

Traverse City Record Eagle

Forum: Preserve water, protect rights

Published: January 26, 2010 07:10 am

By DAN SCRIPPS

As a resident of northwest Lower Michigan, I'm blessed to be able to enjoy some of our state's most beautiful beaches, lakes, rivers and streams.

Michigan relies on healthy waters to sustain jobs in our three largest industries -- agriculture, manufacturing and tourism. Protecting the waters of the Great Lakes State is an investment in Michigan's future, and key to building prosperity and creating jobs today.

We took a giant step two years ago by passing the Great Lakes Compact, which builds on long-standing protections for our waters enacted by forward-thinking leaders like former Gov. William G. Milliken. One of our essential protections is the public trust doctrine, which specifies that the Great Lakes and Michigan's surface water are to be protected for the use and enjoyment of present and future generations.

However, the Great Lakes Compact, for all the good it has done, contains a loophole that could be exploited by those who would sell our waters to other states and nations for profit.

What's worse is that recent court decisions have called into question the level of protection that exists for groundwater in Michigan. That's a significant threat to our waters -- and Michigan jobs.

That's why I've introduced a plan to clarify that all of Michigan's waters, from the Great Lakes to our groundwater, are protected by the public trust. We need to protect these vital resources -- both for our economy and the enjoyment of future generations.

Some observers mischaracterize my plan as a threat to residents' property rights. In fact, the opposite is true. Because there is no clear separation of the waters under your property from the waters that extend under your neighbor's land, public trust protections are necessary to guarantee that you can continue to access and use the water that belongs to you, and that a water withdrawal by a neighbor down the road cannot dry up your well.

I have also heard a number of concerns recently from well drillers who are concerned about the impact this legislation could have on them and well owners. Let me assure you: This plan will not charge well owners for accessing their own private water, nor does it contain any language or intent to increase taxes as a result of these protections.

Indeed, I have reached out to local well drillers to strengthen the bill and I've appreciated the input and feedback I've received from them and the community on how to make this plan better.

Our waters are part of our heritage, and the Great Lakes are our state's crown jewel. As stewards of more than 95 percent of the country's fresh water -- and 20 percent of the freshwater on the planet -- we have a special responsibility to preserve our waters for our children and grandchildren.

By ensuring that we all can continue to use and enjoy the water that is our birthright as Michiganders, my plan protects private property rights and preserves our waters for the use and enjoyment of future generations.

About the author: State Rep. Dan Scripps is a Democrat from Leland.

About the forum: The forum is a periodic column of opinion written by Record-Eagle readers in their areas of interest or expertise. Submissions of 500 words or less may be made by e-mailing letters@record-eagle.com. Please include biographical information and a photo.