

The original documents are located in Box 49, folder “President - Personal Family - Christie Bloomer (2)” of the Philip Buchen Files at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

THE WHITE HOUSE

WASHINGTON

May 7, 1975

*Bloomer,
Christie
(See
Pres.
personal)*

Dear Mrs. Bloomer:

Your letter addressed to the President has been referred to me, as his Counsel.

I have reviewed your account of the events which led up to your loss of property in the vicinity of Ludington. From your account of these events, it appears that the issues you raised were litigated. Without a record of the trial, I cannot of course judge the ground on which the court decided to rule against you. However, ordinarily if there is a fair basis for appeal and reversal of the Trial Court's Judgment, you should be able to obtain an attorney to handle the appeal and re-trial on a contingent fee basis. You do not indicate that you have tried to take this course, and it is the only one that appears possible so far as I can tell.

The matter you discuss is purely one of State law and is solely within the jurisdiction of the State courts. Under these circumstances, there is no authority on the part of the President or any other Federal official to help in this matter.

I regret that this conclusion may seem very discouraging to you, but I think you can appreciate that it is the only response possible. I do sympathize with you in the extreme difficulties you have had, but unless there are other aspects of the matter not apparent to me, I know of no positive assistance we can give from here.

Sincerely,

Philip W. Buchen

Philip W. Buchen
Counsel to the President

Mrs. Christie Bloomer
Daybreak Cottage
8794 Glendale
Onkama, Michigan 49675



[President's Family]
Mrs. Robert K. Bloomer
~~South Lake Shore Drive~~
~~Ludington, Michigan 49431~~

Bloomer Mrs. Rott
(Christie)
DAYBREAK COTTAGE
8794 Glendale
Onekama, Michigan 49
49675

5-14-75

Mr. Philip Buchen
Counsel to the President
The White House
Washington, D. C. 20025

Dear Sir:

Thank you for your letter of May 7, 1975. I believe you missed my point completely. Perhaps I didn't clarify it.

I know what I have to do re an appeal (which I told you I could not afford and it would be of little value, anyway, because of the fraud in my trial) I'm not seeking legal advice. What I'm trying to tell the President is that this is a potential danger spot and it needs investigative action. Is not the FEC authorized to investigate something that they have given their permission to operate? If not they, then who? Would it do any good to come to Washington to talk to them? Or could someone from the EPA help us? You say this is a State affair. Do you mean the trial or the operation of the Hydro-Electric Plant? The State had nothing to do with sanctioning the Power Co. to build and operate this plant, did it? Do I contact the Governor of Michigan? It's all a bit nebulous.

Surely, there must be someone in the country who can help us. Or is the Government interested only in helping people from other countries and those who are on illegitimate ADC and welfare? This is not paranoid, it seems these people have only to fill out an application regardless of "living in sin" or whatever and the Government joyfully donates food stamps, homes, medical aid and etc. We, who have worked all of our lives, paid taxes, tried to live decent lives, and have been self supporting can get no help from anyone. Inequity? It surely seems so.

Would you please inform me if President Ford ever saw my letter? I KNOW how busy he is, but it seems incredible to me that he could not take a few minutes to read it and give me a call. I welcomed two of his children into my home, showed them every courtesy, cared for them and had the responsibility of them and I loved it. I was busy, too, but not too busy to have Steve and Susan with us and I enjoyed it. Jerry called several times then to see if the youngsters had arrived safely, if we met the plane, if we'd take them to camp, pick them up from camp, etc. And I repeat, their Uncle Bob and I loved them and loved having them. Jerry just doesn't seem the type not to give me five minutes of his time. I'd just like to

know if he ever saw the letter.

If you have any doubt as to the allegations I've made re the HYdro-Electric Plant, you may call my geologist, Ms. Edith McKee in Winnetka, Ill.---312-HI 66231 and she will verify my statements.

I'd also like to ask Jerry (if my mail doesn't get to him or if he's too busy to answer or bother with me) another question. I've been asked to present this whole sordid mess on TV and I do not want to do anything to hurt him, by appearing. I've not told any of these people of our in-law relationship, but some smart cookie is sure to pick up the name Bloomer and connect it to Betty's maiden name. Advise, please. If that is the only way we can get any help, I guess I'll have to do it but I do not want to cause him embarrassment in any way.

The severity of this situation cannot be emphasized enough! The Power Co. is planning on building another one of these plants just north of here in the future and if the same thing happens there, it will be another mess. They did not listen to any advice given them before re the instability of the land and they probably won't again.

We have all worked too hard to have just a home to lose everything. We do NOT deserve to be ignored.

Thank you for your time, Sir.

Very truly yours,

Christie
Christie Bloomer
(Mrs. Robert Bloomer)
8794 Glendale
Onkama, Mich. 49675

PH. # 616-889-4488



May 7, 1975

Pres.
(personal)

Dear Mrs. Bloomer:

Your letter addressed to the President has been referred to me, as his Counsel.

I have reviewed your account of the events which led up to your loss of property in the vicinity of Ludington. From your account of these events, it appears that the issues you raised were litigated. Without a record of the trial, I cannot of course judge the ground on which the court decided to rule against you. However, ordinarily if there is a fair basis for appeal and reversal of the Trial Courts Judgment, you should be able to obtain an attorney to handle the appeal and re-trial on a contingent fee basis. You do not indicate that you have tried to take this course, and it is the only one that appears possible so far as I can tell.

The matter you discuss is purely one of State law and is solely within the jurisdiction of the State courts. Under these circumstances, there is no authority on the part of the President or any other Federal official to help in this matter.

I regret that this conclusion may seem very discouraging to you, but I think you can appreciate that it is the only response possible. I do sympathize with you in the extreme difficulties you have had, but unless there are other aspects of the matter not apparent to me, I know of no positive assistance we can give from here.

Sincerely,

Philip W. Buchen
Counsel to the President

Mrs. Christie Bloomer
Daybreak Cottage
3794 Glendala
Onkama, Michigan 49675

bcc: Mildred Leonard



Dear Mr. President,

With all the problems in the country today, I hate to bother you with mine, but I do not know where else to turn. When I had a business and had a problem, I always went to the "Top Man" for help and even if you weren't an in-law, I'd write to the President of this country for help, so please do not think I'm taking advantage of the fact you are an in-law.

I'll try to be as brief as possible - I know how busy you are. My problem may seem slight to you but to me it means a great deal.

Here 'tis---

For 2½ years, I've waged a battle with Consumers's Power Co. which culminated in a trial the last of March. In one of the most biased trials I could imagine, I lost. I was aghast to know there are Judges (?) like this in our country. We have several reasons to appeal but I simply cannot afford it.

The Hydro-Electric Plant built by Consumer's Power Co. and Detroit Edison on the shores of Lake Michigan near my property in Ludington has caused so much damage to the property, I was advised by the man who knew more about the plant than anyone (quote from Con. Power Co.) to get out immediately and it was not safe to stay in overnight. That was in Oct. of 1972. He then turned to me and asked me what I'd settle for (in my book, that must be an admission of guilt) and I told him the price of the buildings and property. He told me he would take it back to their lethal (whoops, Freudian slip!) legal department and I would hear from them. I did, all right, 3 months later to the excuse they were not to blame, it was high water. I told them if they could explain how high water could get over 500 feet of ice, (it started happening in Jan.) and up a 300 foot bluff and back 150 feet to cause subsidence holes, I could buy their story. I asked them why when the water was 13" higher in 1952, it caused no damage. No answer.

It was about that time I called you to ask for advice. You advised me to write to Vander Jagt, which I did. His office advised me to hire a lawyer. Two years later and many thousands of dollars later, here I am, I've lost a home, business and property and Consumer's Power walks home free. INCREDIBLE!!!! Can this happen in our country? Believe me, it did.

Several other families in the area are ^{now} experiencing similar and other problems and they have formed an association but they are even hesitant to start a class action suit because of the fraud in my trial. In this travesty on justice, there were substantial errors in evidence rulings and so many biased, blatant rulings in favor of the Power Co.

The geologist I hired said the whole project was a 3 prong attack on my property.

1. The mammoth, heavy construction equipment used in building this thing caused so much vibration, the houses in the area shook as tho' in an earthquake. This went on 20 out of 24 hours for months and months. Houses do not shake unless the ground is shaking. The bluffs in front of my house first started falling from the top with no undermining. This does not happen in high water.

2. The weight of the filled reservoir is popping underground springs which are under all the property in that area. There are 9000 gallons of water a minute seeping from that reservoir, 1800 of which are being pumped into Lake Mich. and that leaves 7200 gallons a minute running under our property, constantly. Little wonder that there are subsidence holes and slippage of the bluffs, in the whole area, not just on my property.
3. The operation of the plant consists of using 6 generating units to pump the water. The vibration from those at times is able to be felt by the residents. With the loose sand and the vibration literally devastating that land, it is becoming a potential danger to all in the area. The jetties the Power Co. built out into the lake are disrupting the natural flow of the lake and swirling back around into the property, also. It has interfered with the natural sand bars, which Mother Nature put there to break the force of the wave energy.

The geologist Consumer's Power Co. hired to advise them before construction of this plant told them this land was not stable enough to construct that kind of plant, but his advice was ignored. Should they not have to pay for their mistakes? Should the other residents and I have to bear that burden? The Power Co. has paid off some people in the area on the East side of the reservoir, but refused to pay anyone on the West side (the side toward the lake) as they can blame it on high water. There are people who have lived in that area for 60 years and their ancestors before them, and nothing like this has ever happened until that plant went in. The people on the East side suffered damage and complete ruination of their orchard crops due to the "run off" on the reservoir. The Power Co. is so proud of the fact they received an engineering award and O.K. from the Federal Energy Comm. Would FEC have okayed this if they knew there could be a catastrophe with subsequent loss of life? Is it to be like so many other things, too little, too late???? There has already been one death of a young mother who was killed in a landslide south of my property due to the slippage of a bluff. The Power Co. immediately put signs in the area warning of the danger. Would they have done that if not to protect themselves? It was not on their property. Will someone act only after a tragedy has occurred? Geologists feel this whole land mass could slip into the lake, which could cause a tidal wave killing hundreds of others, not just the people living in the area. Believe me, Jerry, this is a problem not caused by high water. I've lived in the Lake Mich. area all of my life and nothing like this has ever happened anywhere. It's not happening 50 miles N. where my cottage is located. As one wag said, "The water isn't as high in that part of Lake Michigan." And we have the same high bluffs here.

We've worked all of our lives to have a home and a little money for retirement. Can a company like this step in and literally take everything from us and not be made to pay for it? The Power Co. bought land in Arcadia, Mich. to build another Hydro-Electric plant and one of the reps was quoted as saying they were buying more than needed because of all the problems with the Ludington property owners. I have had to pay for my mistakes in life, should they not have to pay for theirs?

3.

This whole mess has already cost me over \$45,000.00 and I've lost a business, two buildings, and property, through no fault of mine, that would cost at today's prices \$118,232.00 to replace. That is a total of \$164,000.00 which I could have lived off very nicely the rest of my life and have a home to live in, too. I cannot live in my cottage the year round. It is an ole 58 yr. old place, which I dearly love, but does not have any insulation, the water pipes are on the outside above freezing line and it is on a high bluff not accessible in the winter snow. So, I have had to move every 6 months for 2½ yrs. I just made my 7th move in that time. I can't begin to tell you what affect this whole mess has had on my health and nerves.

Here I am, at 58, with no home, no retirement money, no income, NO NOTHIN!!!! Can they possibly get away with this? Can they step in and take everything away from a person and not be made to pay for it?

Simply, I've done everything I could on my own for 2½ years and now I just don't know where to turn. Can you, will you, help me and the others who need it? We are desperate!!!!

Thank you for your time. I deeply appreciate it.

Sincerely,

Chris

Christie Bloomer

DAYBREAK COTTAGE
8794 Glendale
Onekama, Michigan 49675

Ph. # 616-889-4488

Again, please
excuse typing -
I'm not a typist.
Personal note - love &
best to Betty.



THE WHITE HOUSE
WASHINGTON

*Pres.
(personal)*

May 19, 1975

MEMORANDUM FOR:

JAY FRENCH

FROM:

PHILIP BUCHEN

T.W.B.

The following questions are in reference to the attached correspondence:

Does the Federal Power Commission have jurisdiction to police the environmental effects of the Hydro-Electric Plant in question?

If not, does the Environmental Protection Agency?

What, if any, advance approvals had to be obtained for this project?

The project as I recall involved lifting water into a huge reservoir during 'off-peak' hours and then utilizing the force of the run-off water during peak hours to operate additional generators.

Attachment

Mrs. Robert K. Bloomer
~~South Lake Shore Drive~~
~~Ludington, - Michigan 49431~~

DAYBREAK COTTAGE
8794 Glendale
Onekama, Michigan 49831

5-14-75

49675

Mr. Philip Buchen
Counsel to the President
The White House
Washington, D. C. 20025

Dear Sir:

Thank you for your letter of May 7, 1975. I believe you missed my point completely. Perhaps I didn't clarify it.

I know what I have to do re an appeal (which I told you I could not afford and it would be of little value, anyway, because of the fraud in my trial) I'm not seeking legal advice. What I'm trying to tell the President is that this is a potential danger spot and it needs investigative action. Is not the FEC authorized to investigate something that they have given their permission to operate? If not they, then who? Would it do any good to come to Washington to talk to them? Or could someone from the EPA help us? You say this is a State affair. Do you mean the trial or the operation of the Hydro-Electric Plant? The State had nothing to do with sanctioning the ~~Powers~~ Co. to build and operate this plant, did it? Do I contact the Governor of Michigan? It's all a bit nebulous.

Surely, there must be someone in the country who can help us. Or is the Government interested only in helping people from other countries and those who are on illegitimate ADC and welfare? This is not paranoid, it seems these people have only to fill out an application regardless of "living in sin" or whatever and the Government joyfully donates food stamps, homes, medical aid and etc. We, who have worked all of our lives, paid taxes, tried to live decent lives, and have been self supporting can get no help from anyone. Inequity? It surely seems so.

Would you please inform me if President Ford ever saw my letter? I KNOW how busy he is, but it seems incredible to me that he could not take a few minutes to read it and give me a call. I welcomed two of his children into my home, showed them every courtesy, cared for them and had the responsibility of them and I loved it. I was busy, too, but not too busy to have Steve and Susan with us and I enjoyed it. Jerry called several times then to see if the youngsters had arrived safely, if we met the plane, if we'd take them to camp, pick them up from camp, etc. And I repeat, their Uncle Bob and I loved them and loved having them. Jerry just doesn't seem the type not to give me five minutes of his time. I'd just like to

2.

know if he ever saw the letter.

If you have any doubt as to the allegations I've made re the Hydro-Electric Plant, you may call my geologist, Ms. Edith McKee in Winnetka, Ill.---312-HI 66231 and she will verify my statements.

I'd also like to ask Jerry (if my mail doesn't get to him or if he's too busy to answer or bother with me) another question. I've been asked to present this whole sordid mess on TV and I do not want to do anything to hurt him, by appearing. I've not told any of these people of our in-law relationship, but some smart cookie is sure to pick up the name Bloomer and connect it to Betty's maiden name. Advise, please. If that is the only way we can get any help, I guess I'll have to do it but I do not want to cause him embarrassment in any way.

The severity of this situation cannot be emphasized enough! The Power Co. is planning on building another one of these plants just north of here in the future and if the same thing happens there, it will be another mess. They did not listen to any advice given them before re the instability of the land and they probably won't again.

We have all worked too hard to have just a home to lose everything. We do NOT deserve to be ignored.

Thank you for your time, Sir.

Very truly yours,

Christie
Christie Bloomer
(Mrs. Robert Bloomer)
8794 Glendale
Onkama, Mich. 49675

PH. # 616-889-4488



May 7, 1975

*Pres.
(personal)*

Dear Mrs. Bloomer:

Your letter addressed to the President has been referred to me, as his Counsel.

I have reviewed your account of the events which led up to your loss of property in the vicinity of Ludington. From your account of these events, it appears that the issues you raised were litigated. Without a record of the trial, I cannot of course judge the ground on which the court decided to rule against you. However, ordinarily if there is a fair basis for appeal and reversal of the Trial Courts Judgment, you should be able to obtain an attorney to handle the appeal and re-trial on a contingent fee basis. You do not indicate that you have tried to take this course, and it is the only one that appears possible so far as I can tell.

