



NOTICE OF AUTHORIZATION

Permit Number: WRP011859 v. 1

Site Name: 61-681 W Wedgewood Dr-North Muskegon

Date Issued: June 18, 2018

Expiration Date: June 18, 2023

The Michigan Department of Environmental Quality, Water Resources Division, P.O. Box 30458, Lansing, Michigan 48909-7958, under provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; specifically:

- ☐ Part 31, Floodplain Regulatory Authority of the Water Resources Protection.
- ☒ Part 301, Inland Lakes and Streams.
- ☐ Part 303, Wetlands Protection.
- ☐ Part 315, Dam Safety.
- ☐ Part 323, Shorelands Protection and Management.
- ☐ Part 325, Great Lakes Submerged Lands.
- ☐ Part 353, Sand Dunes Protection and Management.

Authorized activity:

For the purpose of remediation: Install a turbidity sediment curtain; Remove portions of the existing wood seawall and dock as required for excavation; Mechanically excavate approximately 480 cubic yards of oil-contaminated sediment in an area measuring 100 feet by 60 feet in size; Dispose of the excavated material in a Type II Landfill; Place approximately 362 cubic yards of clean fill consisting of a cap, piping, rock rip rap, Aquablock, and sand fill in an area measuring 85 feet by 65 feet in size within Fenner's Ditch (Bear Lake.) All work shall be done in accordance with attached plans and permit specifications.

To be conducted at property located in: Muskegon County, Waterbody: Channel to Bear Lake
Section 12, Town 10N, Range 17W, Laketon Township

Permittee:

David Bandlow,
Michigan Department of Environmental Quality
350 Ottawa Avenue NW
Grand Rapids, MI 49503

Nancy Cuncannan
Grand Rapids District Office
Water Resources Division
616-690-1229

*This notice must be displayed at the site of work.
Laminating this notice or utilizing sheet protectors is recommended.*
Please refer to the above permit number with any questions or concerns.



**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER RESOURCES DIVISION
PERMIT**

Issued To:

David Bandlow, Michigan Department of Environmental Quality
350 Ottawa Avenue NW
Grand Rapids, MI 49503

Permit No: WRP011859 v.1
Submission No.: HNC-TBRY-88GS7
Site Name: 61-681 W Wedgewood Dr-North Muskegon
Issued: June 18, 2018
Revised:
Expires: June 18, 2023

This permit is being issued by the Michigan Department of Environmental Quality (MDEQ), Water Resources Division, under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); specifically:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Part 301, Inland Lakes and Streams | <input type="checkbox"/> Part 323, Shorelands Protection and Management |
| <input type="checkbox"/> Part 303, Wetlands Protection | <input type="checkbox"/> Part 325, Great Lakes Submerged Lands |
| <input type="checkbox"/> Part 315, Dam Safety | <input type="checkbox"/> Part 353, Sand Dunes Protection and Management |
| <input type="checkbox"/> Part 31, Water Resources Protection (Floodplain Regulatory Authority) | |

Permission is hereby granted, based on permittee assurance of adherence to State of Michigan requirements and permit conditions, to:

Authorized Activity:

For the purpose of remediation: Install a turbidity sediment curtain; Remove portions of the existing wood seawall and dock as required for excavation; Mechanically excavate approximately 480 cubic yards of oil-contaminated sediment in an area measuring 100 feet by 60 feet in size; Dispose of the excavated material in a Type II Landfill; Place approximately 362 cubic yards of clean fill consisting of a cap, piping, rock rip rap, Aquablock, and sand fill in an area measuring 85 feet by 65 feet in size within Fenner's Ditch (Bear Lake.) All work shall be done in accordance with attached plans and permit specifications.

Waterbody Affected: Channel of Bear Lake
Property Location: Muskegon County, Laketon Township, Town/Range/Section 10N17W12,
Property Tax No. 61-09-204-000-0229-00


Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31 of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.

- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with 2013 PA 174 (Act 174) and comply with each of the requirements of Act 174.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify the MDEQ within one week after the completion of the activity authorized by this permit by completing and forwarding the attached preaddressed postcard to the office addressed thereon.
- J. This permit shall not be assigned or transferred without the written approval of the MDEQ.
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31 of the NREPA, and wetlands).
- M. In issuing this permit, the MDEQ has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, the MDEQ may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the state: (1) provides the permittee or its designated representative written notice of the claim or cause of action within 30 days after it is received by the state, and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act, 1969 PA 306, as amended, challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, the MDEQ may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
- P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from the MDEQ. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by the MDEQ prior to being implemented.
- Q. This permit may be transferred to another person upon written approval of the MDEQ. The permittee must submit a written request to the MDEQ to transfer the permit to the new owner. The new owner must also submit a written request to the MDEQ to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties that includes all of the above information may be provided to the MDEQ. The MDEQ will review the request and, if approved, will provide written notification to the new owner.
- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.
- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA).

- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
 - 1. Authority granted by this permit does not waive permit or program requirements under Part 91 of the NREPA or the need to acquire applicable permits from the CEA. To locate the Soil Erosion Program Administrator for your county, visit www.mi.gov/degstormwater and select "Soil Erosion and Sedimentation Control Program" under "Related Links."
 - 2. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state, or federal approval or authorization necessary to conduct the activity.
 - 3. No fill, excess soil, or other material shall be placed in any wetland, floodplain, or surface water area not specifically authorized by this permit, its plans, and specifications.
 - 4. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.
 - 5. The permit placard shall be kept posted at the work site, in a prominent location at all times for the duration of the project, or until permit expiration.
 - 6. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by the MDEQ, will be for a five-year period beginning on the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.
 - 7. Authority granted by this permit does not waive any jurisdiction of the United States Army Corps of Engineers or the need for a federal permit, if required.
 - 8. All dredge/excavated material shall be immediately placed into trucks or barges and taken to an approved upland disposal site (landfill.) Placement of dredge/excavated material into open water, onto ice, on-site upland areas, or onto exposed bottomland is not authorized by this permit.
 - 9. The permittee is cautioned that excessive dredging resulting in the impairment of the structural integrity of seawalls on neighboring riparian properties is subject to civil damage litigation.
 - 10. No work within the water authorized by this permit is allowed from May 1 to June 30 due to critical spawning, migration, and/or recreational use periods. As an exception of this no work window, dredging can be conducted for restoration purposes during May 1 to June 30 in 2018 only. The no work window must be adhered to the remaining years of this permit.
 - 11. During removal or repair of the existing structure, every precaution shall be taken to prevent debris from entering any watercourse. Any debris reaching the watercourse during the removal and/or reconstruction of the structure shall be immediately retrieved from the water. All material shall be disposed of in an acceptable manner consistent with local, state, and federal regulations.
 - 12. The riprap shall consist of clean stone or rock, (free of paint, soil or other fines, asphalt, soluble chemicals, or organic material) ranging from 4 inches to 18 inches in size. All riprap shall be properly sized and graded based on wave action and velocity, and shall consist of natural field stone or rock, broken concrete is not allowed.
 - 13. No fill, excess soil, or other material shall be placed in any wetland or surface water area not specifically authorized by this permit, its plans, and specifications.

14. All raw areas in uplands resulting from the permitted construction activity shall be effectively stabilized with sod and/or seed and mulch (or other technology specified by this permit or project plans) in a sufficient quantity and manner to prevent erosion and any potential siltation to surface waters or wetlands. Temporary stabilization measures shall be installed before or upon commencement of the permitted activity, and shall be maintained until permanent measures are in place. Permanent measures shall be in place within five (5) days of achieving final grade.
15. Prior to commencing any permitted work, the entire lakeward perimeter of the project site shall be isolated with a turbidity curtain to prevent movement of suspended sediments. The turbidity curtain shall be installed to extend from the bed of the waterbody to a point above the existing water's surface. The turbidity curtain shall be maintained for the duration of the project and shall be left in place after completion until all disturbed sediments have settled.
16. If the project, or any portion of the project, is stopped and lies incomplete for any length of time other than that encountered in a normal work week, every precaution shall be taken to protect the incomplete work from erosion, including the placement of temporary gravel bag riprap, temporary seed and mulch, or other acceptable temporary protection.
17. Seasonal dock and boat hoist(s) shall be of open construction without fill, maintaining free water movement and circulation. All seasonal structures must be removed from the water at the end of each boating season. The dock and boat hoists must be located such that boat dockage shall not interfere with riparian rights.

