

FOR IMMEDIATE RELEASE

News from Save Our Shoreline

For more information:

Ernie Krygier

President

989-793-3711

SOS FILES BRIEF WITH U.S. SUPREME COURT IN FLORIDA BEACH TAKING CASE.

BAY CITY, Michigan – August 20, 2009

Save Our Shoreline today filed an *Amicus Curiae* brief with the United States Supreme Court in a case asserting that the State of Florida violated Constitutional protections of private property when it ruled that renourished beaches become state property. In *Stop the Beach Renourishment, Inc. v. Florida Dep't of Environmental Protection, Et Al.*, the United States Supreme Court will consider whether a sudden change in Florida common law on beach ownership constitutes a judicial taking in violation of the Fifth and Fourteenth Amendments to the United States Constitution. The SOS brief argues that many states want to eliminate private ownership of beaches, and since they are unwilling to buy them, they are using their highest courts to simply take them. In a method that is becoming common, a few judges sitting on a state's highest court simply ignore that state's prior law and announce that private rights never existed, effectively turning ownership of the beach over to state government.

The SOS brief reminds the high court that, like Florida, Michigan used its Supreme Court to simply take exclusive-use rights away from private owners. In *Glass v. Goeckel*, that Court in 2005 gave the public the right to walk Michigan's Great Lakes beaches. For most of the 160-year period prior, shoreline owners had exclusive use of their shore down to the water's edge.

"In several states like New Jersey, Michigan, and now Florida, the courts are simply taking riparian rights away by using their power to deny they ever existed," said Ernie Krygier, SOS President. "If the government can confiscate my beach in this way, then what's to stop them from taking the rest of my property?" he said. He added, "When they take our property, they are taking away our liberty, and people should be very concerned about that."

The *amicus* brief was authored by Attorney and former SOS Vice President David L. Powers of Smith, Martin, Powers & Knier, P.C. The Court will hear oral argument on the case in September, and a decision is expected by next summer.

Founded in 2001, Save Our Shoreline is a nonprofit membership basis corporation of approximately 3,000 households committed to the preservation of beaches and waterfront areas, and to the protection of riparian rights, including the right to maintain beaches and waterfront areas. Those interested in Save Our Shoreline can find more information at <http://www.saveourshoreline.org/> or by calling (989) 667-2910. For more information about this press release, contact Ernie Krygier at (989) 793-3711.