The matter you discuss is purely one of State law and is solely within the jurisdiction of the State courts. Under these circumstances, there is no authority on the part of the President or any other Federal official to help in this matter.

I regret that this conclusion may seem very discouraging to you, but I think you can appreciate that it is the only response possible. I do sympathize with you in the extreme difficulties you have had, but unless there are other aspects of the matter not apparent to me, I know of no positive assistance we can give from here.

Sincerely,

Philip W. Buchen
Counsel to the President



Mrs. Christie Bloomer
Daybreak Cottage
3794 Glendale
Onkama, Michigan 49675

bcc: Mildred Leonard

5-1-75

Dear Mr. President,

With all the problems in the country today, I hate to bother you with mine, but I do not know where else to turn. When I had a business and had a problem, I always went to the "Top Man" for help and even if you weren't an in-law, I'd write to the President of this country for help, so please do not think I'm taking advantage of the fact you are an in-law.

I'll try to be as brief as possible - I know how busy you are. My problem may seem slight to you but to me it means a great deal.

Here 'tis---

For 2½ years, I've waged a battle with Consumers's Power Co. which culminated in a trial the last of March. In one of the most biased trials I could imagine, I lost. I was aghast to know there are Judges (?) like this in our country. We have several reasons to appeal but I simply cannot afford it.

The Hydro-Electric Plant built by Consumer's Power Co. and Detroit Edison on the shores of Lake Michigan near my property in Ludington has caused so much damage to the property, I was advised by the man who knew more about the plant than anyone (quote from Con. Power Co.) to get out immediately and it was not safe to stay in overnight. That was in Oct. of 1972. He then turned to me and asked me what I'd settle for (in my book, that must be an admission of guilt) and I told him the price of the buildings and property. He told me he would take it back to their lethal (whoops, Freudian slip!) legal department and I would hear from them. I did, all right, 3 months later to the excuse they were not to blame, it was high water. I told them if they could explain how high water could get over 500 feet of ice, (it started happening in Jan.) and up a 300 foot bluff and back 150 feet to cause subsidence holes, I could buy their story. I asked them why when the water was 13" higher in 1952, it caused no damage. No answer.

It was about that time I called you to ask for advice. You advised me to write to Vander Jagt, which I did. His office advised me to hire a lawyer. Two years later and many thousands of dollars later, here I am, I've lost a home, business and property and Consumer's Power walks home free. INCREDIBLE!!!! Can this happen in our country? Believe me, it did.

Several other families in the area are ^{now} experiencing similar and other problems and they have formed an association but they are even hesitant to start a class action suit because of the fraud in my trial. In this travesty on justice, there were substantial errors in evidence rulings and so many biased, blatant rulings in favor of the Power Co.

The geologist I hired said the whole project was a 3 prong attack on my property.

1. The mammoth, heavy construction equipment used in building this thing caused so much vibration, the houses in the area shook as tho' in an earthquake. This went on 20 out of 24 hours for months and months. Houses do not shake unless the ground is shaking. The bluffs in front of my house first started falling from the top with no undermining. This does not happen in high water.

2. The weight of the filled reservoir is popping underground springs which are under all the property in that area. There are 9000 gallons of water a minute seeping from that reservoir, 1800 of which are being pumped into Lake Mich. and that leaves 7200 gallons a minute running under our property, constantly. Little wonder that there are subsidence holes and slippage of the bluffs, in the whole area, not just on my property.
3. The operation of the plant consists of using 6 generating units to pump the water. The vibration from those at times is able to be felt by the residents. With the loose sand and the vibration literally devastating that land, it is becoming a potential danger to all in the area. The jet-ties the Power Co. built out into the lake are disrupting the natural flow of the lake and swirling back around into the property, also. It has interfered with the natural sand bars, which Mother Nature put there to break the force of the wave energy.

The geologist Consumer's Power Co. hired to advise them before construction of this plant told them this land was not stable enough to construct that kind of plant, but his advice was ignored. Should they not have to pay for their mistakes? Should the other residents and I have to bear that burden? The Power Co. has paid off some people in the area on the East side of the reservoir, but refused to pay anyone on the West side (the side toward the lake) as they can blame it on high water. There are people who have lived in that area for 60 years and their ancestors before them, and nothing like this has ever happened until that plant went in. The people on the East side suffered damage and complete ruination of their orchard crops due to the "run off" on the reservoir. The Power Co. is so proud of the fact they received an engineering award and O.K. from the Federal Energy Comm. Would FEC have okayed this if they knew there could be a catastrophe with subsequent loss of life? Is it to be like so many other things, too little, too late???? There has already been one death of a young mother who was killed in a landslide south of my property due to the slippage of a bluff. The Power Co. immediately put signs in the area warning of the danger. Would they have done that if not to protect themselves? It was not on their property. Will someone act only after a tragedy has occurred? Geologists feel this whole land mass could slip into the lake, which could cause a tidal wave killing hundreds of others, not just the people living in the area. Believe me, Jerry, this is a problem not caused by high water. I've lived in the Lake Mich. area all of my life and nothing like this has ever happened anywhere. It's not happening 50 miles N. where my cottage is located. As one wag said, "The water isn't as high in that part of Lake Michigan." And we have the same high bluffs here.

We've worked all of our lives to have a home and a little money for retirement. Can a company like this step in and literally take everything from us and not be made to pay for it? The Power Co. bought land in Arcadia, Mich. to build another Hydro-Electric plant and one of the reps was quoted as saying they were buying more than needed because of all the problems with the Ludington property owners. I have had to pay for my mistakes in life, should they not have to pay for theirs?

3.

This whole mess has already cost me over \$45,000.00 and I've lost a business, two buildings, and property, through no fault of mine, that would cost at today's prices \$118,232.00 to replace. That is a total of \$164,000.00 which I could have lived off very nicely the rest of my life and have a home to live in, too. I cannot live in my cottage the year round. It is an ole 58 yr. old place, which I dearly love, but does not have any insulation, the water pipes are on the outside above freezing line and it is on a high bluff not accessible in the winter snow. So, I have had to move every 6 months for 2½ yrs. I just made my 7th move in that time. I can't begin to tell you what affect this whole mess has had on my health and nerves.

Here I am, at 58, with no home, no retirement money, no income, NO NOTHIN!!!! Can they possibly get away with this? Can they step in and take everything away from a person and not be made to pay for it?

Simply, I've done everything I could on my own for 2½ years and now I just don't know where to turn. Can you, will you, help me and the others who need it? We are desperate!!!!

Thank you for your time. I deeply appreciate it.

Sincerely,

Chris

Christie Bloomer

DAYBREAK COTTAGE
8794 Glendale
Onkama, Michigan 49675

Ph. # 616-889-4488

*Again, please
excuse typing-
I'm not a typist.
Personal note - love &
best to Betty.*



THE WHITE HOUSE
WASHINGTON

*Blumer,
Christie*

May 19, 1975

MEMORANDUM FOR:

JAY FRENCH

FROM:

PHILIP BUCHEN

T.W.B.

The following questions are in reference to the attached correspondence:

Does the Federal Power Commission have jurisdiction to police the environmental effects of the Hydro-Electric Plant in question?

If not, does the Environmental Protection Agency?

What, if any, advance approvals had to be obtained for this project?

The project as I recall involved lifting water into a huge reservoir during 'off-peak' hours and then utilizing the force of the run-off water during peak hours to operate additional generators.

Attachment



For "Blooms" file

[ca. June 1975]

Judge Wenk

Hal Sawyer for defense

Ben Marcus (John Ruck)

Lodington Pump Storage Reservoir

Proposed in mid-1960's so did
not file EIS



THE WHITE HOUSE
WASHINGTON

June 5, 1975

*Bloomer,
Mrs. Robert K.*

Dear Mrs. Bloomer:

You can be assured that I have talked about your matter directly with Betty Ford and, after your letter of May 14, I made further inquiries as to what, if any, possibility there is at the Federal level to provide relief from the conditions created by the hydro-electric plant which was a joint project of Consumer's Power Company and Detroit Edison.

The Ford family is, of course, very appreciative of all you have done for the children, but, in the President's case, he must depend on help from his advisers such as me to ascertain if there is any help to be provided. As you indicated, even much earlier the Ford office had to refer you to Congressman Vander Jagt who, on investigation, appeared to have concluded the problem was purely one of state involvement.

After checking further, I find that probably the only possible application of Federal law to the situation would involve the National Environmental Policy act which came into effect January 1, 1970.

Then I called Mrs. McKee for further information as you suggested, and I found out that she is going to be in Washington next week on another matter, and she offered to come to my office to give me further information.

After I have talked with Mrs. McKee, I shall write you further.

Sincerely,

Philip W. Buchen

Philip W. Buchen
Counsel to the President



Mrs. Robert K. Bloomer
Daybreak Cottage
8794 Glendale
Onkama, Michigan 49675

Mrs. Robert K. Bloomer
~~South Lake Shore Drive~~
~~Ludington, Michigan 49431~~

DAYBREAK CONTACT
8734 Glendale
Onekama, Michigan

49:75
5-14-75

Mr. Philip Buchen
Counsel to the President
The White House
Washington, D. C. 20025

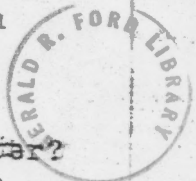
Dear Sir:

Thank you for your letter of May 7, 1975. I believe you missed my point completely. Perhaps I didn't clarify it.

I know what I have to do re an appeal (which I told you I could not afford and it would be of little value, anyway, because of the fraud in my trial) I'm not seeking legal advice. What I'm trying to tell the President is that this is a potential danger spot and it needs investigative action. Is not the FEC authorized to investigate something that they have given their permission to operate? If not they, then who? Would it do any good to come to Washington to talk to them? Or could someone from the EPA help us? You say this is a State affair. Do you mean the trial or the operation of the Hydro-Electric Plant? The State had nothing to do with sanctioning the Power Co. to build and operate this plant, did it? Do I contact the Governor of Michigan? It's all a bit nebulous.

Surely, there must be someone in the country who can help us. Or is the Government interested only in helping people from other countries and those who are on illegitimate ADC and welfare? This is not paranoid, it seems these people have only to fill out an application regardless of "living in sin" or whatever and the Government joyfully donates food stamps, homes, medical aid and etc. We, who have worked all of our lives, paid taxes, tried to live decent lives, and have been self supporting can get no help from anyone. Inequity? It surely seems so.

Would you please inform me if President Ford ever saw my letter? I KNOW how busy he is, but it seems incredible to me that he could not take a few minutes to read it and give me a call. I welcomed two of his children into my home, showed them every courtesy, cared for them and had the responsibility of them and I loved it. I was busy, too, but not too busy to have Steve and Susan with us and I enjoyed it. Jerry called several times then to see if the youngsters had arrived safely, if we met the plane, if we'd take them to camp, pick them up from camp, etc. And I repeat, their Uncle Bob and I loved them and loved having them. Jerry just doesn't seem the type not to give me five minutes of his time. I'd just like to



know if he ever saw the letter.

If you have any doubt as to the allegations I've made re the Hydro-Electric Plant, you may call my geologist, Ms. Edith McKee in Winnetka, Ill.---312-HI 66231 and she will verify my statements.

I'd also like to ask Jerry (if my mail doesn't get to him or if he's too busy to answer or bother with me) another question. I've been asked to present this whole sordid mess on TV and I do not want to do anything to hurt him, by appearing. I've not told any of these people of our in-law relationship, but some smart cookie is sure to pick up the name Bloomer and connect it to Betty's maiden name. Advise, please. If that is the only way we can get any help, I guess I'll have to do it but I do not want to cause him embarrassment in any way.

The severity of this situation cannot be emphasized enough! The Power Co. is planning on building another one of these plants just north of here in the future and if the same thing happens there, it will be another mess. They did not listen to any advice given them before re the instability of the land and they probably won't again.

We have all worked too hard to have just a home to lose everything. We do NOT deserve to be ignored.

Thank you for your time, Sir.

Very truly yours,

Christie
Christie Bloomer
(Mrs. Robert Bloomer)
8794 Glendale
Cnekama, Mich. 49675

PH. # 616-889-4488



THE WHITE HOUSE


WASHINGTON

June 3, 1975

MEMORANDUM FOR:

PHILIP W. BUCHEN

FROM:

JAY T. FRENCH 

SUBJECT:

Draft of Mrs. Bloomer letter

The statutory language of the National Environmental Policy Act neither expressly exempts nor applies to projects initiated prior to January 1, 1970, the effective date of the Act. The Federal courts applied the Act's requirements to projects initiated before the effective date when it was shown that as of that date the Federal government had a "continuing responsibility" to "use all practical means...to improve and coordinate Federal plans, functions, programs, and resources..." to carry out the policies of the Act.

Set forth below is a suggested statement of law for you to include in your letter to Mrs. Bloomer.

Also, under the National Environmental Policy Act, an environmental impact statement on this project would have been prepared if it was determined that an agency of the federal government had a continuing and ongoing responsibility for the project after the effective date of the Act, January 1, 1970.



1. The Honorable John N. Nassikas
Chairman
Federal Power Commission
825 North Capitol Street
Washington, D. C. 20426
2. Mr. Sheldon Meyers
Director
Office of Federal Activities
Environmental Protection Agency
401 M Street SW
Washington, D. C. 20460
3. Office of the General Counsel
Council on Environmental Quality
722 Jackson Place
Washington, D. C. 20006



May 7, 1975

Dear Mrs. Bloomer:

Your letter addressed to the President has been referred to me, as his Counsel.

I have reviewed your account of the events which led up to your loss of property in the vicinity of Ludington. From your account of these events, it appears that the issues you raised were litigated. Without a record of the trial, I cannot of course judge the ground on which the court decided to rule against you. However, ordinarily if there is a fair basis for appeal and reversal of the Trial Courts Judgment, you should be able to obtain an attorney to handle the appeal and re-trial on a contingent fee basis. You do not indicate that you have tried to take this course, and it is the only one that appears possible so far as I can tell.

The matter you discuss is purely one of State law and is solely within the jurisdiction of the State courts. Under these circumstances, there is no authority on the part of the President or any other Federal official to help in this matter.

I regret that this conclusion may seem very discouraging to you, but I think you can appreciate that it is the only response possible. I do sympathize with you in the extreme difficulties you have had, but unless there are other aspects of the matter not apparent to me, I know of no positive assistance we can give from here.

Sincerely,

Philip W. Buchan
Counsel to the President

Mrs. Christie Bloomer
Daybreak Cottage
3794 Glendala
Onkama, Michigan 49675

bcc: Mildred Leonard



Dear Mr. President,

With all the problems in the country today, I hate to bother you with mine, but I do not know where else to turn. When I had a business and had a problem, I always went to the "Top Man" for help and even if you weren't an in-law, I'd write to the President of this country for help, so please do not think I'm taking advantage of the fact you are an in-law.

I'll try to be as brief as possible - I know how busy you are. My problem may seem slight to you but to me it means a great deal.

Here 'tis---

For 2½ years, I've waged a battle with Consumers's Power Co. which culminated in a trial the last of March. In one of the most biased trials I could imagine, I lost. I was aghast to know there are Judges (?) like this in our country. We have several reasons to appeal but I simply cannot afford it.

The Hydro-Electric Plant built by Consumer's Power Co. and Detroit Edison on the shores of Lake Michigan near my property in Ludington has caused so much damage to the property, I was advised by the man who knew more about the plant than anyone (quote from Con. Power Co.) to get out immediately and it was not safe to stay in overnight. That was in Oct. of 1972. He then turned to me and asked me what I'd settle for (in my book, that must be an admission of guilt) and I told him the price of the buildings and property. He told me he would take it back to their lethal (whoops, Freudian slip!) legal department and I would hear from them. I did, all right, 3 months later to the excuse they were not to blame, it was high water. I told them if they could explain how high water could get over 500 feet of ice, (it started happening in Jan.) and up a 300 foot bluff and back 150 feet to cause subsidence holes, I could buy their story. I asked them why when the water was 13" higher in 1952, it caused no damage. No answer.