Issued By: 

Nancy Cuncannan
Grand Rapids District Office
Water Resources Division
616-690-1229

cc: Laketon Township
Muskegon County CEA
TRC Environmental Co., Agent
USACE

DATE: FEBRUARY 2018



MICHIGAN



MUSKEGON COUNTY



SITE LOCATOR

DRAWING INDEX	
SHEET NUMBER	SHEET TITLE
SHEET 1	TITLE SHEET
SHEET 2	EXISTING CONDITIONS AND DEMOLITION PLAN
SHEET 3	SITE CONTROLS AND BOTTOM OF EXCAVATION
SHEET 4	TOP OF FINISHED GRADE AND RESTORATION PLAN
SHEET 5	EXCAVATION CUT - FILL
SHEET 6	CROSS SECTIONS
SHEET 7	DETAILS
SHEET 8	DETAILS
SHEET 9	CONSTRUCTION SPECIFICATIONS
SHEET 10	CONSTRUCTION SPECIFICATIONS
SHEET 11	NRCS SOIL MAP
SHEET 12	PROJECT STAGING AND LAUNCH SITE PLAN

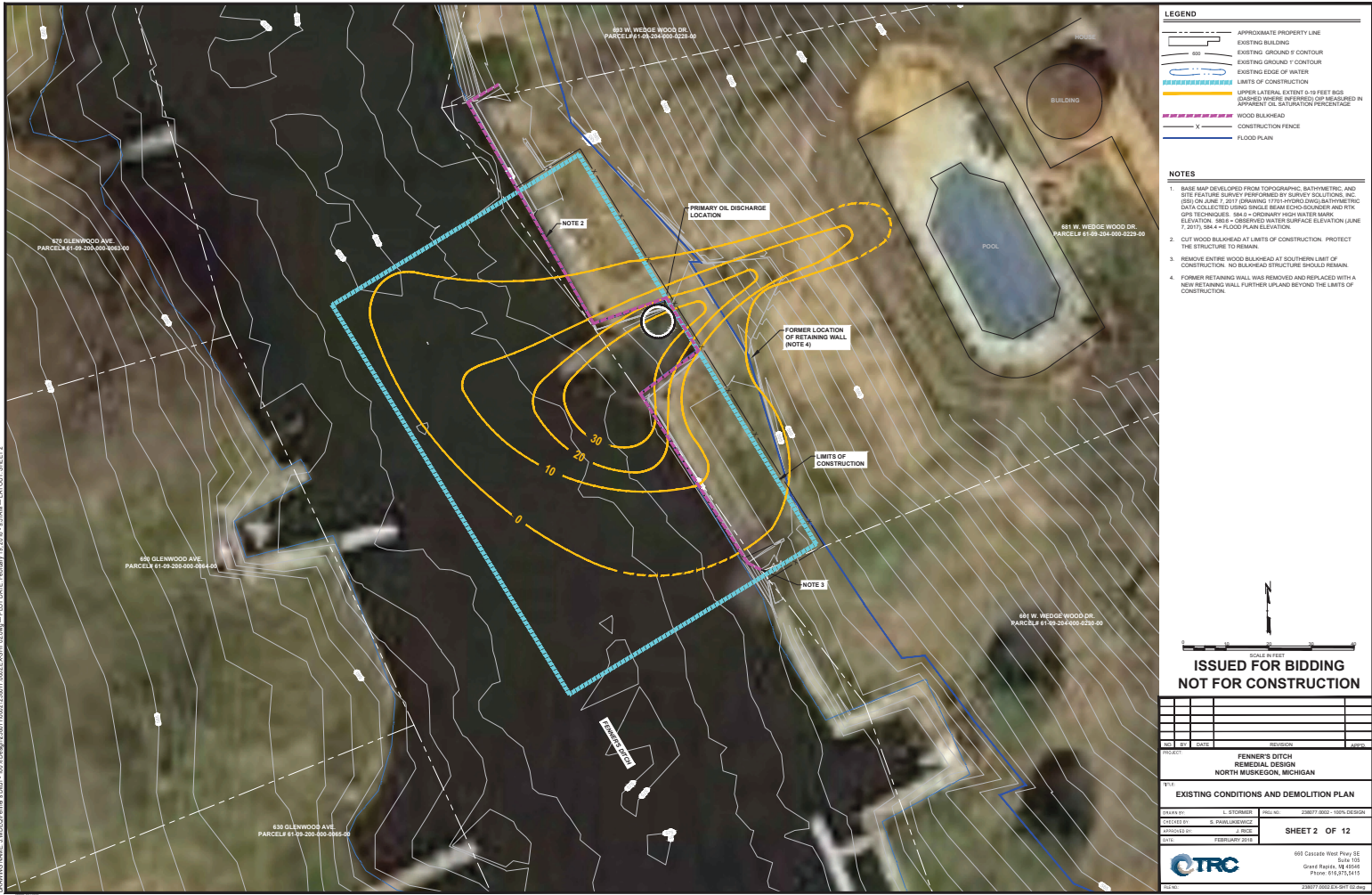
ISSUED FOR BIDDING
NOT FOR CONSTRUCTION

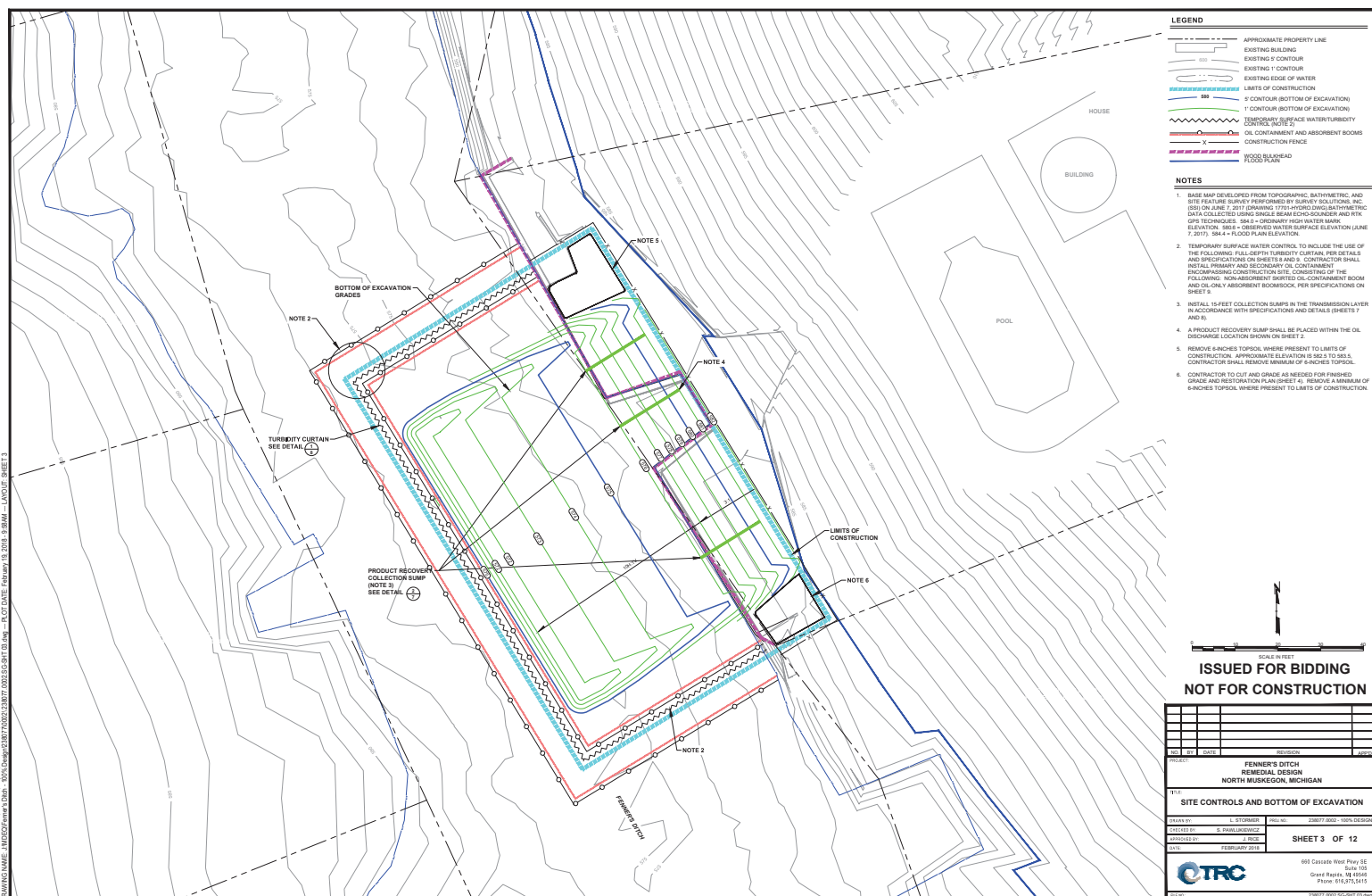


69 Cascade West Pkwy SE
Suite 105
Grand Rapids, MI 49548
Phone: 616.975.5415

Approved

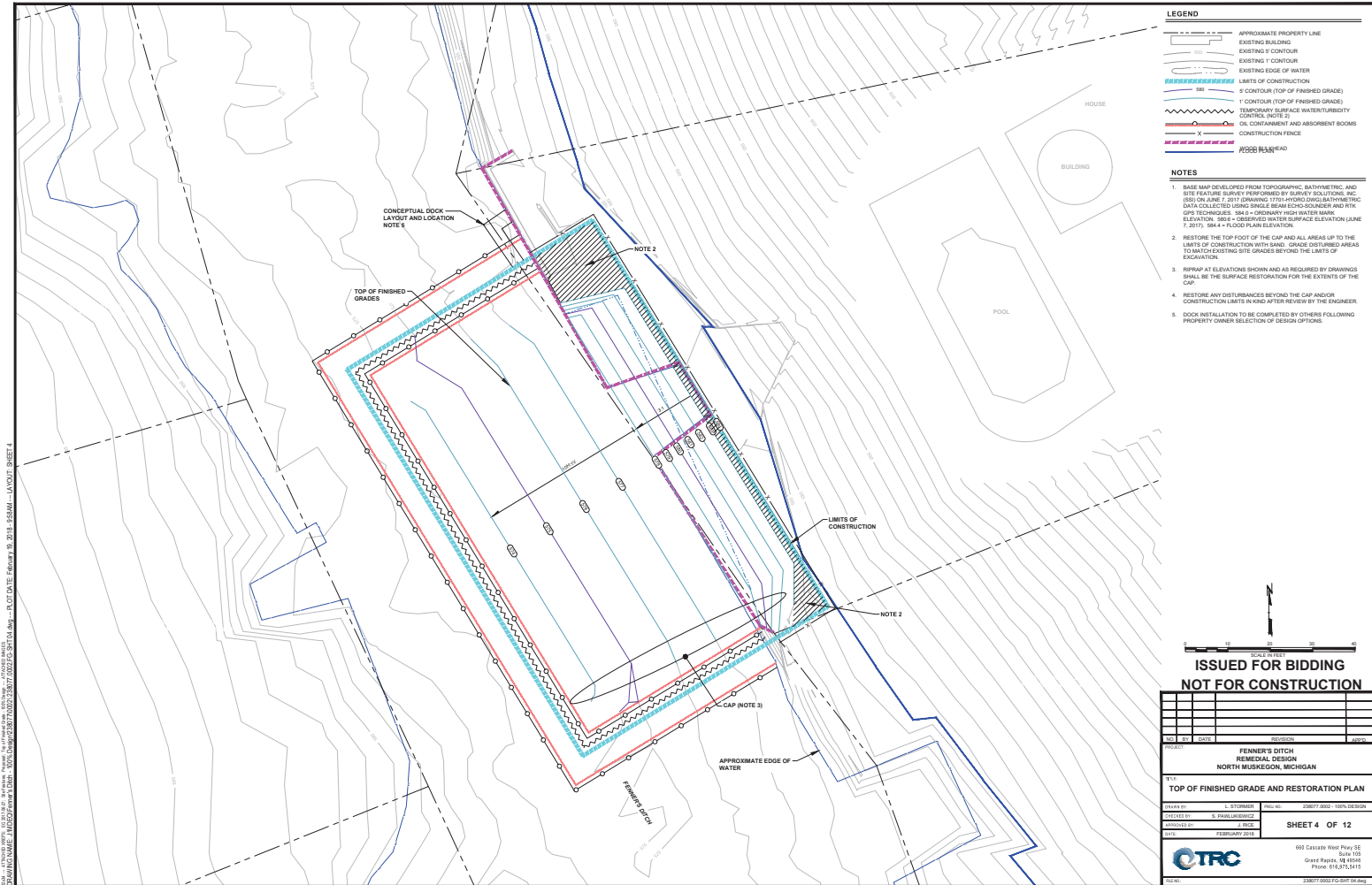
Jun 18, 2018

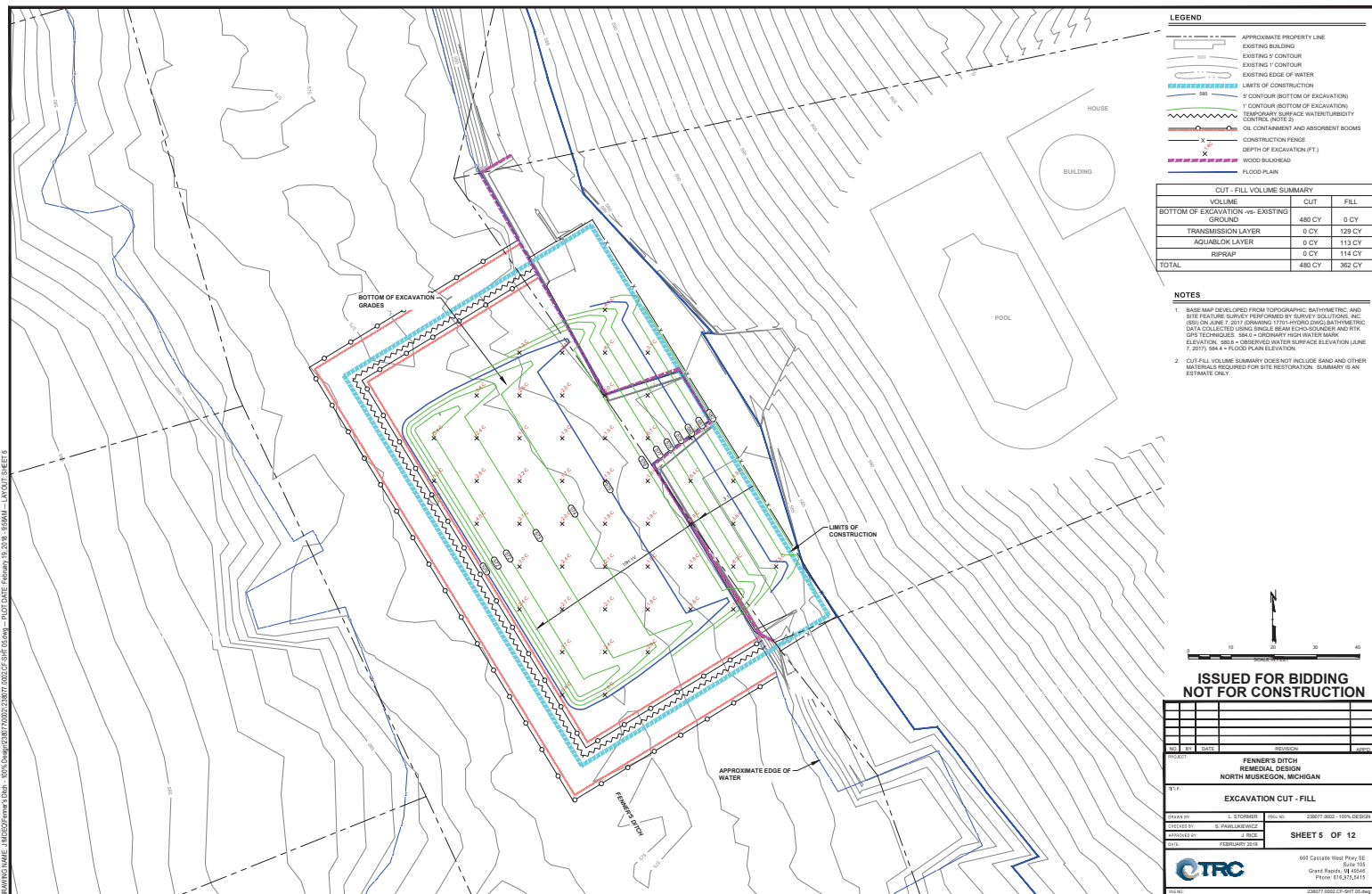


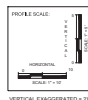


Approved

Jun 18, 2018







**ISSUED FOR BIDDING
NOT FOR CONSTRUCTION**

NO.	BY	DATE	REVISION	APPRO.
PROJECT: FENNER'S DITCH REMEDIAL DESIGN NORTH MUSKEGON, MICHIGAN				

