

HARBOR SHORES

Environmental, property hurdles remain for project

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BEN ZIMONT DEQ Land and Water Management Division By ANN BURCH

H-P Correspondent

BENTON HARBOR — Harbor Shores must still clear property and environmental hurdles before it can make good on its promise of 3,300 construction jobs and 1,400 permanent jobs.

The development is scheduled to be built on 530 acres near the Paw Paw River and includes a mix of wetlands, flood plains and dunes where the proposed 18-hole Jack Nicklaus Signature Golf Course will be built.

Harbor Shores Community Redevelopment Inc. has an application under review by the Michigan Department of Environmental Quality, the Army Corps of Engineers and the federal Environmental Protection Agency for the 110-acre golf course. The permit application proposes to fill wetlands and flood plains along two miles of the Paw Paw River and to locate three holes inside Jean Klock Park along Lake Michigan.

Developers have been unsuccessful in obtaining permission to use or to buy 17 parcels needed for the golf course. Mark Mitchell, president and chief executive officer of the Alliance for World-Class Communities and a member Harbor Shores' board of trustees, said the development has acquired about a third of the property needed. He said Harbor Shores could not acquire some of the property "without blowing our finances out of the water."

But regulators can't review permit applications if the applicants don't own or control the land in question.

"We need clear proof that they (Harbor Shores) own the property or have written permission of the property owners to use it in their plans," said Ben Zimont of the DEQ Land and Water Management Division. "Not having the

(Donald) Boerma property has caused Harbor Shores to revise the course layout."

Developers initially wanted property occupied by Boerma's business, Electric Equipment Co., for two golf course holes, which they say is key to making the development successful.

The proposal also includes: 880 residential units, a 350-room hotel, conference center and indoor water recreation park; a 140-room lodge closer to Lake Michigan; 27,000 square feet of commercial and retail space; and two marinas.

Zimont said Harbor Shores submitted plan revisions Feb. 20 that show the new location of holes 10 and 11 sitting south of Ox Creek on a strip of land just north of Graham Avenue, off the Boerma property

Other changes sought

The DEQ is requiring other changes after a review of comments during a public hearing in January and 74 written comments submitted to the DEQ after the hearing.

By relocating the two holes, Zimont said, developers "took 10 and 11 out of the 100-year flood plain and flood way." But because of the new revisions, the DEQ is asking Harbor Shores for plans showing the cross-sections, fill areas and volume for the wetlands affected by the plan.

Developers also want to change holes 1, 2 and 9, Zimont said. Because of these adjustments, the DEQ has "48 new sheets for each hole" to review, he said.

"It's very difficult," Zimont said. "Any change can cause a chain reaction with another area of the application."

The DEQ wants Harbor Shores to provide financial estimates for design and construction costs on property the developers want to use for wetlands restoration. Developers initially proposed to restore more than 48 acres of golf course development property for public use in exchange for using 22 acres inside Jean Klock Park, which is owned by the city of Benton

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In regard to Jean Klock Park, Harbor Shores has an agreement with the Michigan Department of Natural Resources Trust Fund Board demonstrating potential impact of the mitigated wetlands that will be used for public use. However, this information was not submitted for the DEQ application, Zimont said. The DEQ needs to know about boardwalks, pathways, river overlooks and other proposals before approving the application.

"It would have been simpler for us if Harbor Shores had included this with the DEQ application," Zimont said. "They just can add that in (the existing application). They will have to reapply. Again, we don't want the mitigation piecemealed together. We want to see the overall impact of the mitigation."

Zimont said the new plan eliminates a proposed boat launch off Paw Paw Avenue. A DEQ letter sent to Harbor Shores officials indicated concern about the potential impact of the golf course on water quality and wildlife habitat within the development.

"These concerns stem primarily from non-point sources and the potential for discharge of nutrients, pesticides/chemicals, sediments, etc. into the Paw Paw River and wetlands," it said. Also included in the DEQ letter is a request to spell out how developers will handle two "minor" violations, which were not created by the Harbor Shores development but which must be addressed, Zimont said. "We need to know what Harbor Shores is proposing to do on these properties," Zimont said of the land that has concrete and fill dumped on it.

Mitchell said the DEQ letter helped clarify some of the information needed for the permit, and they are working on pulling all the information together. The developers still plan to do some work on Harbor Shores-owned property, though many issues may still be pending for the permit from the DEQ, Mitchell said. Zimont said the developers have not submitted a mitigation proposal for the North Shore County Drain, which would be covered over, nor have they demonstrated how they are going to protect the rose pink, a threatened flower that is in Jean Klock Park.

Mitchell said, "We have identified two or three areas (mitigation) and will submit those to the DEQ. They can pick the one that is best."

Harbor Shores has until March 14 to submit all of the additional information the DEQ has requested, Zimont said.

If all the required information and revisions cannot be submitted by that deadline, Harbor Shores may need to temporarily withdraw the application or request an extension, he said.

"We need a good vision of all the impact that Harbor Shores is ultimately going to propose," Zimont said. "Right now, we don't have that."



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Gregg Rizzo / H-P correspondent
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