It was about that time I called you to ask for advice. You advised me to write to Vander Jagt, which I did. His office advised me to hire a lawyer. Two years later and many thousands of dollars later, here I am, I've lost a home, business and property and Consumer's Power walks home free. INCREDIBLE!!!!!! Can this happen in our country? Believe me, it did.

Several other families in the area are, ^{now} experiencing similar and other problems and they have formed an association but they are even hesitant to start a class action suit because of the fraud in my trial. In this travesty on justice, there were substantial errors in evidence rulings and so many biased, blatant rulings in favor of the Power Co.

The geologist I hired said the whole project was a 3 prong attack on my property.

1. The mammoth, heavy construction equipment used in building this thing caused so much vibration, the houses in the area shook as tho' in an earthquake. This went on 20 out of 24 hours for months and months. Houses do not shake unless the ground is shaking. The bluffs in front of my house first started falling from the top with no undermining. This does not happen in high water.

2. The weight of the filled reservoir is popping underground springs which are under all the property in that area. There are 9000 gallons of water a minute seeping from that reservoir, 1800 of which are being pumped into Lake Mich. and that leaves 7200 gallons a minute running under our property, constantly. Little wonder that there are subsidence holes and slippage of the bluffs, in the whole area, not just on my property.

3. The operation of the plant consists of using 6 generating units to pump the water. The vibration from those at times is able to be felt by the residents. With the loose sand and the vibration literally devastating that land, it is becoming a potential danger to all in the area. The jet-ties the Power Co. built out into the lake are disrupting the natural flow of the lake and swirling back around into the property, also. It has interfered with the natural sand bars, which Mother Nature put there to break the force of the wave energy.

The geologist Consumer's Power Co. hired to advise them before construction of this plant told them this land was not stable enough to construct that kind of plant, but his advice was ignored. Should they not have to pay for their mistakes? Should the other residents and I have to bear that burden? The Power Co. has paid off some people in the area on the East side of the reservoir, but refused to pay anyone on the West side (the side toward the lake) as they can blame it on high water. There are people who have lived in that area for 60 years and their ancestors before them, and nothing like this has ever happened until that plant went in. The people on the East side suffered damage and complete ruination of their orchard crops due to the "run off" on the reservoir. The Power Co. is so proud of the fact they received an engineering award and O.K. from the Federal Energy Comm. Would FEC have okayed this if they knew there could be a catastrophe with subsequent loss of life? Is it to be like so many other things, too little, too late????? There has already been one death of a young mother who was killed in a landslide south of my property due to the slippage of a bluff. The Power Co. immediately put signs in the area warning of the danger. Would they have done that if not to protect themselves? It was not on their property. Will someone act only after a tragedy has occurred? Geologists feel this whole land mass could slip into the lake, which could cause a tidal wave killing hundreds of others, not just the people living in the area. Believe me, Jerry, this is a problem not caused by high water. I've lived in the Lake Mich. area all of my life and nothing like this has ever happened anywhere. It's not happening 50 miles N. where my cottage is located. As one was said, "The water isn't as high in that part of Lake Michigan." And we have the same high bluffs here.

We've worked all of our lives to have a home and a little money for retirement. Can a company like this step in and literally take everything from us and not be made to pay for it? The Power Co. bought land in Arcadia, Mich. to build another Hydro-Electric plant and one of the reps was quoted as saying they were buying more than needed because of all the problems with the Ludington property owners. I have had to pay for my mistakes in life, should they not have to pay for theirs?

3.
This whole mess has already cost me over \$45,000.00 and I've lost a business, two buildings, and property, through no fault of mine, that would cost at today's prices \$118,232.00 to replace. That is a total of \$164,000.00 which I could have lived off very nicely the rest of my life and have a home to live in, too. I cannot live in my cottage the year round. It is an ole 58 yr. old place, which I dearly love, but does not have any insulation, the water pipes are on the outside above freezing line and it is on a high bluff not accessible in the winter snow. So, I have had to move every 6 months for 2½ yrs. I just made my 7th move in that time. I can't begin to tell you what affect this whole mess has had on my health and nerves.

Here I am, at 58, with no home, no retirement money, no income, NO NOTHIN!!!! Can they possibly get away with this? Can they step in and take everything away from a person and not be made to pay for it?

Simply, I've done everything I could on my own for 2½ years and now I just don't know where to turn. Can you, will you, help me and the others who need it? We are desperate!!!!

Thank you for your time. I deeply appreciate it.

Sincerely,

Christie

Christie Bloomer

DAYBREAK COTTAGE
8794 Glendale
Onekama, Michigan 49675

Ph. # 616-889-4488

Again, please
excuse typing
I'm not a typist
Personal note
best to Betty



6-8-75

Dear Mr. Buchen:

Thank you for your letter of 6-5-75. Edith McKee called today requesting the enclosed pictures be sent to her in care of you prior to her meeting with you on Wed. 6-11-75. She leaves tonight and no time to get them to her residence. As I do not have a courier on tap, I hope the "thru" snow and ice" people come through and this reaches you in time.

Regarding your letter (2nd paragraph) Jerry said to contact Mr. Vander Jagt because of political protocol as he was the Congressman from Michigan and Jerry would do all he could from the Washington "end". Not because it was a "state involvement" affair.

I fail to see why it's NOT a Federal concern, as it involves Federal waters and the electricity generated is sold intra-state, but what do I know? In fact, the Power Co. did not dispute an allegation that more went out of state than in.

Thank you so kindly for your time and I again apologize for being a nuisance, but, I repeat we are desperate. We really do need help!!!!

Please convey ^{to Betty} my thanks and gratitude for her help and I'll write to her as soon as the newest mess in my life is over. The "perils of Pauline" are a Sunday School picnic compared to some of the problems I've had in the last three years. My latest hurdle is that next Tuesday I have to appear in court again to answer a charge by the Power Co. that I owe them some \$4600.00 to pay for the costs of bringing their witnesses to the trial. I DO NOT BELIEVE IT but there it is. I did not think this could happen in our country. I'm convinced in my own mind this is naught but "scare tactics" to frighten off a class action suit but I could be wrong. (Have been before.) I'm afraid I do not stand a chance with that Judge sitting on his illustrious - ahem - bench but I do have faith that everything happens for a reason and perhaps God has designated me to help these other people, so I'm trying.

Thank you kindly again for your time. I do know how busy you all are but I deeply and sincerely appreciate it.

Very truly yours,

Christie Bloomer

Christie Bloomer
(Mrs. Robert Bloomer)
8794 Glendale
Onkama, Mich. 49675



P.S.
With my life, I'd have been better off to study Typing than Latin but I didn't, so please excuse the Typing.

Mrs. Robert Bloomer

DAYBREAK COTTAGE
8794 Glendale
Onkama, Michigan 49675

Air Mail

Please do not bend.

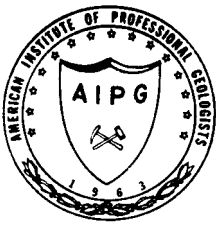


Mr. Buchen -
Enclosed information for
Edin McKee meeting on
Wed 6/11/75.



The President
J. Philip Buchen - Counsel To The
President
The White House
Washington, D.C. 20025

Air Mail



AMERICAN INSTITUTE OF PROFESSIONAL GEOLOGISTS

GENERAL HEADQUARTERS

Mailing address:
P. O. Box 957
Golden, Colorado 80401

Telephone: (303) 279-0026

Office location:
622 Gardenia Court
Golden, Colorado 80401

STATEMENT OF
EDITH M. MCKEE, C.P.G.
ON BEHALF OF THE AMERICAN INSTITUTE OF PROFESSIONAL GEOLOGISTS

BEFORE THE
COMMITTEE ON MERCHANT MARINE AND FISHERIES
SUBCOMMITTEE ON OCEANOGRAPHY
UNITED STATES HOUSE OF REPRESENTATIVES

WASHINGTON, D.C.

JUNE 11, 1975





AMERICAN INSTITUTE OF PROFESSIONAL GEOLOGISTS

GENERAL HEADQUARTERS

Mailing address:

P. O. Box 957
Golden, Colorado 80401

Telephone: (303) 279-0026

Office location:

622 Gardenia Court
Golden, Colorado 80401

STATEMENT OF

EDITH M. MCKEE, C.P.G.

ON BEHALF OF THE AMERICAN INSTITUTE OF PROFESSIONAL GEOLOGISTS

BEFORE THE

COMMITTEE ON MERCHANT MARINE AND FISHERIES

SUBCOMMITTEE ON OCEANOGRAPHY

UNITED STATES HOUSE OF REPRESENTATIVES

WASHINGTON, D.C.

JUNE 11, 1975

GOOD MORNING, MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE.

1972
I APPRECIATE THIS OPPORTUNITY TO DISCUSS WITH YOU, ON BEHALF
OF THE AMERICAN INSTITUTE OF PROFESSIONAL GEOLOGISTS (AIPG)
VARIOUS ASPECTS OF THE COASTAL ZONE MANAGEMENT ACT, AND THE
POSSIBLE IMPACT OF ENERGY RELATED ACTIVITIES OFFSHORE, NEAR-
SHORE, AT THE SHORELINE AND IN THE COASTAL ZONES.

THE AIPG IS A CHARTERED ORGANIZATION OF 2500 PROFESSIONAL
GEOLOGISTS HEADQUARTERED IN GOLDEN, COLORADO, AND I AM APPEAR-
ING ON THEIR BEHALF TO EXPRESS TO THE PUBLIC, AND TO THE
CONGRESS THE ROLE OF GEOLOGY AND THE VIEWS OF GEOLOGISTS. MY

MAJOR THRUST TODAY WILL BE TO DEMONSTRATE THE NEED TO DEVELOP SOLID GEOLOGICAL FOUNDATIONS FOR ANY AND ALL DECISIONS REGARDING USE OF THE WATER AND LAND RESOURCES, PLUS THE URGENT NEED TO DEVELOP A TRULY INTEGRATED, MULTI-DISCIPLINE, APPLIED RESEARCH APPROACH TO CONTINENTAL SHELF AND COASTAL ZONE EXPLORATION, DEVELOPMENT AND USE. IT IS MY CONVICTION THAT BY IDENTIFYING AND CORRELATING ALL THE PHYSICAL, BIOLOGICAL AND HUMAN USE PARAMETERS OF THE WATER AND LAND WE WILL BE ABLE TO HAVE OUR INDUSTRIAL AND COMMERCIAL DEVELOPMENTS AS WELL AS A PROTECTED ENVIRONMENT. I HOPE THAT THIS DISCUSSION WILL BE HELPFUL IN IDENTIFYING AREAS OF BASIC RESEARCH NEEDING TO BE SPEEDILY UNDERTAKEN IN ORDER TO DEVELOP REASONABLE AND BEST-USE PROGRAMS, AS WELL AS CONSTRAINTS, FOR THE CONTINENTAL SHELF AND COASTAL ZONES, AND SO ASSIST THIS SUBCOMMITTEE IN ITS DELIBERATIONS OF THE PROPOSED LEGISLATION AND THE PROBLEMS.

TO PROVIDE A BRIEF BACKGROUND SUMMARY, I AM EDITH MERRITT MCKEE, AN INDEPENDENT CONSULTING GEOLOGIST WITH AN OFFICE IN WINNETKA, ILLINOIS WHICH IS WITHIN THE ILLINOIS COASTAL ZONE. FOR 32 YEARS I HAVE BEEN WORKING AS A PROFESSIONAL GEOLOGIST IN THIS COUNTRY AND OVERSEAS. I AM A FELLOW OF THE GEOLOGICAL SOCIETY OF AMERICA AND A CHARTER MEMBER OF THE AMERICAN INSTITUTE OF PROFESSIONAL GEOLOGISTS. BEFORE DECIDING IN 1958 TO WORK INDEPENDENTLY AS A CONSULTANT, I HAD WORKED WITH THE MILITARY GEOLOGY UNIT OF THE U.S. GEOLOGICAL SURVEY DURING WORLD WAR II, SPENT 2 YEARS WITH SHELL OIL IN THE GULF COAST, 5 YEARS IN

SAUDI ARABIA WITH THE ARABIAN AMERICAN OIL COMPANY, AND SEVERAL YEARS WITH UNDERGROUND GAS STORAGE EXPLORATION IN ILLINOIS. MY WORK HAS INVOLVED A VARIETY OF EXPLORATION AND DEVELOPMENT PROGRAMS REQUIRING SURFACE, SUBSURFACE AND SUB-MARINE DATA COLLECTION, INTERPRETATION AND EVENTUAL RECOMMENDATION OF DEVELOPMENT AND USE PROGRAMS. IN THE SPECIFIC AREAS OF THE CONTINENTAL SHELVES AND COASTAL ZONES, IT HAS BEEN MY GOOD FORTUNE TO HAVE WORKED IN THE ATLANTIC, GULF OF MEXICO, MEDITERRANEAN, RED SEA, PERSIAN GULF, ARABIAN SEA, INDIAN OCEAN, SOUTH CHINA SEA, PACIFIC OCEAN, ARCTIC OCEAN AND THE GREAT LAKES. I WAS IN THE TEXAS AND LOUISIANA COASTAL AREAS IN THE LATE 1940s WHEN OFFSHORE DRILLING WAS STARTING TO BE A MAJOR PROGRAM, AND THE COASTAL COMMUNITIES WERE FEELING THE IMPACT OF DEVELOPMENT AND OVER-USE. CURRENTLY AS AN ELECTED COMMISSIONER OF THE WINNETKA PARK BOARD AND AN EXPERT ON SHORE PROBLEMS, I AM PARTICIPATING IN THE ILLINOIS COASTAL ZONE MANAGEMENT PROGRAM.

STARTING IN 1967 AND CONTINUING TO THE PRESENT TIME, I HAVE BEEN CONDUCTING A RESEARCH PROGRAM TO MAP IN DETAIL THE BOTTOM TERRAIN WITH THE ASSOCIATED BEDROCK AND SUBSURFACE GEOLOGY OF THE GREAT LAKES, WITH THE OBJECTIVE OF LEARNING ABOUT THE NATURAL SYSTEMS WITHIN THE WATER MASS AND HOW THEY REACT TO THE LAND-WATER INTERFACE OF THE LAKE BOTTOM AND THE SHORE AS WELL AS WITH MAN'S USE OF THE LAKE AND THE COASTAL ZONE. WITH WATER DEPTHS OF 1333 FEET IN LAKE SUPERIOR AND 923 FEET IN LAKE

MICHIGAN, THESE FIRST LAKES TO BE STUDIED HAVE CONSIDERABLE AREAS EXCEEDING IN DEPTH WHAT IS USUALLY CONSIDERED AS THE OUTER CONTINENTAL SHELF. EXCEPT FOR THE PROBLEMS OF SALT WATER AND TIDES, THESE LAKES PRESENT THE RESEARCHER WITH ALL THE PHYSICAL LAND-WATER PROBLEMS OF THE MARINE COASTAL AREAS. PRACTICAL RESULTS TO DATE FROM THIS STUDY INCLUDE:

1. BETTER UNDERSTANDING OF CURRENTS WITHIN THE WATER MASS FROM THE BOTTOM TO THE SURFACE, AND THEIR ROLE IN CARRYING OR DISPERSING OIL SPILLS, INDUSTRIAL WASTES, COMMUNITY WASTES, THERMAL DISCHARGES, ETC.
2. IDENTIFYING FAVORED FISH HABITATS AND MIGRATION ROUTES.
3. IDENTIFYING CAUSES AND CONTROLS OF SHORE EROSION.
4. PROVIDING A BASIS FOR COMPUTERIZING PRECISE ALL-WEATHER BATHYMETRIC NAVIGATION ROUTES FOR TANKERS, FREIGHTERS, ORE BOATS AND PLEASURE BOATS.
5. CRITICALLY ANALYZING POOR SITING AND CONSTRUCTION DESIGNS OF POWER PLANTS, LAND FILLS, HARBORS, ETC. WHICH ARE CAUSING MANY SHORE EROSION PROBLEMS.

