

**NORTHWESTERN INDIANA REGIONAL  
PLANNING COMMISSION  
Resolution No 2020-07**

**A RESOLUTION ARTICULATING THE “SENSE OF THE  
COMMISSION” AS A METROPOLITAN PLANNING  
ORGANIZATION AND A COUNCIL OF GOVERNMENTS  
REGARDING THE EXIGENT SITUATION FOR LAKE SHORE  
COMMUNITIES AND THE EMERGENCY of LAKESHORE  
EROSION.**

**WHEREAS**, The Northwestern Indiana Regional Planning Commission, as the Metropolitan Planning Organization and Council of Governments for the Region, from time to time, encounters issues of public import and moment which invite an expression from the elected representatives as part of the public discourse on the matter;

**WHEREAS**, Article 1, Section 31 of the Indiana Constitution provides that no law shall restrain any of the inhabitants of the State from assembling together in a peaceable manner, to consult for their common good, nor from instructing their representatives, nor from applying to the General Assembly for redress of grievances;

**WHEREAS**, The Northwestern Indiana Regional Planning Commission is comprised of 53 different officials, 22 from Lake County, 14 from Porter County, 16 from LaPorte County, and a member of the Indiana House, appointed by the Governor;

**WHEREAS**, The Northwestern Indiana Regional Planning Commission offers professional planning and a forum for the forty-three governments, and three counties under its aegis to exhibit the triumph of regionalism over provincialism, these officials and governments share burdens and bounties in order to make the region a better place to live, work and play;

**WHEREAS**, The Northwestern Indiana Regional Planning Commission, notes that while 12 municipalities in fact have shoreline on their borders, all forty-one cities and towns, two townships and three counties are impacted by the health and resilience of the beaches and shoreline of Lake Michigan, because all are coastal communities;

**WHEREAS**, The Northwestern Indiana Regional Planning Commission, further notes that Communities along the shores of Lake Michigan are experiencing record-breaking high water levels that are damaging infrastructure, destroying property, and impacting tourism – a sector of the economy shared with the State of Indiana;

**WHEREAS,** The Northwestern Indiana Regional Planning Commission, still further notes that owing to a lack of shelf ice to protect the shore and projections for lake levels to rise as much as another twelve inches, there remains a great likelihood of highly unfavorable conditions that could quickly become much worse;

**WHEREAS,** The Northwestern Indiana Regional Planning Commission, still further reckons that the impacts of high lake levels and coastal erosion are slow-rolling, but highly consequential, noting already the acute concerns exhibited by private as well as public sector actors with investments along the Lake Michigan Shoreline, who witness historic structures, beachfront amenities, and public infrastructure are destroyed due to an inability to marshal sufficient resources for their protection;

**WHEREAS,** The Northwestern Indiana Regional Planning Commission, still further reckons that Lakeshore erosion is not a static challenge, but rather an evolving one of a pernicious nature to wit:

- The Indiana Dunes State Park receives more visitors than any other state park and consequently is an important source of DNR revenues and a decline in visitors due to disappearing beaches and lakeshore erosion would negatively impact the DNR's ability to support its fee supported services;
- Michigan City's largest public park has been inundated during these high water events;
- Cities of Whiting, Portage, Hammond, East Chicago, and Michigan City and others have considerable public investments along the Lake Shore that the threat of rising water levels and erosion place at risk, in fact structures in the newly constructed Portage Lakefront Park have already been significantly damaged by the high lake levels and additional damage to primary structures is imminent;
- Private property, utilities, public roads, and/or public beaches in the communities of Long Beach, Dune Acres, Beverly Shores, Ogden Dunes, and the Town of Porter are under constant threat of destruction;
- The Town of Beverly Shores has spent considerable capital using debt financing and additionally relying on donations, to secure and prevent the destruction of Lake Front Drive, and more funding is urgently needed;

- Lake Michigan has risen nearly six feet since 2013 and is projected by NOAA to go up by as much as another 12 inches through June; and
- The possible impact of these exigent water levels in Lake Michigan upon the State's Port at Burns Harbor, the Steel Mills, the Oil Refineries, the Investor owned public utility plants of NIPSCO, while not known must be a concern as this exigency continues;

**WHEREAS** The Northwestern Indiana Regional Planning Commission by and through its elected officers and members wishes to offer a distinct, public expression on the great public import of this matter,

**NOW, THEREFORE BE IT RESOLVED** by the Northwestern Indiana Regional Planning Commission, that the sense of the Commission is as follows:

