

Route 4, Box 272
Petoskey, MI. 49770
6 Dec 71

Mrs. Joan Wolfe
Michigan Environmental
Protection Foundation
Belmont, Michigan 49306

Dear Joan:

This letter is to request that the Michigan Environmental Protection Foundation join me in a suit that I have prepared against the Department of Natural Resources to enjoin the issuance of a dam permit, to flood Monroe Creek in Charlevoix County for development purposes. The action is being brought under Act 127, and Act 68 of 1970, the "Dam Act." In a collageral action, the Court is being asked to order the Department to obtain full market value for an easement which it proposes to trade in the same area, instead of accepting a lesser value in exchange for the developer's "assurances" that he will do a good job in the development, including such items as a central sewage system.

The purpose of this suit is to protect the wetlands in question from development by flooding, but more importantly, to demonstrate that the Department now has the tools in the form of the dam act, and dredge and fill permits, to control land use on much of the wetlands of the State. It is my contention that the Department should issue no more of these permits until a state-wide study shows which wetlands are expendable, and which should be preserved. This would put an end to the present piece-meal approach, and would help start us along the road towards state-wide land use planning for all of our lands.

It is important to note that the suit does not in any way attempt to limit the development of the lands above the proposed lake level. It would only change the view from the developed area from the proposed lake to the existing swamplands.

We would like to be able to funnel contributions through your organization, with the understanding that your liability would be limited to the funds that we raise. In addition, we would also be glad to have you enter the suit as a party if you so desire.

I will put supporting materials in tomorrow's mail.

Cordially,

John H. Tanton, M.D.