6. PREDICT ENVIRONMENTAL RESULTS OF DRILLING, MINING, CONSTRUCTION AND TRANSPORT USE OF THE SHORE AND OFFSHORE AREAS.
7. DELINEATE AREAS GEOLOGICALLY SUITABLE FOR PROTECTED USE, LIGHT USE AND HEAVY USE OF THE SHORE ZONE, THE WATERS AND THE SUB-MERGED LANDS.
8. PROVIDE A BASIS FOR DEVELOPMENT OF COASTAL ZONE MANAGEMENT PROGRAMS, BOTH SHORT TERM AND LONG TERM.

IT IS MOST UNFORTUNATE THAT ONLY WITHIN THE LAST COUPLE OF YEARS HAS THERE BEEN ANY GREAT INTEREST ON THE PART OF GEOLOGISTS AND OTHER SCIENTISTS IN STUDYING THE NEARSHORE ZONE AND THE CONTINENTAL SHELF. THOSE ORIENTED TO ON-LAND WORK DID NOT WISH TO GET THEIR FEET WET. THOSE INTERESTED IN OFFSHORE WORK FOUND MORE PRESTIGE, FUNDING AND PROFESSIONAL CHALLENGE AND SATISFACTION WORKING ON BIG SHIPS OPERATING IN DEEP WATER OF OPEN LAKES OR THE OCEANS. ALSO, THERE HAS BEEN VERY LITTLE REAL COOPERATION BETWEEN SCIENTISTS WORKING IN THE SAME DISCIPLINES AND AREAS, LET ALONE IN CROSS-DISCIPLINES. ONLY WHEN FUNDING IS SUPPLIED FOR SPECIFIC STUDIES (GEOLOGY, INCLUDING WATER QUALITY AND CURRENTS, THE BIOTA AND ECO-SYSTEMS, AND HUMAN USE NEEDS) WHICH ARE THEN CORRELATED AS APPLIED, PRACTICAL RESEARCH PROGRAMS WILL ADEQUATE EFFORTS BE MADE TO PROVIDE THE PRIMARY DATA NEEDED FOR REALISTICALLY DECIDING OFFSHORE

AND COASTAL ZONE MANAGEMENT PROBLEMS. CERTAINLY PLANNERS, ENGINEERS, LAWYERS, ECONOMISTS, BUSINESS MEN, ENVIRONMENTALISTS AND GOVERNMENT OFFICIALS MUST BE INCLUDED IN THE OFFSHORE AND COASTAL ZONE DEVELOPMENT AND USE PROGRAMS--BUT UNTIL THE SCIENTISTS HAVE DEVELOPED HARD DATA, THERE HAS NOT BEEN AND WILL NOT BE AVAILABLE ADEQUATE FACTS ON WHICH TO MAKE CONSTRUCTIVE HUMAN USE DECISIONS.

ADDRESSING SPECIFICS OF PETROLEUM EXPLORATION, THE OIL COMPANIES HAVE THE CAPABILITIES TODAY TO DRILL PERFECTLY CLEAN WELLS ON LAND AND OFFSHORE. THEY NEED TO BE BETTER POLICED TO SEE THAT THEY DO CONDUCT CLEAN AND SAFE OPERATIONS. THEY HAVE DEVELOPED SOME IMPRESSIVE CAPABILITIES IN CLEANING UP ANY OIL SPILLS WHICH MIGHT OCCUR. THE SANTA BARBARA SPILLAGE MESS WAS PRIMARILY CAUSED BY DRILLING PROGRAMS DEVELOPED FROM A COST ANALYSIS RATHER THAN ON GEOLOGICAL AND ENGINEERING ADVICE-MENT. IN SPITE OF SOME RATHER DIRTY CORNERS IN THE PAST, THE OIL INDUSTRY IS IN A FAR BETTER POSITION TO EXPLORE, DEVELOP, PRODUCE, TRANSPORT AND PROCESS OIL AND GAS THAN IS THE GOVERNMENT. WHILE THE U.S. GEOLOGICAL SURVEY HAS DONE AN EXCELLENT JOB OF CONDUCTING A PRELIMINARY INDEXING OF CONTINENTAL SHELF PETROLEUM POTENTIALS FOR LEASING PROGRAMS, THEY ARE IN NO POSITION TO UNDERTAKE A THOROUGH EXPLORATION, DRILLING AND PRODUCTION PROGRAM. THEIR MANPOWER CAPABILITIES ARE LIMITED AND THEIR BUDGETS ARE INADEQUATE. WITH THE CURRENT OIL EXPLORATION BOOM, THE BEST AND EXPERIENCED PETROLEUM GEOLOGISTS,

GEOPHYSICISTS AND DRILL CREWS ARE ALREADY HIRED BY THE COMPANIES AT SALARIES FAR ABOVE GOVERNMENT PAY SCALES. THE DRILLING RIGS AND SUPPORT SERVICES ARE ALREADY CONTRACTED TO OIL COMPANIES FOR YEARS AHEAD. AMERICAN SUPPORT OF PRIVATE ENTERPRISE CAN STILL PROVIDE SPEEDY AND ECONOMICAL EXPLORATION AND PRODUCTION OF THE PETROLEUM POTENTIALS OFFSHORE.

IN LARGE PART THE PRESENT ENERGY PROBLEMS HAVE COME ABOUT BECAUSE, SINCE THE MID-1950s THE OIL COMPANIES HAVE GIVEN MUCH MORE CONSIDERATION TO MARKETING AND BUSINESS ADMINISTRATION THAN TO EXPLORATION. THE CURRENT CRITICISMS OF OIL COMPANIES REGARDING TAX STRUCTURES, EXCESS PROFITS, AND WINDFALL PROFITS REFLECT THIS OVER-EMPHASIS ON MARKETING AND ADMINISTRATIVE POLICIES WITH TOO LITTLE ATTENTION TO BASIC EXPLORATION AND PRODUCTION RESPONSIBILITIES. THERE HAS BEEN TOO LITTLE COMMUNICATION BETWEEN THE POLICY MAKERS AND THE TECHNICAL EXPERTS SUCH AS GEOLOGISTS, GEOPHYSICISTS AND ENGINEERS. COMPANY AFTER COMPANY HAS CUT OFF OR SHARPLY REDUCED THEIR GEOLOGICAL STAFFS. OTHERS HAVE SURPLUSED THEIR OLDER, EXPERIENCED AND HIGHER SALARIED GEOLOGISTS AND THEN HIRED YOUNG ONES RIGHT OUT OF UNIVERSITIES WITHOUT EXPERIENCE.

HAVING BEEN DIRECTLY AND PERIPHERALLY INVOLVED WITH THE PETROLEUM INDUSTRY SINCE 1947, I AM OPTIMISTIC ABOUT INCREASING OUR DOMESTIC AND OFFSHORE OIL AND GAS RESOURCES. THE PRESENT OIL BOOM IN ALABAMA SUPPORTS THIS VIEW THAT ALL LAND BASED EXPLORATION IS NOT JUST A DRY HOLE RUN. IT IS INTERESTING TO NOTE

THAT ONSHORE OIL DISCOVERIES ARE WELCOMED JOYFULLY AS FINANCIAL GAIN TO NEARBY COMMUNITIES, WHILE OFFSHORE PRODUCTION RAISE MANY QUESTIONS OF FINANCIAL DRAIN ON STATES AND COMMUNITIES. TRUE, IN MANY COASTAL AREAS NEW DEMANDS MADE BY A RAPID INFLUX OF OIL OR GAS RELATED WORKERS AND THEIR FAMILIES, AS WELL AS THE ACTUAL CONSTRUCTION OF TERMINALS, STORAGE, PIPELINE AND PROCESSING PLANTS CAN UPSET LOCAL ENVIRONMENTS AND BUDGETS. NOT ONLY COMMUNITY PLANNING IS INVOLVED, BUT ALSO INTER-COMMUNITY, STATE AND INTER-STATE COOPERATION IS URGENTLY NEEDED. BECAUSE SO MUCH SCIENTIFIC RESEARCH IS NEEDED BEFORE OPTIMUM FINAL DEVELOPMENT PLANS CAN BE DECIDED UPON, FEDERAL FUNDING AND FEDERAL EXPLORATION PROGRAMS NEED TO BE AVAILABLE TO THE STATES AND COMMUNITIES AS SOON AS POSSIBLE. A FUND SUCH AS IS PROPOSED IN H.R. 3981 "COASTAL ENVIRONMENT ACT OF 1975" IS NEEDED NOW TO HELP COASTAL AREAS REALIZE ACTUAL PROBLEMS INHERENT WITH ENERGY DEVELOPMENT PROGRAMS. I URGE THAT RESEARCH ITEMS BE SPECIFICALLY NAMED IN THE FINAL LEGISLATION TO COVER:

1. DETAILED MAPPING OF OFFSHORE AND NEARSHORE BOTTOM TERRAIN.
2. DEEP WATER AND NEARSHORE CURRENTS (BOTTOM TO TOP).
3. COMPOSITION AND STABILITY CHARACTERISTICS OF NEARSHORE, SHORE AND COASTAL ZONE ROCKS AND SEDIMENTS.
4. REGIONAL AND LOCAL SEISMICITY OF NEARSHORE, SHORE AND COASTAL ZONE.

5. SURFACE WATER AND GROUNDWATER CHARACTERISTICS.
6. NATURAL OFFSHORE TERRAIN FEATURES WHICH PROTECT A SHORE FROM EXCESSIVE EROSION.
7. BASELINE WATER QUALITY DATA INCLUDING WATER PURITY, TEMPERATURES, AND ANY ANOMALIES DEVELOPED BY GROUNDWATER DISCHARGE, SEDIMENT LADEN RIVERS, AREAS OF SHORE EROSION, COMMUNITY OR INDUSTRIAL DISCHARGE AND INCLUDING THERMAL PLUMES.
8. AIR FLOW PATTERNS AND AIR QUALITY.
9. BIOLOGICAL AGGREGATES ADJUSTED TO THE ESTABLISHED ENVIRONMENT.
10. INVENTORY ESTABLISHED HUMAN USE OF THE SHORE AND COASTAL ZONE.
11. INVENTORY DESIRABLE AND PROPOSED NEW USES OF THE SHORE AND COASTAL ZONE.
12. BY CORRELATING THE ABOVE DATA, IT WILL BE POSSIBLE TO UNDERSTAND THE GOOD AND BAD INTER-RELATIONS BETWEEN THE PHYSICAL, BIOLOGICAL AND HUMAN USE PATTERNS AS THEY RELATE TO THE ENVIRONMENT.

MANY OF THE VERY POOR AND HAPHAZARD SHORE USE PROGRAMS OF THE PAST CAN BE CHANGED TO WORK WITH THE NATURAL SYSTEMS OF THE WATER AND THE SHORE ZONE. THESE FALL INTO VARIOUS CATEGORIES.



1. SITING POWER PLANTS

THERE IS COMPLETE AGREEMENT THAT TRADITIONAL AND NUCLEAR POWER PLANTS ARE NEEDED. HOWEVER, NUCLEAR PLANTS HAVE BEEN SITED DIRECTLY ON ACTIVE FAULTS, INCLUDING THE SAN ANDREAS. THEY HAVE BEEN BUILT IN AND PROPOSED FOR AREAS WHERE MAJOR THOUGH INFREQUENT EARTHQUAKES OCCUR AND ARE EXPECTED TO OCCUR AGAIN. THEY ARE DESIGNED AND BUILT ON SHORELINES TO UTILIZE HUGE AMOUNTS OF WATER FOR COOLING; BOTH THE THERMAL DISCHARGE AND OCCASIONAL SPILLS OF NUCLEAR WASTE WATERS HAVE NEGATIVELY AFFECTED THE WATER QUALITY FOR OTHER USES SUCH AS SWIMMING AND COMMUNITY WATER SUPPLIES. JUST THE PHYSICAL DESIGN AND BUILDING OF THE PLANT USUALLY CAUSES SEVERE DOWNSTREAM EROSION OF NEIGHBORING PROPERTIES. THE DONALD C. COOK NUCLEAR POWER PLANT AT BRIDGMAN, MICHIGAN STATED EARLY IN ITS ENVIRONMENTAL IMPACT STATEMENT THAT GEOLOGY DID NOT AFFECT THE ENVIRONMENT, AND SO WAS NOT BEING CONSIDERED; THAT PLANT WAS TAKEN TO COURT BY NEIGHBORING PROPERTY OWNERS WHOSE SHORE PROPERTY WAS BEING EXCESSIVELY ERODED BY THE SEAWALL AND HARBOR JETTIES INTERFERING WITH THE NORMAL LONGSHORE CURRENTS.

THE WORLD'S LARGEST PUMPED STORAGE HYDRO-ELECTRIC PLANT HAS BEEN BUILT JUST SOUTH OF LUDINGTON, MICHIGAN. IT IS PLACED ON SEVERAL HUNDRED FEET OF UNCONSOLIDATED GLACIAL SEDIMENTS WHICH ARE NOT STRONG ENOUGH TO SUPPORT THE DAILY LOADING AND UNLOADING OF MILLIONS OF TONS OF WATER. THE HIGH VELOCITY DISCHARGE CURRENTS ARE NEGATIVELY AFFECTING SHORE EROSION.

LEAKAGE FROM THE RESERVOIR ITSELF HAS DRASTICALLY RAISED THE GROUNDWATER TABLE, DROWNED ORCHARDS AND IS CAUSING ACCELERATED DAMAGE TO PRIVATE PROPERTIES. BECAUSE THE PLAN FOR THE PLANT WAS SUBMITTED AND APPROVED IN THE MID-60s, NO ENVIRONMENTAL IMPACT STATEMENT WAS REQUIRED OR PREPARED. ALSO, THE EARLY GEOLOGICAL REPORTS SEEM TO HAVE BEEN IGNORED.

DR. NEIL STEUER OF THE SITES STANDARDS BRANCH OF THE NUCLEAR REGULATING COMMISSION TELLS US THAT HIS OFFICE DOES NOT NOW HAVE THE GEOLOGICAL DATA AVAILABLE TO SAY WHETHER A NUCLEAR POWER PLANT SHOULD BE SITED IN MOST PLACES WHERE POWER COMPANIES WISH TO PLACE THEM. ONLY BY SPECIFICALLY DETAILING THE INFORMATION TO BE CONTAINED IN AN ENVIRONMENTAL IMPACT STATEMENT, AND HAVING QUALIFIED SCIENTISTS REVIEW THOSE STATEMENTS, WILL WE BE ABLE TO KNOW WHAT THE EFFECT OF THE STRUCTURES AND PLANTS OPERATION WILL BE ON THE ENVIRONMENT.

2. PORT FACILITIES

SOME SHORELINE HARBOR FACILITIES WILL ALWAYS BE NEEDED FOR PLEASURE BOATS, VARIOUS REGULATORY AND WORK BOATS, AND TRADITIONALLY SIZED COMMERCIAL VESSELS. THE TREND TOWARD VERY LARGE AND ULTRA-LARGE TANKERS CAN WELL EXTEND TO OVER-SIZED BULK CARRIERS TOO, WHICH MAKES CONSTRUCTION OF OFFSHORE PORT FACILITIES A NECESSITY IN PLANNING COASTAL PROGRAMS. WE HAVE THE NECESSARY GEOLOGICAL AND ENGINEERING CAPABILITIES NOW TO SITE AND BUILD THESE NEW PORTS SO THEY WILL SURVIVE STORMS, PROTECT THE SHIPS, AND NOT DRASTICALLY INTERFERE WITH THE ENVIRONMENT.

3. IMPROVED NAVIGATION SYSTEMS

THERE IS NO EXCUSE TODAY FOR THE EXTREMELY HIGH RATE OF SHIPS COLLIDING OR RUNNING AGROUND. WELL OVER 1,000 SHIPS DO THIS EVERY YEAR JUST IN THE GREAT LAKES; DAMAGE TO TANKERS AND SUPERTANKERS FREQUENTLY SPILLS MASSIVE AMOUNTS OF OIL INTO HARBORS AND OCEANS. SO LONG AS ONLY OUTDATED LORAN-A, DECCA, GEOCEIVER, OMEGA OR THE UNDERDEVELOPED LORAN-C ARE DEPENDED UPON, THESE NAVIGATION SYSTEMS CAN BE THROWN OFF BY SUN SPOTS, IONOSPHERIC CHANGES, SKYWAVE, EARTH MAGNETIC FIELDS, AND MOISTURE SUCH AS FOG AND RAIN. A COMBINATION OF COMPUTERIZED BATHYMETRIC COURSE SETTINGS WITH LORAN-C SATELLITE BOUNCE SYSTEMS CAN PROVIDE PRECISE, ALL-WEATHER, WORLDWIDE NAVIGATION SYSTEMS FOR BOTH DEEP AND SHALLOW WATERS.

