

**REGARDING YOUR DAM
COMPLAINT**

STEPHEN L. TVEDTEN to
DAVID L. PRICE
January 6, 1998

In December 1997, after an official complaint from a neighbor, a Michigan resident named Stephen Tvedten received, via his tenant, Mr. DeVries, a stern warning from the region's Department of Environmental Quality. In a letter, he was given six weeks to remove two "unauthorized" and "hazardous" dams from the stream on his property or else face prosecution. Tvedten's amusing response soon made the local news. The case was quickly dropped.

STATE OF MICHIGAN

December 17, 1997

CERTIFIED

Dear Mr. DeVries:

SUBJECT: DEQ File No. 97-59-0023-1 T11N, R10W, Sec. 20, Montcalm County

It has come to the attention of the Department of Environmental Quality that there has been recent unauthorized activity on the above referenced parcel of property. You have been certified as the legal landowner and/or contractor who did the following unauthorized activity:

Construction and maintenance of two wood debris dams across the outlet stream of Spring Pond. A permit must be issued prior to the start of this type of activity. A review of the Department's files show that no permits have been issued.

Therefore, the Department has determined that this activity is in violation of Part 301, Inland Lakes and Streams, of the Natural Resource and Environmental Protection Act, Act 451 of the Public Acts of 1994, being sections 324.30101 to 324.30113 of the Michigan Compiled Laws annotated. The Department has been informed that one or both of the dams partially failed during a recent rain event, causing debris dams and flooding at downstream locations. We find that dams of this nature are inherently hazardous and cannot be permitted. The Department therefore orders you to cease and desist all unauthorized activities at this location, and to restore the stream to a free-flow condition by removing all wood and brush forming the dams from the strewn channel. All restoration work shall be completed no later than January 31, 1998. Please notify this office when the restoration has been completed so that a follow-up site inspection may be scheduled by our staff. Failure to comply with this request, or any further unauthorized activity on the site, may result in this case being referred for elevated enforcement action. We anticipate and would appreciate your full cooperation in this matter.

Please feel free to contact me at this office if you have any questions.

Sincerely,

[Redacted]
District Representative
Land and Water Management Division

1/6/98

[Redacted]
District Representative
Land and Water Management Division
Grand Rapids District Office

Dear [Redacted]:

Re: DEQ File No. 97-59-0023; T11N, R10W, Sec 20; Montcalm County

Your certified letter dated 12/17/97 has been handed to me to respond to. You sent out a great deal of carbon copies to a lot of people, but you neglected to include their addresses. You will, therefore, have to send them a copy of my response.

First of all, Mr. Ryan DeVries is not the legal landowner and/or contractor at 2088 Dagget, Pierson, Michigan—I am the legal owner and a couple of beavers are in the (State unauthorized) process of constructing and maintaining two wood “debris” dams across the outlet stream of my Spring Pond. While I did not pay for, nor authorize their dam project, I think they would be highly offended you call their skillful use of natural building materials “debris”. I would like to challenge you to attempt to emulate their dam project any dam time and/or any dam place you choose. I believe I can safely state there is no dam way you could ever match their dam skills, their dam resourcefulness, their dam ingenuity, their dam persistence, their dam determination and/or their dam work ethic.

As to your dam request the beavers first must fill out a dam permit prior to the start of this type of dam activity, my first dam question to you is: are you trying to discriminate against my Spring Pond Beavers or do you require all dam beavers throughout this State to conform to said dam request? If you are not discriminating against these particular beavers, please send me completed copies of all those other applicable beaver dam permits. Perhaps we will see if there really is a dam violation of Part 301, Inland Lakes and Streams, of the Natural Resource and Environmental Protection Act, Act 451 of the Public Acts of 1994, being sections 324.30101 to 324.30113 of the Michigan Compiled Laws annotated.

My first concern is—aren't the dam beavers entitled to dam legal representation? The Spring Pond Beavers are financially destitute and are unable to pay for said dam representation—so the State will have to provide them with a dam lawyer. The Department's dam concern that either one or both of the dams failed during a recent rain event causing dam flooding is proof we should leave the dam Spring Pond Beavers alone rather than harassing them and calling their dam names. If you want the dam stream “restored” to a dam free-flow condition—contact the dam beavers—but if you are going to arrest them (they obviously did not pay any dam attention to your dam letter—being unable to read English)—be sure you read them their dam Miranda first.

As for me, I am not going to cause more dam flooding or dam debris jams by interfering with these dam builders. If you want to hurt these dam beavers—be aware I am sending a copy of your dam letter and this response to PETA. If your dam Department seriously finds all dams of this nature inherently hazardous and truly will not permit their existence in this dam State—I seriously hope you are not selectively enforcing this dam policy—or once again both I and the Spring Pond Beavers will scream prejudice!

In my humble opinion, the Spring Pond Beavers have a right to build their dam unauthorized dams as long as the sky is blue, the grass is green and water flows downstream. They have more dam right than I to live and enjoy Spring Pond. So, as far as I and the beavers are concerned, this dam case can be referred for more dam elevated enforcement action now. Why wait until 1/31/98? The Spring Pond Beavers may be under the dam ice then, and there will be no dam way for you or your dam staff to contact/harass them then. In conclusion, I would like to bring to your attention a real environmental quality (health) problem; bears are actually defecating in our woods. I definitely believe you should be persecuting the defecating bears and leave the dam beavers alone. If you are going to investigate the beaver dam, watch your step! (The bears are not careful where they dump!)

Being unable to comply with your dam request, and being unable to contact you on your dam answering machine, I am sending this response to your dam office.

Sincerely,

Stephen L. Tvedten

cc: PETA

