

**Chikaming Township, County of Berrien**

**State of Michigan**

**RESOLUTION #103-100820**

**A RESOLUTION PROMOTING THE NUMEROUS PHYSICAL AND MENTAL HEALTH BENEFITS OF PUBLIC ACCESS TO THE LAKE MICHIGAN SHORELINE AND PASSAGE ALONG THE SHORELINE BELOW THE ORDINARY HIGH WATER MARK, AND OPPOSING ANY BARRIER OR INTERFERENCE WITH PUBLIC ACCESS TO THE SHORELINE OF LAKE MICHIGAN OR PASSAGE ALONG THE SHORELINE BELOW THE ORDINARY HIGH WATER MARK OF LAKE MICHIGAN AS BEING CONTRARY AND DETRIMENTAL TO THE PROMOTION OF THE HEALTH, SAFETY, AND WELFARE OF THE GENERAL PUBLIC AND HAVING A NEGATIVE ECONOMIC IMPACT ON CHIKAMING TOWNSHIP AND THE STATE OF MICHIGAN.**

**WHEREAS**, CHIKAMING TOWNSHIP, located in Berrien County, Michigan, is an idyllic beachfront community of approximately 2,600 full time residents and 11, 000 seasonal residents nestled into the sand dunes of Southwest Michigan, and

**WHEREAS**, CHIKAMING TOWNSHIP owns pristine beachfront on Lake Michigan at Cherry Beach and Harbert Beach, and

**WHEREAS**, CHIKAMING TOWNSHIP and the CHIKAMING TOWNSHIP PARK BOARD are the stewards of five road end beach access points to Lake Michigan in the township in partnership with the Berrien County Road Department, and

**WHEREAS**, all beaches and access points are accessible and open to the general public, and

**WHEREAS**, CHIKAMING TOWNSHIP is comprised of several miles of walkable beachfront protected by the Public Trust Doctrine as articulated in *Glass v. Goeckel*, 473 Mich 667, 703 NW2d 58 (2005), and

**WHEREAS**, the beach area from Townline Road in Union Pier to Warren Dunes State Park in neighboring Lake Township, is unmarred by commercial development and devoid of physical barriers below the ordinary high water mark for many miles, the beach area is pristine and incredibly rare in its striking natural beauty, and this beachfront provides unimpeded access for citizens to traverse the beaches below the ordinary high water mark through Chikaming Township, and

**WHEREAS**, the Lake Michigan beachfront access enjoyed and cherished by generations of Chikaming Township residents, as well as visitors to the area, provides a necessary means

of physical activity, mental relaxation, and outdoor enjoyment for all those who walk the beaches and the shoreline, and

**WHEREAS**, there is scientific data showing that beach access or “blue space” is associated with lower stress levels, improved mental clarity, relief from mild anxiety, and improved mood, along with numerous physical health benefits, and

**WHEREAS**, CHIKAMING TOWNSHIP believes it is imperative to maintain unfettered beach and shoreline access as it currently exists for the benefit of the local economy, physical and mental health, safety, and welfare of the citizens of Chikaming Township, and for all visitors who enjoy the beachfront as a means of physical exercise and mental relaxation.

**NOW THEREFORE IT IS RESOLVED:**

That access to the shoreline on the beaches of Lake Michigan is a common form of physical exercise and mental relaxation and enjoyment for the citizens of Chikaming Township, and other visitors to Southwest Michigan, and that unfettered access below the ordinary high water mark is necessary to help preserve the local and state economy, physical and mental health, safety, and welfare of our local citizens and visitors, and Chikaming Township opposes any action whatsoever, including the building of any structure or placement of any physical barrier of any nature or sort that would interfere with, prohibit, block, or prevent persons from easily walking, accessing, and/or traversing the area below the ordinary high water mark of Lake Michigan from Townline Road, Union Pier to Warren Dunes State Park through Chikaming Township.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

**RESOLUTION DECLARED ADOPTED.**

\_\_\_\_\_  
Paula Dudiak, Clerk

**CERTIFICATION**

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Chikaming Township Board of Trustees, County of Berrien, State of Michigan, at a Regular Meeting, held on the \_\_\_ day of \_\_\_\_\_, 2020, and that said

Meeting was conducted and public notice of said meeting was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act.

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Paula Dudiak, Clerk