THE AUGUST 1974 EDITION OF THE U.S. COAST GUARD'S "LORAN-C USER HANDBOOK" RECOGNIZES THE VALUE OF COMBINING LORAN-C WITH BATHYMETRIC CHARTING, BUT SAYS "CHARTS ARE NOW NOT ACCURATE ENOUGH TO USE LORAN-C FOR INSHORE WORK....". YET IT IS IN THE CONGESTED INSHORE AREAS WHERE SO MANY COLLISIONS AND ACCIDENTS OCCUR RESULTING IN DEVASTATING OIL SPILLS. SEVERAL INDIVIDUAL GEOLOGISTS HAVE BEEN DOING DETAILED BOTTOM TERRAIN MAPPING, AND CAN QUICKLY APPLY THEIR EXPLORATION TECHNIQUES TO PROVIDE DATA NECESSARY FOR ACCURATE BATHYMETRIC NAVIGATION SYSTEMS. SUCH SUBMARINE AND SATELLITE SYSTEMS SHOULD BE MANDATORY IN SUCH CRITICAL AREAS AS THE GULF OF ALASKA, PRINCE WILLIAM SOUND AND PORT VALDEZ. THE TECHNICAL AND SCIENTIFIC CAPABILITIES

ALREADY EXIST, AND SHOULD BE SUPPORTED BY BOTH GOVERNMENT AND INDUSTRY TO PROVIDE THE BEST POSSIBLE NAVIGATION SYSTEMS.

4. BULK FUEL STORAGE

TANK FARMS HAVE BEEN THE USUAL WAY OF STOCKPILING BULK LIQUID AND GASEOUS FUELS IN PORT AREAS. THE FREQUENT EXPLOSIONS AND FIRES IN SUCH AREAS ARE DANGEROUS AND TERRIBLY EXPENSIVE AS WELL AS WASTEFUL OF ENERGY RESOURCES. BY RUNNING PIPELINES FROM OFFSHORE DEVELOPMENT PLATFORMS AND OFFSHORE PORTS INLAND TO DISTRIBUTION CENTERS, THE NEED FOR SHORELINE TANK FARMS CAN BE ELIMINATED THUS RELEASING GROUND SURFACE FOR OTHER AND BETTER USES. IN PLACES WHERE TANK FARMS NOW EXIST, THEY CAN GRADUALLY BE CHANGED TO UNDERGROUND STORAGE (STRATIGRAPHIC, MINED CAVERN, OR BURIED SPECIAL TANKS DEPENDING UPON LOCAL GEOLOGICAL CONDITIONS) SO THE ACCIDENT RATE CAN BE CUT AND THE EXPENSIVE SURFACE REAL ESTATE CAN BE USED FOR OTHER ACTIVITIES. UNDERGROUND STORAGE IS CONSIDERABLY CHEAPER THAN ABOVE GROUND TANKAGE; AS LITTLE AS 1/6 THE COST OF ABOVE GROUND STORAGE IN SOME CASES.

5. USE OF OFFSHORE AND COASTAL ZONE RESOURCES

THE OFFSHORE AND THE COASTAL ZONE UNITS ARE VERY IMPORTANT INTER-DEPENDENT SYSTEMS USED BY MAN, BIRDS, ANIMALS, INSECTS, FISH AND A MULTITUDE OF OTHER ZOOLOGICAL AND BOTANICAL SPECIES. WHEN MAN EXPANDS HIS ACTIVITIES, HE CAN EITHER KNOW WHAT HE IS DOING AND MAINTAIN AN ENVIRONMENT WHERE THE

ECOLOGY CAN CONTINUE TO FLOURISH, OR HE CAN RUIN THE PLACE FOR EVERYONE AND EVERYTHING.

THE COASTAL ZONE MANAGEMENT PROGRAMS ARE MAKING LOCAL PLANNERS, DEVELOPERS AND SHORE PROPERTY OWNERS LEARN WHAT INDIVIDUAL FACTORS MAKE UP THE COASTAL ZONE, AND HOW TO RECOGNIZE PROPER USE, OVER-USE AND MIS-USE. THE FIRST YEAR OF THE ILLINOIS COASTAL ZONE MANAGEMENT PROGRAM HAS CONSISTED IN LARGE PART OF A MAJOR GEOLOGICAL RESEARCH STUDY OF NEARSHORE LAKE BOTTOM MAPPING, CURRENT STUDIES AND INVESTIGATION OF THE MATERIALS COMPRISING THE BEACH AND COASTAL ZONE. GEOLOGY WILL CONTINUE TO PLAY A LARGE PART IN THE SECOND AND THIRD YEARS WHILE HUMAN USE PROGRAMS AND PROPER PLANNING PROGRAMS AND LEGISLATION ARE DEVELOPED.

FEDERAL FUNDING AND STATE FUNDING IS ESSENTIAL FOR SUPPORTING THESE PROGRAMS. INDIVIDUALS AND SEPARATE COMMUNITIES DO NOT HAVE THE FUNDS TO BUDGET FOR TECHNICAL STUDIES, NOR FOR THE ACQUISITION OF BUFFER PROPERTIES. ON THE OTHER HAND, WITHOUT COMPREHENSIVE DIRECTION AS TO THE TYPES AND SCOPE OF SCIENTIFIC STUDIES REQUIRED, FEW COMMUNITIES WOULD REALIZE THE NEED FOR BASIC SCIENTIFIC STUDIES BEFORE PLANNING DEVELOPMENT PROGRAMS. FROM THE MANY EXAMPLES ALREADY CITED AND KNOWN, IT APPEARS THAT A COMPREHENSIVE ENVIRONMENTAL IMPACT STATEMENT SHOULD BE REQUIRED PRIOR TO APPROVAL OF CONSTRUCTION OR USE OF THE ENVIRONMENT. SUCH IMPACT STATEMENTS SHOULD ADDRESS THE FULL SPECTRUM OF THE ENVIRONMENT AND THE ECOLOGY, WITHOUT

OVERBALANCING IT IN FAVOR OF ONE SINGLE ASPECT SUCH AS POPULATION GROWTH FIGURES OR MIGRATORY BIRDS. IN ORDER TO OBTAIN MEANINGFUL IMPACT STATEMENTS, THE LEGISLATIVE REQUIREMENTS FOR THE CONTENT OF THE STATEMENTS MUST BE SPECIFICALLY CATALOGUED, OR WE CAN AGAIN HAVE POWER PLANT BUILDERS SAY THAT GEOLOGY OR PRECIPITATION OR SPAWNING FISH DON'T AFFECT THE ENVIRONMENT AND SO CAN BE IGNORED.

FROM THE POINT OF VIEW OF WORKING GEOLOGISTS, WE KNOW THAT EXPLORATION FOR OIL AND GAS ON THE OUTER CONTINENTAL SHELF CAN AND SHOULD PROCEED. WE ALSO ARE CONCERNED WITH HELPING TO SEE THAT THIS ACTIVITY DOES NOT DISRUPT COASTAL COMMUNITIES OR CHANGE THE ENVIRONMENT MORE THAN IS ABSOLUTELY NECESSARY. WE BELIEVE THAT THE GEOLOGICAL COMMUNITY CAN HELP WITH THE EXPLORATION AND ENVIRONMENTAL PROGRAMS, AND STAND READY TO HELP DEVELOP THE NEEDED LEGISLATION.

EXPERIENCE HAS SHOWN US THAT UNLESS GEOLOGY IS SPECIFICALLY REQUIRED FOR CONSIDERATION OF OUTER CONTINENTAL SHELF DEVELOPMENT, ENERGY FACILITY SITING, AND PLANNING FOR ENERGY-RELATED ECONOMIC, SOCIAL AND ENVIRONMENTAL IMPACTS ON THE COASTAL ZONES, THEN IT IS USUALLY NOT CONSIDERED BY STATES AND COMMUNITIES. WE CAN SEE THAT SOME KIND OF COASTAL IMPACT FUND WOULD BE VERY USEFUL IN ENSURING THAT PROPER STUDIES BE MADE OF THE TOTAL ENVIRONMENT BEFORE PLANNING DECISIONS ARE MADE.

IT APPEARS THAT UNTIL EXPLORATION AND DEVELOPMENT PHASES OF OFFSHORE DRILLING HAVE BEEN COMPLETED, THERE WILL NOT BE ENOUGH SCIENTIFIC AND TECHNICAL DATA AVAILABLE FOR THE STATE COASTAL ZONE MANAGEMENT PROGRAMS TO KNOW PRECISELY WHAT PROBLEMS AND RESOURCES THEY WILL HAVE TO MANAGE. A BUILT-IN TIME LAG BETWEEN THE EXPLORATION-DEVELOPMENT PHASES AND THE FINAL PRODUCTION PHASE WOULD BENEFIT THE STATE PLANNING GROUPS. A FULL-SCALE ENVIRONMENTAL IMPACT STATEMENT WOULD BE HELPFUL TO BOTH THE OIL COMPANIES AND THE STATES PRIOR TO GOING INTO THE FULL-SCALE PRODUCTION PROGRAM. NO MAJOR TIME BREAK SHOULD BE DEMANDED BETWEEN THE EXPLORATION AND DEVELOPMENT STAGES SINCE THE VARIOUS STEPS OF THE EXPLORATION PROGRAMS CLIMAX WITH THE DRILLING OF DEEP WELLS TO PROVE OUT THE PRESENCE OF OIL OR GAS IN A SUB-BOTTOM STRUCTURE DELINEATED BY GEOPHYSICAL AND GEOLOGICAL INVESTIGATION. WHEN THE PRESENCE OF OIL OR GAS IN COMMERCIAL QUANTITIES HAS BEEN PROVEN, THEN A FULL-SCALE PRODUCTION PROGRAM WOULD BE MOUNTED AND AN ENVIRONMENTAL IMPACT STATEMENT CAN LOGICALLY BE REQUIRED.

IT IS ESSENTIAL THAT STATES WORK TOGETHER ON A REGIONAL BASIS TO HANDLE COASTLINE PROBLEMS. FEDERAL FUNDING AND STATE FUNDING OF PROGRAMS WILL HELP BRING ABOUT AN EFFECTIVE AND UNIFIED STANDARD OF ITEMS TO CONSIDER IN COASTAL ZONE MANAGEMENT.

H.R. 3981 THE "COASTAL ENVIRONMENT ACT OF 1975" OFFERS SOME CONSTRUCTIVE HELP TO STATE AND LOCAL COMMUNITIES. WE FEEL THAT MORE SPECIFICS OF SCIENTIFIC AND TECHNICAL DATA NEEDED

AS BASIC INFORMATION TO A COASTAL ZONE MANAGEMENT PLAN SHOULD BE INCLUDED IN THE BILL. CO-ORDINATION OF MULTI-DISCIPLINES SHOULD BE REQUIRED. WE WOULD LIKE TO SEE RECOGNITION OF SUCH AVAILABLE TECHNIQUES AS BATHYMETRIC NAVIGATION, DESIGN OF STRUCTURES TO COMPLEMENT RATHER THAN DISRUPT LONGSHORE AND DEEP WATER CURRENTS, OCEAN BOTTOM MAPPING RELATED TO FISHING INDUSTRIES, AND EROSION CONTROL BY SIMULATED REEFS AND BARS COMPATIBLE WITH LOCAL NATURAL FEATURES.

EXPLORATION, DEVELOPMENT AND USE OF THE CONTINENTAL SHELF, COASTAL ZONE LANDS AND THE WATERS ARE NOT INEVITABLY EVIL, DESTRUCTIVE AND DIRTY. HOWEVER, THE SEA AND THE SHORE ENVIRONMENTS ARE COMPLICATED PHYSICAL AND BIOLOGICAL SYSTEMS WHICH ARE TERRIBLY UNFORGIVING OF ANY CARELESSNESS, INCAPACITY OR NEGLECT SHOWN WHEN PLANNING AND PERPETRATING THIS USAGE. I URGE YOU TO INSIST ON SPECIFICALLY REQUIRING THOROUGH GEOLOGICAL DOCUMENTATION AS WELL AS BIOLOGICAL, ENGINEERING AND SOCIAL USE DATA BE PROVIDED AS A BASIS ON WHICH TO BUILD ALL DEVELOPMENT AND USAGE PROGRAMS.

THANK YOU.



Some items in this folder were not digitized because it contains copyrighted materials. Please contact the Gerald R. Ford Presidential Library for access to these materials.

e Ludington

Daily News

Independent Newspaper

Serving Mason County and Surrounding Area

Copyright 1975 by Ludington Daily News, Inc.

NO. 179

LUDINGTON, MICHIGAN, WEDNESDAY, JUNE 18, 1975

PRICE 15c

Lottery Numbers

LANSING (UPI)—The winning number in the Michigan Lottery's \$1 triple play jackpot drawing today is 841.

The winning number in the jackpot drawing on Tuesday was 251.

Summit-PM Property Owners Still Angry

ENSON
Writer
Marquette
society is
treated than
Power Co.
members
about the

"disastrous effects" to property that could be caused by the Ludington Pumped Storage Hydroelectric Plant.

Meeting for the first time since January, property owners reviewed their status, what has happened in the past six months

and voiced many of their complaints to Paul LaBlanc, principal land use planner for Michigan's Region 8 Planning Commission, who attended the session.

Association President Roland

Mallory told about 15 members of the group at the meeting that nothing has been done in a year's time to correct problems at his property as far as he was concerned. "Bill Reid from Consumers came out to my home and looked over the problems caused by the leakage from the springs and said 'we

Ken Hull, referring to a spray pond on his property south of the plant. "The water is now on the top of the ground and by the side of the road." Other members had similar claims along with sloughing off of the shoreline bluffs, which they are convinced are caused by the 7,000 gallons of water per minute that Con-

THE WHITE HOUSE

WASHINGTON

June 19, 1975

Dear Mr. Journey:

The President has received several letters from a Michigan friend of his concerning the pump storage hydro-electric plant built just south of Ludington, Michigan.

The story which this friend relates is that such a project by the Consumer Power Company and Detroit Edison Company has resulted in severe damage to the near-by private lakeshore property including a home and shop owned by her. This party brought suit in a State Court against the owners of the plant but did not succeed in obtaining a judgment, allegedly because the presentation of the case was not well handled in her behalf and because of an unsympathetic judge.

I first advised this correspondent that I believed there was no opportunity to help her at the Federal level, but she asked me to discuss the problem with Ms. Edith M. McKee, a geologist who had helped to prepare the plaintiff's case for the trial. Ms. McKee did call at my office on the day she testified before the Committee on Merchant Marine and Fisheries Subcommittee on Oceanography. A copy of her testimony is enclosed because it deals in part, starting on page 10, with the Ludington hydro-electric plant. Ms. McKee advises that prior to the trial in question, she was unable to complete her study of the effect of the plant on lake currents, and this lack of information contributed to the difficulty of making an effective case in court. Nevertheless, Ms. McKee is convinced that serious errors were made by the utilities in locating and designing the plant as they did and believes that the errors made should serve as a lesson of what to avoid when locating and designing other similar plants along the Great Lakes.

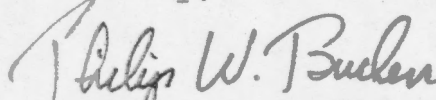
*Blaumer,
Christie*



Ms. McKee advises that much additional property, beyond that owned by her client is being threatened by the existence and operation of this plant, partly because of severe leaks from the bottom of the reservoir and partly from the effect of the water discharge on lake currents. She makes the point that unless utilities in locating and designing such plants take heed of problems like this, there will be continued public opposition to construction of additional plants despite the crying need for further electric power capacity.