**Section 1.** It is the sense of the Commission that Governor Holcomb should without undue delay investigate and exercise all his lawful emergency powers and executive authority by **declaring a public emergency** to address the issue of Lakeshore erosion and its deleterious consequences;

**Section 2.** It is the sense of the Commission that Governor Holcomb should investigate and exercise all his lawful emergency powers and executive authority by **authorizing INDOT or the Indiana National Guard to employ its resources to transport materials to impacted sites in collaboration with local authorities;**

**Section 3.** It is the sense of the Commission that Governor Holcomb should investigate and exercise all his lawful emergency powers and executive authority by **directing the proper state agencies and departments to work with the appropriate Federal partners to bring the necessary resources to the affected or impacted communities;**

**Section 4.** It is the sense of the Commission that Governor Holcomb should gather and exercise all his lawful emergency powers and executive authority by **urging the appropriate state leadership from both the executive and legislative branches to evaluate and adopt the necessary measures to protect threatened resources, to prepare for the prospect of enduring threat from high lake levels and to equip and guide long-term solutions to prevent loss from future lake level incidents;**

**Section 5.** That the proper officer of the Commission be hereby further instructed to transmit and forward this resolution to Governor Holcomb, and such other persons as may be deemed to have an interest in this matter and to encourage the Governor and such other persons with an

interest in this matter to carry out the objects and purposes of this "Sense of the Commission Resolution".

**Approved and Recommended** by the Lake Michigan Ad Hoc Task Force authorized by the Commission at its Meeting of January 18, 2020.

**ADOPTED** this 18<sup>th</sup> day of February 2020, by the Northwestern Indiana Regional Planning Commission.



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**Michael W. Griffin, Chairman**

**Attest:**



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**Justin Kiel, Secretary**



6100 Southport Road  
Portage, Indiana 46368  
(219) 763-6060  
www.nirpc.org

Tuesday, February 25, 2020

Eric Holcomb  
Governor  
State of Indiana  
The State House  
200 W. Washington Street, Room 206  
Indianapolis, Indiana 46204

**Re: Sense of the Commission Resolution from the Northwestern Indiana Regional Planning Commission, communicating the Sense of the Commission Regarding Needs for Action on Lakeshore Erosion**

Dear Gov. Holcomb:

Hello. I hope this missive arrives to find you well.

I am writing this letter in order to transmit to you the Northwestern Indiana Regional Planning Commission (NIRPC) sense of the commission resolution. It was being prepared for your attention even while you were gathering information first-hand about the Lake Michigan shoreline exigency regarding high water levels and the consequential shoreline erosion.

Your recent Executive Order did address many of the actions that this sense of the commission resolution urges. Thank you. Thank you very much for that. The leadership and commissioners of NIRPC are sincere in our appreciation of your attention to the shoreline crisis and for taking the steps you have so far.

However, the enclosed sense of the commission resolution remains important to transmit to you as it also calls for an **emergency declaration**, which your recent executive order left as *unsettled business*. Such a declaration is an essential element to addressing this exigency. As you know, such a declaration is a necessary predicate to the deployment of Federal FEMA resources.

As you further apprehend, the enormity of the challenges and needed remedies for the Northwest Indiana shoreline erosion and highwater levels, exceed any of the local resources that any single or several cities or towns could marshal. The public financial resources that have been conferred upon local governments under Indiana law, were not designed fully to address an exigency of the magnitude of Lake Michigan's high water level and consequential unusually damaging erosion as being experienced by Northwest Indiana. This is especially so for the 12 municipalities that border the Lake Michigan shoreline in Lake, Porter and LaPorte Counties.

While the twelve municipalities experience the challenge most keenly, all 46 NIRPC member governments share the benefits of the Lake Shore. As a council of governments, the bounty

of any member government is a shared one just as its burden is too. So, we speak with one voice, evinced in the enclosed instrument to appeal to you to take the added step of offering the emergency declaration that situation insists upon.

Please receive the enclosed Sense of the Commission Resolution sent under the authority of NIRPC for your consideration and favor. It is our hope that you will favor the sentiments expressed in this resolution, and be moved to carry out its requested steps, some of which you have set in motion with your recent executive order. Finally, we hope that the sentiments of the Resolution have sufficient compelling appeal that you will be moved to make the emergency disaster declaration for the area in order to trigger the added resources for a remedy.

Sincerely,



Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Chair  
Northwestern Indiana Regional Plan Commission

Enclosure: Sense of Commission Resolution