guides and riverboat owners regarding the threat that the Dredging Project would have on their commercial operations, including the elimination of necessary fishing holes and spawning beds and rifts that the guides use

and elimination of the ability of the 100-foot Grand Lady to turn around in a river reduced to a 50-foot channel;

- F. There are also substantial, unresolved concerns expressed by current hikers, fishing boat owners and kayakers regarding the threat presented by noisy, large power boats have to the quality of the quiet recreational experience that they currently enjoy;
- G. There are also substantial, unresolved concerns expressed by Park officials and other property owners regarding the negative impact on existing docks, boat and kayak launches that channelizing the River will have on current fixtures;
- H. There are also substantial, unresolved concerns expressed by Park officials and other property owners regarding the threat of erosion that boat wakes or an increase in river speeds will have on the current river banks and the miles of bike/walking paths that the County has created as part of its unique and universally lauded Greenway Project that will connect Grand Rapids and Grand Haven along the Grand River and that the State of Michigan itself has funded with millions of dollars in grants and matching private donations; and
- I. There are no apparent funding sources for the hundreds of thousands of increased and recurring public safety dollars, many of them recurring, that local government will have to incur to accommodate law enforcement patrolling and public safety rescues along the extensive river area affected;

BE IT FURTHER RESOLVED, that with so many potential legal, economic, recreational, commercial and environmental negatives and so much uncertainty in each of these areas, the Board urges the State of Michigan to study the matter in depth and make policy decisions in

cooperation with local units of government and the communities affected before expending precious public dollars on the Dredging Project;

BE IT FURTHER RESOLVED, that the Ottawa County Clerk shall mail a copy of this Resolution to the Michigan Governor, Michigan State Legislature, Michigan Attorney General, Michigan Department of Natural Resources, Michigan Department of Environmental Quality, all local units of government with jurisdiction along the Dredging Project's pathway as well as Kent County, the Ottawa County Parks Commission, the Grand River Waterway nonprofit, local environmental groups and media outlets.

YEAS: Commissioners: _____

NAYS: Commissioners: _____

ABSTENTIONS: Commissioners: _____

RESOLUTION ADOPTED.

Gregory J. DeJong, Chairperson,
Ottawa County Board of Commissioners

Justin F. Roebuck, Ottawa County Clerk