I call this situation to your attention because of the strong interest on the part of this Administration and your Commission to expedite the development of hydro-electric power. I would appreciate your referring this matter to the appropriate official on the Commission staff who could suggest a letter I might send to the President's correspondent and Ms. McKee on the policies and authority of the Federal Power Commission which bear on the Ludington situation as described and generally on other pump storage plants being planned.

Sincerely,



Philip W. Buchen
Counsel to the President

Mr. Drexel D. Journey
General Counsel
Federal Power Commission
Room 8000
825 North Capital Street
Washington, D. C. 20426



Bloomer

6-22-75

Dear Mr. Buchen:

Thank you for your time spent with Edith McKee. I do deeply appreciate it!

Thought you might be interested in this attached article. The DNR recognizes the fact that the problem does exist, that Consumers Power (CP) is to blame, that the errors by CP has caused this situation.

Through these errors by them in not wisely planning, I'm the one who has lost everything and has suffered through their mistakes. They have deprived me of home, business and property, caused me to expend thousands of dollars trying to recover my loss and done unmerciful things to my mental and physical health since Jan. of 1972. (That just may be the longest sentence on record.)

Every crime in this country is covered by a law but it's really wierd that there is no law to cover this horrendous crime of eco-vandalism.

I do, all too clearly, realize that the President cannot "attack" a Utility Co. but, by analogy, can a Utility Co. attack the other property owners and me and walk home free? Not to mention the possible endangering of lives should a catastrophe occur, a possibility which seems imminent with the utter devastation.

Thank you kindly again for your time. The appreciation continues.

Sincerely,

Christie Bloomer

(Mrs. Robert Bloomer)



Allegations From Landowners

Complaints Aired on L

By BARBARA DAVIS
Ludington Correspondent

LUDINGTON — Complaints about the Consumers Power-Detroit Edison pumped storage hydroelectric plant near Ludington were heard by one more state official Tuesday at the meeting of the Summit-Pere Marquette Township Property Owners Association.

Paul LaBlanc, of the Land Use Planners office in Grand Rapids, came to Tuesday's meeting to follow up the feedback his office received after it asked for local assistance around the state in determining problems along

water (to be flowing in or out of the lake) Consumers admits they're losing water but they won't admit where it goes. They just ignore us."

One solution to the argument suggested Tuesday is a dye test that can be done to show water travel from the reservoir. This involves putting a harmless colored dye into the reservoir water but so far no one from CP has volunteered this method.

The association members believe

another solution, though costly, would be for Consumers to drain the reservoir and resurface the clay bottom. Some areas of the man-made lake are covered by less than the suggested eight feet of clay. The association believes this could be because "was in a hurry" to get the project operation.

The association also said another solution would be for Consumers "to protect themselves" and buy up property before it is lost.

gations From Landowners

Complaints Aired on Ludington Hydro Plant

By BARBARA DAVIS
Ludington Correspondent

TON — Complaints about
Detroit Edison
storage hydroelectric plant
were heard by one

water (to be flowing in or out of the lake) Consumers admits they're losing water but they won't admit where it goes. They just ignore us."

One solution to the argument suggested Tuesday is a die test that can be

another solution, though costly, would be for Consumers to drain the reservoir and resurface the clay bottom. Some areas of the man-made lake are covered by less than the suggested five to eight feet of clay. The association believes this could be because CP

lake. They currently own very little of the frontage.

The general consensus of those at the meeting was that "nobody cares but the property owners involved trying to save themselves" and "the problem is, we feel there is something that can be

into the "possible" federal legislation that could correct the problems.

He admitted it's hard to make any legislation retroactive and probably would only prevent future problems with other projects like Ludington's.

Mr. LaBlanc said the DNR does

fully get this point across. The association reports they've had little luck with getting assistance from state legislators from the Ludington area.

Mrs. Bloomer suggested if the association does decide on a class action suit that it ask for a different location and different judge other than the Lud-

June 23, 1975

*Pre.
personal
(Bloomer)*

Dear Miss McKee:

Thank you very much for your letter of June 18.

I did find our visit together very helpful and I have passed on some of the information you gave me to other people in the Government in the hopes of arousing official concern about the situation at the Ludington Pump Storage Plant. As soon as I do receive further information, I will contact you.

Sincerely,

Philip W. Buchen
Counsel to the President

Miss Edith M. McKee, C.P.G.
416 Maple Street
Winnetka, Illinois 60093

cc: Mrs. Christie Bloomer



E. M. McKEE, A. I. P. G.

CONSULTING GEOLOGIST

416 MAPLE STREET, WINNETKA, ILLINOIS 60093

TELEPHONE: AREA CODE 312 - 446-6231

18 June 1975

Mr. Philip Buchen
The White House
Washington, D.C.

Dear Mr. Buchen:

It was a pleasure indeed meeting with you last week. I hope that you did get time for that swim.

Concerning Mrs. Bloomer's problem, an increasing number of her neighboring property owners are becoming alarmed and are seriously considering a class action suit against Consumers Power. Also, I've been contacted by the Midwest Bureau Chief of ABC-TV about the possibility of a developing news story at Ludington. Already there is speculation about the possibility of a "Poseidon Adventure" in the Lake Michigan if the whole side of the bluff collapses and plunges into the lake creating a massive wave which could catch one or more ships broadside before moving on against the Wisconsin and Illinois shorelines. So far, I have been guarded in my remarks to the media, but as the damage to shore properties escalates there will be growing interest by newspapers and TV. Before such reporting interest develops, it is hoped that there will be an adequate scientific monitoring and review program underway to provide positive news input.

In view of the President's support of utilities, including his recent proposal for up to \$1 billion in tax relief to assist in more construction projects, it would seem logical that a thorough study of existing plant sites and operations could and should be initiated from the highest levels. Across the country, we have examples of nuclear and traditional power plants causing environmental and operating difficulties which should be officially recognized and rectified. Certainly these same mistakes should be avoided in siting and building future plants. The Ludington Pumped Storage Plant would be a prime candidate to investigate to learn just how it is fitting into the environment before all the other plants proposed for Lake Michigan are sited and designed. If I can be of help in putting together such a study group or commission, please call upon me.

With interest, I look forward to hearing what action can be taken.

Cordially,



Edith M. McKee

(Miss) Edith M. McKee, C.P.G.

cc: Mrs. Christie Bloomer

GENERAL COUNSEL
FEDERAL POWER COMMISSION

Fed. Power Comm.

June 23, 1975

Philip W. Buchen, Esquire
Counsel to the President
The White House
Washington, D.C.

Dear Mr. Buchen:

Thank you for your letter of June 19, 1975. I shall look into the matter. You will receive a report on the Ludington situation this week. I believe you will find the report useful in responding to the President's correspondent and Ms. McKee.

Sincerely,

Drexel D. Journey

Drexel D. Journey
General Counsel



GENERAL COUNSEL
FEDERAL POWER COMMISSION

In Reply Refer To:
OGC
Project No. 2680
Ludington Pumped Storage
Project

Philip W. Buchen, Esquire
Counsel to the President
The White House
Washington, D.C.

JUN 27 1975

Dear Mr. Buchen:

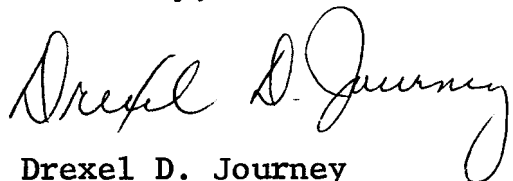
I am enclosing a factual report on the Ludington Pumped Storage Project, all as indicated in my letter of June 23.

I hope this report is helpful to you in responding to the President's correspondent and Ms. McKee. It was prepared with the thought that you might choose to forward the report as the response to those correspondents. Three copies are enclosed.

The staff report calls attention to administrative investigations which are now being conducted by FPC staff personnel with respect to the water condition of the Project and to procedures which interested or adversely affected persons may avail themselves of before the Commission. If there are further questions, I shall be pleased to respond.

Thank you for the opportunity to review this matter.

Sincerely,



Drexel D. Journey
General Counsel

Enclosure: FPC Staff Report Ludington Pumped Storage Project
No. 2680, Consumers Power Company & The Detroit Edison Company, Licensees.



envelope for photos.

GERALD R. FORD LIBRARY

ITEM TRANSFER FORM

The item described below has been transferred from this file to:

 X Audiovisual Unit
 Oversized Container
 Book Collection
 Ford Museum in Grand Rapids

Item:

3x 3x3 color photographs of a body of water and a beach

The item was transferred from:

Philip Buchen Files

Box: 49

File: President – Personal: Family – Christie Bloomer (2)

Initials/Date TMH / 2/17/16

6-28-75

Dear Mr. Buchen:

Just received these pictures &
thought they might be of interest
to whomever is checking this "case".

Also, an additional news article.

My continuing thanks.

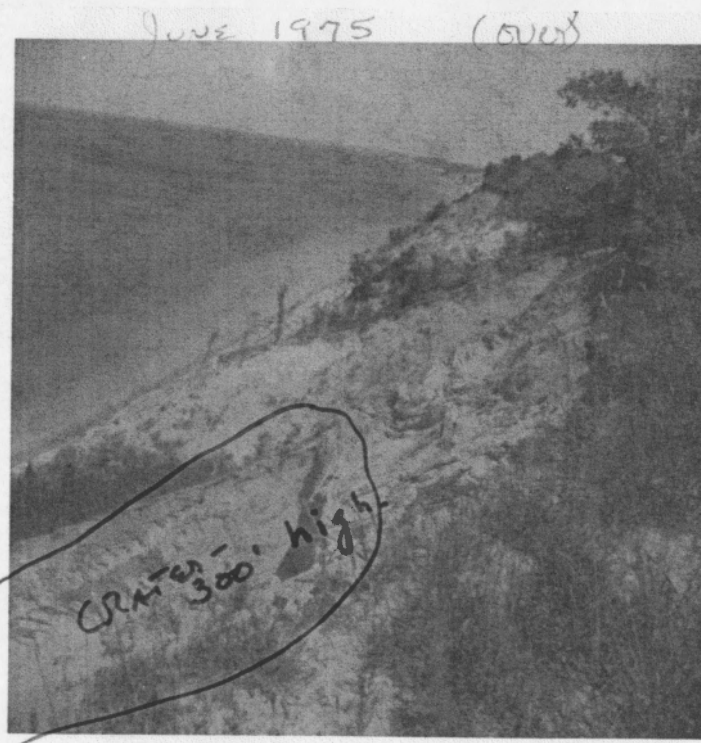
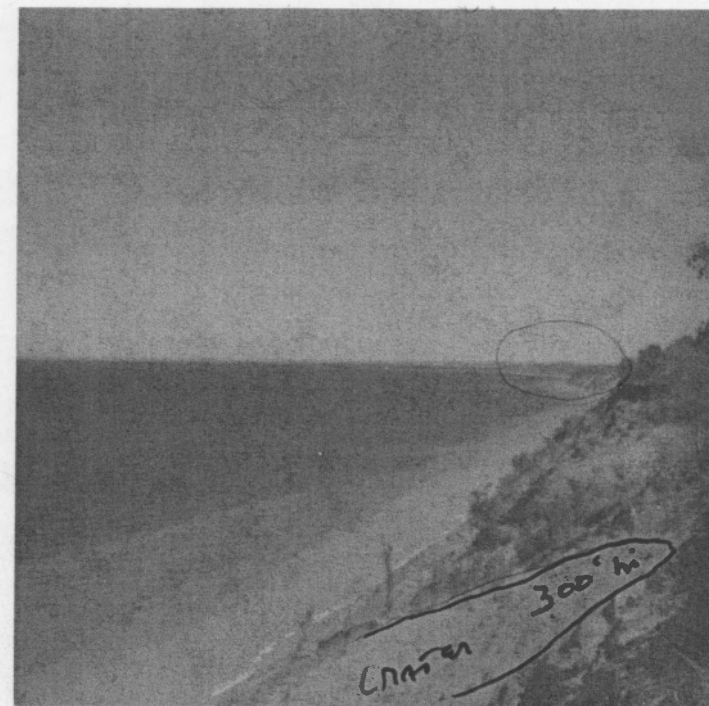
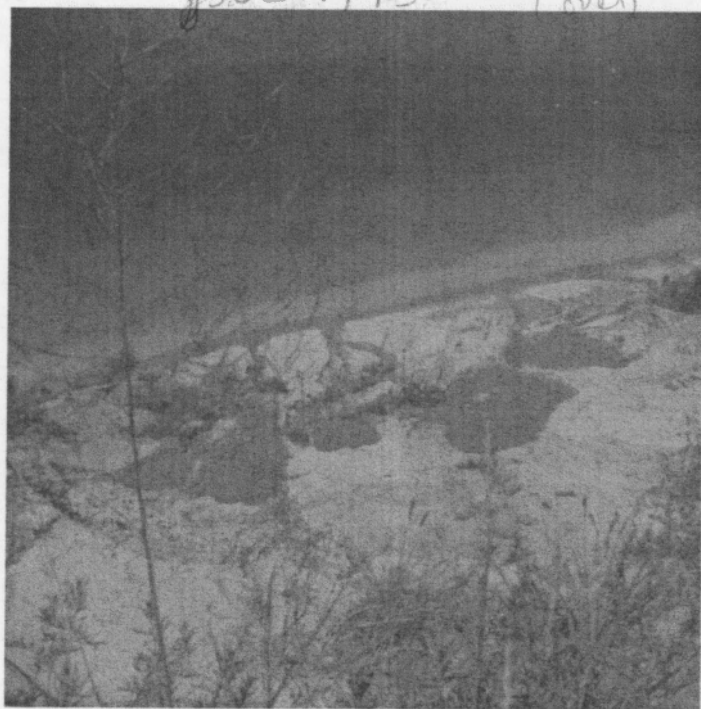
Sincerely,

Chris Bloomer

DAYBREAK COTTAGE
8794 Glendale
Onkama, Michigan 49675

For filing
J.





Then from a 300' bluff.
This shows the craters -
with pools of water
about 250' above lake
level.

It would take some kind
of miracle for waves to get
that high! (Power Co.
claims this is high water -
no way!)

This shows how the bluffs
near the Pines have
craters but to the
North (right of picture)
nothing like this has
happened.

THE WHITE HOUSE

WASHINGTON

June 30, 1975

*Bloomer
Christie*

Dear Mr. Mallory:

At Mrs. Robert Bloomer's request, I am enclosing for your information a document entitled "FPC Staff Report - Ludington Pumped Storage Project No. 2680, Consumer Power Company and the Detroit Edison Company, Licensees."

The Staff Report calls attention to administrative investigations which are now being conducted by FPC personnel with respect to the water condition of the Ludington Pumped Storage project and to procedures which interested or adversely affected persons may avail themselves of before the Commission. If there are any further questions, I suggest you call the office of Mr. T.A. Phillips whose address and telephone number is given on page 2 of the report.

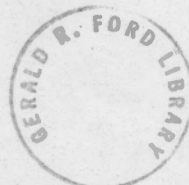
Sincerely,

Philip W. Buchen

Philip W. Buchen
Counsel to the President

Mr. Roland Mallory
South Lake Shore Drive
Route 1
Ludington, Michigan 49431

Enclosure



FPC Staff Report
Ludington Pumped Storage Project No. 2680,
Consumers Power Company & The Detroit Edison Company, Licensees

I. The Ludington Pumped Storage Project is operated by the Consumers Power Company (CSC) and the Detroit Edison Company (DEC) under a license issued by the Federal Power Commission on July 30, 1969, for a term ending June 30, 2019 1/. The statutory basis of the project license is Part I of the Federal Power Act, 16 U.S.C. 792-823. As licensed, the Project is under the continuing regulation of the Federal Power Commission. Remedial actions dealing with structural or operating conditions of the Project are within the administrative jurisdiction of the Commission and exercisable either upon complaint or upon the Commission's own motion.