TITLE	CROSS SECTIONS
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CROSS SECTIONS			
SECTION NO.	1. STUDIES	SECTION NO.	2. STUDY NO. - 100% PERSON

CREATED BY:	E. DZIEDRZYCKI	PROJECT NO.:	200907000000 - 200907000000
CHECKED BY:	S. PAWLKOWICZ	SHEET 6 OF 13	
APPROVED BY:	J. BACZ		

APPROVED BY:	D. POOM	SHEET 9 OF 12
DATE:	FEBRUARY 2018	

660 Cascade West Pkwy SE
Suite 105
Grand Rapids, MI 49508

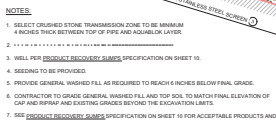
Phone: 616.975.5415

Downloaded from <http://ajph.org/> on November 10, 2015

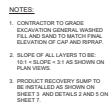
L&M -- ATTACHED XREFS: Aerial imagery: Projected: Cross Sections: 100% Design -- ATTACHED IMAGES: QIP: April 2016 Street, under g
 DRAWING NAME: J:\MDEQ\Farmers's Ditch - 90% Design\2380770002\238077 0002.XS-SHT 06.dwg -- PLOT DATE: February 19, 2018 - 9:58AM -- LAYOUT: SHEET 6



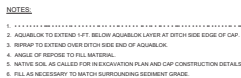
CAP CONSTRUCTION DETAIL
(NOT TO SCALE)



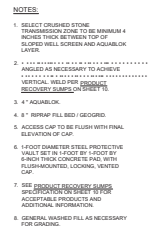
PRODUCT RECOVERY SUMP DETAIL
(NOT TO SCALE)



CAP UPLAND TERMINATION
(NOT TO SCALE)

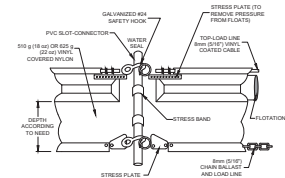


CAP TOE DETAIL
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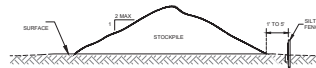
PRODUCT RECOVERY SUMP CLEANOUT DETAIL
(NOT TO SCALE)





TURBIDITY CURTAIN NOTES:

1. INSTALL TURBIDITY CURTAIN 5 TO 10 FEET INTO DITCH FROM EXTENT OF PLANNED SEDIMENT EXCAVATION, PARALLEL TO DITCH FLOW.
2. CURTAIN HEIGHT SHALL BE A MINIMUM 20% GREATER THAN THE DEPTH OF WATER.
3. UNDER CONDITIONS WHERE LOW FLOW OCCURS AS WELL AS A DEPTH OF WATER LESS THAN 2 FEET, A SHALLOW CURTAIN MAY BE USED WITH SECURED STAKING.
4. COFFER DAM OR PORT-A-DAM MAY BE USED AS AN ALTERNATIVE TO THE TURBIDITY CURTAIN. DESIGN OF ALTERNATIVE TURBIDITY CONTROL MUST BE SUBMITTED TO AND APPROVED BY ENGINEER.