CSC and DEC, as licensees, are subject inter alia to the provisions of Section 10(c) of the Federal Power Act, 16 U.S.C. 803(c). That Section requires licensees to conform to such rules and regulations as the Commission may, from time-to-time, prescribe for the protection of life, health and property. It further provides "* * * Each licensee hereunder shall be liable for all damages occasioned to the property of others by the construction, maintenance, or operation of the project works * * * constructed under the license, and in no event shall the United States be liable therefor." Article 20 of the license for the Ludington Pumped Storage Project specifically requires the licensees to take reasonable measures to prevent soil erosion resulting from the construction, operation or maintenance of the Project. The Commission, by this Article, is authorized to order the licensees to construct and maintain such preventive works to accomplish the prevention of soil erosion as the Commission may find to be necessary.

1/ The Project is located on Lake Michigan in Mason County, Michigan, and consists principally of an upper reservoir, six penstocks extending between the upper reservoir and Lake Michigan, a powerhouse, a substation, switchyard, a transmission line and six spur lines and appurtenant facilities. This pumped storage development was placed in full commercial operation on October 1, 1973, with a capacity of 1,872,000 kilowatts which are used for public utility purposes.



Since the commencement of commercial operation of this Project, the Commission's technical engineering staff has been monitoring water seepage and soil erosion factors. Both are very important and not to be ignored. The concerns of area residents relative to any erosion and seepage damage resulting from the construction and operation of the Ludington Pumped Storage Project have entered into the staff's work. Problems such as these are investigated by the Commission staff incident to their periodic inspection of the Project and by special inquiry and consultations with the licensee where that may be deemed necessary.

Specifically, Commission staff engineers have visited the Project site periodically, both during the construction phase and since operation commenced in 1973. In addition to these on-site inspections, the Commission staff has consulted with the licensees regarding investigations by them with respect to problems the licensees have discovered and, also in response to complaints by members of the public. These investigations of reservoir seepage and alleged damage resulting therefrom are continuing and on-going.

To date, certain corrective measures have been undertaken, including installation of well pumps to lower the water table outside the reservoir. Another of licensees' periodic draw-downs of the Project reservoir is scheduled for the coming Fourth of July weekend, to permit further reservoir inspection and to determine what further measures should be undertaken. Members of the Commission's engineering staff are scheduled to participate in this inspection. The results of that investigation and analysis will be available to all concerned.

The matter of shoreline soil erosion will be further studied. Specifically, the Commission's staff will make that a subject of the forthcoming July Fourth inspection. Also, it should be noted that T. A. Phillips, Chief, FPC Bureau of Power, and his staff, are available to discuss the general matter of soil erosion at the Commission's Washington, D.C. office, 825 North Capitol Street, N.E., 20426, Area Code 202 386 6483.



In licensing the Ludington Project, the Commission evaluated geological and environmental factors as they were then developed. The Commission's license order was issued on July 30, 1969 (42 FPC 275), pursuant to the comprehensive use of resources test of Section 10(a) of the Federal Power Act, 16 U.S.C. 803(a). The Commission found that with the terms and conditions imposed in the license, the Project would be best adapted to a comprehensive plan for improving a waterway, or waterways, for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water-power development, and for other beneficial public uses, including recreational uses. Forty articles were included in the license by that order.

By Article 33 of the license, the licensee was required to retain a board of three or more qualified independent consultants to assess and make recommendations, for safety and adequacy, as to the specifications, design and construction of the Project. Among other things, the board was required to assess and report on the geology of the Project site and surroundings and the design, specifications and construction of the dike embankment, asphaltic concrete lining, other linings and drainage systems which constitute the upper reservoir. Article 35 of the license required, in part, that the licensee submit the results of hydraulic model studies on, among other things, the lake-front structures. Article 4, in part, makes the construction, operation and maintenance of the Project, and any work incident to additions or alterations, subject to the inspection and supervision of the Regional Engineer, Federal Power Commission, in the region where the Project is located or of such officer or agent as the Commission may designate, who shall be the authorized representative of the Commission for such purposes.

Should it appear that licensees, at any time, are not diligently investigating and taking steps to resolve demonstrated problems, the Commission staff will report the matter to the Commission with recommendations for appropriate remedial action by licensees, all pursuant to Commission authority under the Federal Power Act and the terms of the license for this Project.

While staff has ascertained some general concerns of Project area residents, to date no specific complaint from a resident of the Project area has been received by the Commission. Should any member of the public have specific concerns regarding the operation of the Ludington Pumped Storage Project, he or she should be encouraged to bring these matters to the attention of the Commission. Section 1.6 of the Commission's Rules, 18 CFR § 1.6, sets forth a procedure whereby any person complaining that a licensee has failed to comply with an act, rule, regulation, or order administered or issued by the Commission, may file a complaint which the licensee will be called upon to answer. If, in the judgment of the Commission, the complaint is not adequately satisfied by the licensee's answer, further action may be taken, including a formal hearing to which the original complainant would be an automatic party. A copy of Section 1.6 of the Commission's Rules is attached hereto.

II. Proposed Pumped Storage Facilities. At present there are seven applications for license for pumped storage hydroelectric projects pending before the Commission. All of these applications are subject to the requirements of Commission Order Nos. 415-C and 485, implementing the National Environmental Policy Act of 1969, issued December 18, 1972, and June 7, 1973, respectively. As a part of its application for license, each applicant is required to submit a detailed report of environmental factors. After initial review of this statement, the Commission staff determines whether or not the proposed action would constitute a major Federal action significantly affecting the quality of the human environment. If the proposed action is found to be such a major Federal action, the Commission staff undertakes a detailed independent analysis of the action and prepares a draft environmental impact statement. The areas of concern noted by Ms. McKee in her testimony before the House Subcommittee on Oceanography (geologic conditions, erosion, groundwater tables) are among the many possible environmental factors which the Commission staff is required to analyze. Problems that have arisen due to the location and design of previously licensed hydroelectric projects play an important role in this analysis. The draft environmental impact statement is then circulated to appropriate governmental bodies and to the



public for comments. Such comments are incorporated into the final environmental impact statement prepared by the Commission staff, which accompanies the application for license through the agency review and decision-making process. Copies of Order Nos. 415-C and 485 are also attached.

At the time of licensing the Ludington Project the National Environmental Policy Act had not been enacted. But, as noted supra, the comprehensive use of resources licensing test of § 10(a) of the Federal Power Act was applied by the Commission.

Attachments:

1. Section 1.6 of the Commission's Rules.
2. Commission Order No. 415-C.
3. Commission Order No. 485.



(c) *Form.* Except where otherwise provided by the Commission rules and regulations under which a specific type of application is filed, applications shall conform to the requirements of § 1.15 as to copies and style, and to § 1.16 as to subscription and verification.
[Order 141, 12 F.R. 8473, Dec. 19, 1947]

§ 1.6 Complaints and orders to show cause.

(a) *General.* Any person, including any State or local commission, complaining of anything done or omitted to be done by any licensee, public utility or natural-gas company in contravention of an act, rule, regulation, or order administered or issued by this Commission, may file a complaint with the Commission. If the complaint relates to a provision in a tariff or a contract on file with the Commission it should be identified. A copy of the complaint will be forwarded by the Commission to such licensee, public utility or natural-gas company who shall be called upon to satisfy the complaint or to answer the same in writing within 30 days after the date of service of the complaint unless the Commission with or without motion shall prescribe a different time. A copy of the response or answer shall, at the time it is forwarded to the Commission, be served upon the complainant. If, in the judgment of the Commission, a violation of an act, rule, regulation, or order, administered or issued by this Commission, has been alleged and has not adequately been satisfied it will either invite the parties to an informal conference, set the matter for a formal hearing, or take any other action which in the judgment of the Commission would be appropriate. In the event that a hearing is held the complainant automatically will be a party thereto and need not file a petition for leave to intervene.

(b) *Form.* A complaint may be made by letter or other writing. It shall contain the name and address of the complainant, the name and address of the party against whom the complaint is made, and a statement of the facts forming the basis for the conclusion that there has been a violation of an act administered by this Commission or of a rule, regulation, or order issued by the Commission. Supporting material may be submitted along with the complaint. If possible, 10 copies of the complaint and supporting material should be filed.

(c) *Joinder.* Two or more grounds of complaint involving the same purposes, subject, or state of facts, may be included in one complaint, but should be separately stated and numbered; and two or more complainants may join in one complaint if their respective causes of complaint are against the same defendant or defendants, and involve substantially the same purposes and subject, and a like state of facts.

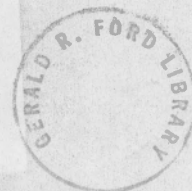
(d) *Orders to show cause.* Whenever the Commission desires to institute a proceeding against any person under statutory or other authority, the Commission may commence such action by an order to show cause setting forth the grounds for such action. Said order will contain a statement of the particulars and matters concerning which the Commission is inquiring, which shall be deemed to be tentative and for the purpose of framing issues for consideration and decision by the Commission in the proceeding, and the order will require that the respondent named respond orally, or in writing (as provided in § 1.9 (c)), or both.

[Order 141, 12 F.R. 8473, Dec. 19, 1947, as amended by Order 359, 33 F.R. 2843, Feb. 10, 1968]

§ 1.7 Petitions.

(a) *General.* Petitions for relief under any statute or other authority delegated to the Commission shall be in writing and under oath, shall state clearly and concisely the petitioner's grounds of interest in the subject matter, the facts relied upon, and the relief sought, and shall cite by appropriate reference the statutory provision or other authority relied upon for relief and shall conform to the requirements of §§ 1.15 and 1.16.

(b) *For issuance, amendment, waiver, or repeal of rules.* A petition for the issuance, amendment, waiver, or repeal of a rule by the Commission shall set forth clearly and concisely petitioner's interest in the subject matter, the specific rule, amendment, waiver, or repeal requested, and cite by appropriate reference the statutory provision or other authority therefor. If a rate filing is accompanied by a request for waiver pursuant to this section the thirty-day notice period provided in section 4(d) of the Natural Gas Act and section 205(d) of the Federal Power Act shall begin to run if and when the Commission grants the request. Such petition



For feeling
in "Christie Bloomer"
felt

6-30-75

Dear Mr. Bucher:

For the first time in 3½ yrs
of utter depression & hopeles-
ness - I have HOPE!!!

Do you know what that
means? Not only to me, but
to the other property owners.

My eternal gratitude, Mr.
Bucher & I'm sorry I've been
so much trouble.

Sincerely
Christie Bloomer

"NATURE IS THE ART OF GOD"

Series I

Photography by Ed Roberts
Whitehall, Michigan



Windblown

E. M. McKEE, A. I. P. G.

CONSULTING GEOLOGIST

416 MAPLE STREET, WINNETKA, ILLINOIS 60093

TELEPHONE: AREA CODE 312 - 446-6231

July 2, 1975

Mr. Philip W. Buchen
The White House
Washington , D.C.

Dear Mr. Buchen:

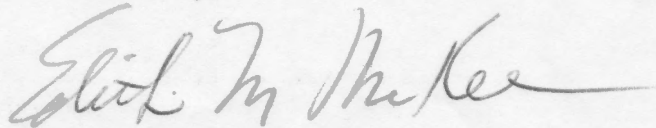
It seems that you talked to some very effective people about the problems at the Ludington Pumped Storage Hydroelectric Plant. Mrs. Bloomer sent me a copy of The Muskegon Chronicle of June 18th reporting the sudden interest by the Michigan Department of Natural Resources in the environmental and public damage caused by the pumped storage operation. I hope that this is only the first of many investigations of power plant sites to learn how they either enhance the environment or cause major dislocations. Such studies would certainly strengthen the President's support of additional power plants, which we admittedly need.

There are two more items which might interest you concerning the Ludington situation. The newspaper reporter who attended the trial in March has said privately that he had never seen such a biased trial, but was unable to report it in the paper as such. Also, Judge Wenk has been heard to say that he couldn't let Mrs. Bloomer win the case, because then he would have had in his court at least six more cases against the plant.

My plans call for me to be in Michigan July 10-21, with a stop in Ludington probably July 12. Our Next FEA meeting is July 31, which means that I'll be in Washington again on July 30, 31 and August 1. If you wish, at that time I can discuss with you further developments at Ludington as I have learned about them in the field.

Congratulations again on getting some action started.

Sincerely,



(Miss) Edith M. McKee, C.P.G.
Consulting Geologist

cc: Mrs. Bloomer

Thursday, July 3, 2:00 p.m.

386-4513

Mr. Goldstein called for Drexel Journey re the Ludington Project in Michigan. He said that there had been a lot of public interest in the project and that they had had a request under the Freedom of Information Act for the papers pertaining to the project. Mr. Journey wanted you to know that he was putting the papers on public file.

*Put on Christie
Blumen file.*



Mr. Bucken)
has a desk
file on
Bloomer

*President's
family*

Thursday, July 3, 2:00 p.m.

386-4513

Mr. Goldstein called for Drexel Journey re the Ludington Project in Michigan. He said that there had been a lot of public interest in the project and that they had had a request under the Freedom of Information Act for the papers pertaining to the project. Mr. Journey wanted you to know that he was putting the papers on public file.



GENERAL COUNSEL
FEDERAL POWER COMMISSION

*Journey
Drexel*

In Reply Refer To:
OGC
Project No. 2680
Ludington Pumped Storage
Project

Philip W. Buchen, Esquire
Counsel to the President
The White House
Washington, D.C.

JUN 27 1975

Dear Mr. Buchen:

I am enclosing a factual report on the Ludington Pumped Storage Project, all as indicated in my letter of June 23.

I hope this report is helpful to you in responding to the President's correspondent and Ms. McKee. It was prepared with the thought that you might choose to forward the report as the response to those correspondents. Three copies are enclosed.

The staff ~~report~~ calls attention to administrative investigations ~~which~~ are now being conducted by FPC staff personnel with ~~respect~~ to the water condition of the Project and to ~~procedures~~ which interested or adversely affected persons may ~~avail~~ themselves of before the Commission. If there are ~~further~~ questions, I shall be pleased to respond.

Thank you for the opportunity to review this matter.

Sincerely,

Drexel D. Journey

Drexel D. Journey
General Counsel

Enclosure: FPC Staff Report Ludington Pumped Storage Project
No. 2680, Consumers Power Company & The Detroit
Edison Company, Licensees.



THE WHITE HOUSE

WASHINGTON

*Journey,
Travel
D.*

June 23, 1975

Dear Mr. Journey:

Following my letter to you of June 19
I enclose a copy of a later letter
received from Miss Edith M. McKee.

Sincerely,

Philip W. Buchen

Philip W. Buchen
Counsel to the President

Mr. Drexel D. Journey
General Counsel
Federal Power Commission
Room 8000
825 North Capital Street
Washington, D. C. 20426



GENERAL COUNSEL
FEDERAL POWER COMMISSION

*Fed C
Power
Comm.*

June 23, 1975

Philip W. Buchen, Esquire
Counsel to the President
The White House
Washington, D.C.

Dear Mr. Buchen:

Thank you for your letter of June 19, 1975. I shall look into the matter. You will receive a report on the Ludington situation this week. I believe you will find the report useful in responding to the President's correspondent and Ms. McKee.

Sincerely,

Drexel D. Journey

Drexel D. Journey
General Counsel



THE WHITE HOUSE

WASHINGTON

June 19, 1975

*Journey
F. B.
D.*

Dear Mr. Journey:

The President has received several letters from a Michigan friend of his concerning the pump storage hydro-electric plant built just south of Ludington, Michigan.

The story which this friend relates is that such a project by the Consumer Power Company and Detroit Edison Company has resulted in severe damage to the near-by private lakeshore property including a home and shop owned by her. This party brought suit in a State Court against the owners of the plant but did not succeed in obtaining a judgment, allegedly because the presentation of the case was not well handled in her behalf and because of an unsympathetic judge.

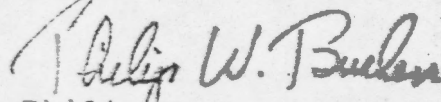
I first advised this correspondent that I believed there was no opportunity to help her at the Federal level, but she asked me to discuss the problem with Ms. Edith M. McKee, a geologist who had helped to prepare the plaintiff's case for the trial. Ms. McKee did call at my office on the day she testified before the Committee on Merchant Marine and Fisheries Subcommittee on Oceanography. A copy of her testimony is enclosed because it deals in part, starting on page 10, with the Ludington hydro-electric plant. Ms. McKee advises that prior to the trial in question, she was unable to complete her study of the effect of the plant on lake currents, and this lack of information contributed to the difficulty of making an effective case in court. Nevertheless, Ms. McKee is convinced that serious errors were made by the utilities in locating and designing the plant as they did and believes that the errors made should serve as a lesson of what to avoid when locating and designing other similar plants along the Great Lakes.



Ms. McKee advises that much additional property, beyond that owned by her client is being threatened by the existence and operation of this plant, partly because of severe leaks from the bottom of the reservoir and partly from the effect of the water discharge on lake currents. She makes the point that unless utilities in locating and designing such plants take heed of problems like this, there will be continued public opposition to construction of additional plants despite the crying need for further electric power capacity.

I call this situation to your attention because of the strong interest on the part of this Administration and your Commission to expedite the development of hydro-electric power. I would appreciate your referring this matter to the appropriate official on the Commission staff who could suggest a letter I might send to the President's correspondent and Ms. McKee on the policies and authority of the Federal Power Commission which bear on the Ludington situation as described and generally on other pump storage plants being planned.

Sincerely,



Philip W. Buchen
Counsel to the President

Mr. Drexel B. Journey
General Counsel
Federal Power Commission
Room 8000
825 North Capital Street
Washington, D. C. 20426



Mr B
has a
desk file

Bloomer
Christie
6-8-75

Dear Mr. Buchen:

Thank you for your letter of 6-5-75. Edith McKee called today requesting the enclosed pictures be sent to her in care of you prior to her meeting with you on Wed. 6-11-75. She leaves tonight and no time to get them to her residence. As I do not have a courier on tap, I hope the "thru" snow and ice" people come through and this reaches you in time.

Regarding your letter (2nd paragraph) Jerry said to contact Mr. Vander Jagt because of political protocol as he was the Congressman from Michigan and Jerry would do all he could from the Washington "end". Not because it was a "state involvement" affair.

I fail to see why it's NOT a Federal concern, as it involves Federal waters and the electricity generated is sold intra-state, but what do I know? In fact, the Power Co. did not dispute an allegation that more went out of state than in.

Thank you so kindly for your time and I again apologize for being a nuisance, but, I repeat we are desperate. We really do need help!!!!

to Betty
Please convey my thanks and gratitude for her help and I'll write to her as soon as the newest mess in my life is over. The "perils of Pauline" are a Sunday School picnic compared to some of the problems I've had in the last three years. My latest hurdle is that next Tuesday I have to appear in court again to answer a charge by the Power Co. that I owe them some \$4600.00 to pay for the costs of bringing their witnesses to the trial. I DO NOT BELIEVE IT but there it is. I did not think this could happen in our country. I'm convinced in my own mind this is naught but "scare tactics" to frighten off a class action suit but I could be wrong. (Have been before.) I'm afraid I do not stand a chance with that Judge sitting on his illustrious - ahem - bench but I do have faith that everything happens for a reason and perhaps God has designated me to help these other people, so I'm trying.

Thank you kindly again for your time. I do know how busy you all are but I deeply and sincerely appreciate it.

Very truly yours,

Christie Bloomer

Christie Bloomer
(Mrs. Robert Bloomer)
8794 Glendale
Onekama, Mich. 49675



P.S.
With my life, I'd have
better off to study Tag
Than Latin but I did

THE WHITE HOUSE
WASHINGTON

June 5, 1975

*President -
family*

Dear Mrs. Bloomer:

You can be assured that I have talked about your matter directly with Betty Ford and, after your letter of May 14, I made further inquiries as to what, if any, possibility there is at the Federal level to provide relief from the conditions created by the hydro-electric plant which was a joint project of Consumer's Power Company and Detroit Edison.

The Ford family is, of course, very appreciative of all you have done for the children, but, in the President's case, he must depend on help from his advisers such as me to ascertain if there is any help to be provided. As you indicated, even much earlier the Ford office had to refer you to Congressman Vander Jagt who, on investigation, appeared to have concluded the problem was purely one of state involvement.

After checking further, I find that probably the only possible application of Federal law to the situation would involve the National Environmental Policy act which came into effect January 1, 1970.

Then I called Mrs. McKee for further information as you suggested, and I found out that she is going to be in Washington next week on another matter, and she offered to come to my office to give me further information.

After I have talked with Mrs. McKee, I shall write you further.

Sincerely,

Philip W. Buchen

Philip W. Buchen
Counsel to the President

Mrs. Robert K. Bloomer
Daybreak Cottage
8794 Glendale
Onkama, Michigan 49675



Mrs. Robert K. Bloomer
~~South Lake Shore Drive~~
~~Ludington, Michigan 49431~~

DAVE PERK COTTAGE
3734 Grandale
Onekama, Michigan

5-14-75

49:75

Mr. Philip Buchen
Counsel to the President
The White House
Washington, D. C. 20025

Dear Sir:

Thank you for your letter of May 7, 1975. I believe you missed my point completely. Perhaps I didn't clarify it.

I know what I have to do re an appeal (which I told you I could not afford and it would be of little value, anyway, because of the fraud in my trial) I'm not seeking legal advice. What I'm trying to tell the President is that this is a potential danger spot and it needs investigative action. Is not the FEC authorized to investigate something that they have given their permission to operate? If not they, then who? Would it do any good to come to Washington to talk to them? Or could someone from the EPA help us? You say this is a State affair. Do you mean the trial or the operation of the Hydro-Electric Plant? The State had nothing to do with sanctioning the Power Co. to build and operate this plant, did it? Do I contact the Governor of Michigan? It's all a bit nebulous.

Surely, there must be someone in the country who can help us. Or is the Government interested only in helping people from other countries and those who are on illegitimate ADC and welfare? This is not paranoid, it seems these people have only to fill out an application regardless of "living in sin" or whatever and the Government joyfully donates food stamps, homes, medical aid and etc. We, who have worked all of our lives, paid taxes, tried to live decent lives, and have been self supporting can get no help from anyone. Inequity? It surely seems so.

Would you please inform me if President Ford ever saw my letter? I KNOW how busy he is, but it seems incredible to me that he could not take a few minutes to read it and give me a call. I welcomed two of his children into my home, showed them every courtesy, cared for them and had the responsibility of them and I loved it. I was busy, too, but not too busy to have Steve and Susan with us and I enjoyed it. Jerry called several times then to see if the youngsters had arrived safely, if we met the plane, if we'd take them to camp, pick them up from camp, etc. And I repeat, their Uncle Bob and I loved them and loved having them. Jerry just doesn't seem the type not to give me five minutes of his time. I'd just like to



know if he ever saw the letter.

If you have any doubt as to the allegations I've made re the Hydro-Electric Plant, you may call my geologist, Ms. Edith McKee in Winnetka, Ill.---312-HI 66231 and she will verify my statements.

I'd also like to ask Jerry (if my mail doesn't get to him or if he's too busy to answer or bother with me) another question. I've been asked to present this whole sordid mess on TV and I do not want to do anything to hurt him, by appearing. I've not told any of these people of our in-law relationship, but some smart cookie is sure to pick up the name Bloomer and connect it to Betty's maiden name. Advise, please. If that is the only way we can get any help, I guess I'll have to do it but I do not want to cause him embarrassment in any way.

The severity of this situation cannot be emphasized enough! The Power Co. is planning on building another one of these plants just north of here in the future and if the same thing happens there, it will be another mess. They did not listen to any advice given them before re the instability of the land and they probably won't again.

We have all worked too hard to have just a home to lose everything. We do NOT deserve to be ignored.

Thank you for your time, Sir.

Very truly yours,

Christie
Christie Bloomer
(Mrs. Robert Bloomer)
8794 Glendale
Onekama, Mich. 49675

PH. # 616-889-4488



THE WHITE HOUSE


WASHINGTON

June 3, 1975

MEMORANDUM FOR:

PHILIP W. BUCHEN

FROM:

JAY T. FRENCH 

SUBJECT:

Draft of Mrs. Bloomer letter

The statutory language of the National Environmental Policy Act neither expressly exempts nor applies to projects initiated prior to January 1, 1970, the effective date of the Act. The Federal courts applied the Act's requirements to projects initiated before the effective date when it was shown that as of that date the Federal government had a "continuing responsibility" to "use all practical means...to improve and coordinate Federal plans, functions, programs, and resources..." to carry out the policies of the Act.

Set forth below is a suggested statement of law for you to include in your letter to Mrs. Bloomer.

Also, under the National Environmental Policy Act, an environmental impact statement on this project would have been prepared if it was determined that an agency of the federal government had a continuing and ongoing responsibility for the project after the effective date of the Act, January 1, 1970.



1. The Honorable John N. Nassikas
Chairman
Federal Power Commission
825 North Capitol Street
Washington, D. C. 20426
2. Mr. Sheldon Meyers
Director
Office of Federal Activities
Environmental Protection Agency
401 M Street SW
Washington, D. C. 20460
3. Office of the General Counsel
Council on Environmental Quality
722 Jackson Place
Washington, D. C. 20006



May 7, 1975

Pres.
(personal)

Dear Mrs. Bloomer:

Your letter addressed to the President has been referred to me, as his Counsel.

I have reviewed your account of the events which led up to your loss of property in the vicinity of Ludington. From your account of these events, it appears that the issues you raised were litigated. Without a record of the trial, I cannot of course judge the ground on which the court decided to rule against you. However, ordinarily if there is a fair basis for appeal and reversal of the Trial Courts Judgment, you should be able to obtain an attorney to handle the appeal and re-trial on a contingent fee basis. You do not indicate that you have tried to take this course, and it is the only one that appears possible so far as I can tell.

The matter you discuss is purely one of State law and is solely within the jurisdiction of the State courts. Under these circumstances, there is no authority on the part of the President or any other Federal official to help in this matter.

I regret that this conclusion may seem very discouraging to you, but I think you can appreciate that it is the only response possible. I do sympathize with you in the extreme difficulties you have had, but unless there are other aspects of the matter not apparent to me, I know of no positive assistance we can give from here.

Sincerely,

Philip W. Buchen
Counsel to the President

Mrs. Christie Bloomer
Daybreak Cottage
3794 Glendale
Onkama, Michigan 49675

bcc: Mildred Leonard



Dear Mr. President,

With all the problems in the country today, I hate to bother you with mine, but I do not know where else to turn. When I had a business and had a problem, I always went to the "Top Man" for help and even if you weren't an in-law, I'd write to the President of this country for help, so please do not think I'm taking advantage of the fact you are an in-law.

I'll try to be as brief as possible - I know how busy you are. My problem may seem slight to you but to me it means a great deal.

Here 'tis---

For 2½ years, I've waged a battle with Consumers's Power Co. which culminated in a trial the last of March. In one of the most biased trials I could imagine, I lost. I was aghast to know there are Judges (?) like this in our country. We have several reasons to appeal but I simply cannot afford it.

The Hydro-Electric Plant built by Consumer's Power Co. and Detroit Edison on the shores of Lake Michigan near my property in Ludington has caused so much damage to the property, I was advised by the man who knew more about the plant than anyone (quote from Con. Power Co.) to get out immediately and it was not safe to stay in overnight. That was in Oct. of 1972. He then turned to me and asked me what I'd settle for (in my book, that must be an admission of guilt) and I told him the price of the buildings and property. He told me he would take it back to their lethal (whoops, Freudian slip!) legal department and I would hear from them. I did, all right, 3 months later to the excuse they were not to blame, it was high water. I told them if they could explain how high water could get over 500 feet of ice, (it started happening in Jan.) and up a 300 foot bluff and back 150 feet to cause subsidence holes, I could buy their story. I asked them why when the water was 13" higher in 1952, it caused no damage. No answer.

It was about that time I called you to ask for advice. You advised me to write to Vander Jagt, which I did. His office advised me to hire a lawyer. Two years later and many thousands of dollars later, here I am, I've lost a home, business and property and Consumer's Power walks home free. INCREDIBLE!!!!!! Can this happen in our country? Believe me, it did.

Several other families in the area are ^{now} experiencing similar and other problems and they have formed an association but they are even hesitant to start a class action suit because of the fraud in my trial. In this travesty on justice, there were substantial errors in evidence rulings and so many biased, blatant rulings in favor of the Power Co.

The geologist I hired said the whole project was a 3 prong attack on my property.

1. The mammoth, heavy construction equipment used in building this thing caused so much vibration, the houses in the area ^{now} shook as tho' in an earthquake. This went on 20 out of 24 hours for months and months. Houses do not shake unless the ground is shaking. The bluffs in front of my house first started falling from the top with no undermining. This does not happen in high water.

2. The weight of the filled reservoir is popping underground springs which are under all the property in that area. There are 9000 gallons of water a minute seeping from that reservoir, 1800 of which are being pumped into Lake Mich. and that leaves 7200 gallons a minute running under our property, constantly. Little wonder that there are subsidence holes and slippage of the bluffs, in the whole area, not just on my property.
3. The operation of the plant consists of using 6 generating units to pump the water. The vibration from those at times is able to be felt by the residents. With the loose sand and the vibration literally devastating that land, it is becoming a potential danger to all in the area. The jet-ties the Power Co. built out into the lake are disrupting the natural flow of the lake and swirling back around into the property, also. It has interfered with the natural sand bars, which Mother Nature put there to break the force of the wave energy.

The geologist Consumer's Power Co. hired to advise them before construction of this plant told them this land was not stable enough to construct that kind of plant, but his advice was ignored. Should they not have to pay for their mistakes? Should the other residents and I have to bear that burden? The Power Co. has paid off some people in the area on the East side of the reservoir, but refuse to pay anyone on the West side (the side toward the lake) as they can blame it on high water. There are people who have lived in that area for 60 years and their ancestors before them, and nothing like this has ever happened until that plant went in. The people on the East side suffered damage and complete ruination of their orchard crops due to the "run off" on the reservoir. The Power Co. is so proud of the fact they received an engineering award and O.K. from the Federal Energy Comm. Would FEC have okayed this if they knew there could be a catastrophe with subsequent loss of life? Is it to be like so many other things, too little, too late???? There has already been one death of a young mother who was killed in a landslide south of my property due to the slippage of a bluff. The Power Co. immediately put signs in the area warning of the danger. Would they have done that if not to protect themselves? It was not on their property. Will someone act only after a tragedy has occurred? Geologists feel this whole land mass could slip into the lake, which could cause a tidal wave killing hundreds of others, not just the people living in the area. Believe me, Jerry, this is a problem not caused by high water. I've lived in the Lake Mich. area all of my life and nothing like this has ever happened anywhere. It's not happening 50 miles N. where my cottage is located. As one wag said, "The water isn't as high in that part of Lake Michigan." And we have the same high bluffs here.

We've worked all of our lives to have a home and a little money for retirement. Can a company like this step in and literally take everything from us and not be made to pay for it? The Power Co. bought land in Arcadia, Mich. to build another Hydro-Electric plant and one of the reps was quoted as saying they were buying more than needed because of all the problems with the Ludington property owners. I have had to pay for my mistakes in life, should they not have to pay for theirs?

3.

This whole mess has already cost me over \$45,000.00 and I've lost a business, two buildings, and property, through no fault of mine, that would cost at today's prices \$118,232.00 to replace. That is a total of \$164,000.00 which I could have lived off very nicely the rest of my life and have a home to live in, too. I cannot live in my cottage the year round. It is an ole 58 yr. old place, which I dearly love, but does not have any insulation, the water pipes are on the outside above freezing line and it is on a high bluff not accessible in the winter snow. So, I have had to move every 6 months for 2½ yrs. I just made my 7th move in that time. I can't begin to tell you what affect this whole mess has had on my health and nerves.

Here I am, at 58, with no home, no retirement money, no income, NO NOTHIN!!!! Can they possibly get away with this? Can they step in and take everything away from a person and not be made to pay for it?

Simply, I've done everything I could on my own for 2½ years and now I just don't know where to turn. Can you, will you, help me and the others who need it? We are desperate!!!!

Thank you for your time. I deeply appreciate it.

Sincerely,

Chris

Christie Bloomer

DAYBREAK COTTAGE
8794 Glendale
Onkama, Michigan 49675

Ph. # 616-889-4488

Again, please
excuse Typing
I'm not a typist.
Personal note - love &
best to Betty