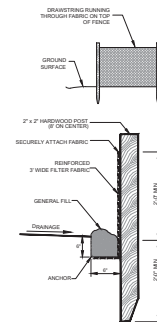
NOTES:

1. CLEAN FILL TO INCLUDE ANY IMPORTED MATERIAL.
2. INSTALL SILT FENCE AROUND DOWN-SLOPE SIDE OF STOCKPILE ADJACENT TO STEEP SLOPES, SWALES, DITCHES, OR TILE INLETS AND WHERE THERE IS LESS THAN 20-FEET BETWEEN STOCKPILE AND A WATERWAY OR WETLAND.
3. PLACE STOCKPILES AS FAR AWAY AS PRACTICABLE FROM WETLANDS, WATERWAYS, SWALES, DITCHES, OR TILE INLETS.
4. IF DISTURBED AREAS WILL BE LEFT IDLE FOR MORE THAN 14 DAYS, INSTALL TEMPORARY STABILIZATION BY THE 7TH DAY.
5. UTILIZE HAY BALES OR ALTERNATE IF SURFACE IS IMPENETRABLE TO SILT FENCE STAKING.



NOTES:

1. STOCKPILING OF EXCAVATED SOIL TO BE MINIMIZED WHEN POSSIBLE.
2. STOCKPILES OF EXCAVATED SOIL TO BE PLACED ON PLASTIC SHEETING (MINIMUM 6 MIL THICKNESS).
3. TEMPORARY BERMS TO BE CONSTRUCTED AROUND EXCAVATED SOIL STOCKPILES. BERMS TO BE CONSTRUCTED OF CLEAN SOIL.
4. COVER AND SECURE SHEET PILE WITH POLYETHYLENE SHEETING (MINIMUM 6-MIL THICKNESS) WHEN PRECIPITATION IS EXPECTED OR WHEN STOCKPILE IS LEFT UNATTENDED FOR 2 OR MORE DAYS.



NOTES:

- [illegible]

 TURBIDITY CURTAIN DETAIL
(NOT TO SCALE)

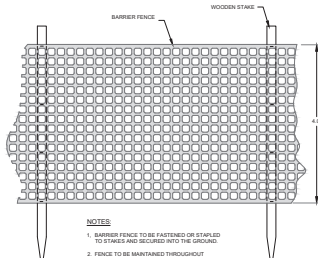
2
8

TYPICAL CLEAN FILL STOCKPILE DETAIL
(NOT TO SCALE)

3
8

TYPICAL EXCAVATED SOIL STOCKPILE DETAIL
(NOT TO SCALE)

SILT FENCE
(NOT TO SCALE)




NOTES:

1. BARRIER FENCE TO BE FASTENED OR STAPLED TO STAKES AND SECURED INTO THE GROUND.
2. FENCE TO BE MAINTAINED THROUGHOUT CONSTRUCTION.

5
8

TYPICAL BARRIER FENCE DETAIL
(NOT TO SCALE)

**ISSUED FOR BIDDING
NOT FOR CONSTRUCTION**

NOT FOR CONSTRUCTION									
NO.	BY	DATE	REVISION				APPRO.		
PROJECT: FENNER'S DITCH REMEDIAL ACTION NORTH MUSKOGEE, MICHIGAN									
DETAILS									
T-17									
DRAWN BY: J. STORHOMER					PLOT NO.: 208977-000 - 100% DESIGN				
CHECKED BY: E. PAULSEN/URGENT									
APPROVED BY: J. RICE					SHEET 8 OF 12				
DATE: FEBRUARY 2016									
					693 Cascade West Way SE Suite 100 Grand Rapids, MI 49506 Phone 616.775.1411 Fax 616.775.1412				
616.775.1411 616.775.1412					PROJECT 2016-02-01-001 OF 001				