



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
WARREN DISTRICT OFFICE



LIESL EICHLER CLARK
DIRECTOR

December 8, 2021

VIA E-MAIL

Bruce Michael
14500 Sheldon Road
Plymouth, MI 48170

Dear Bruce Michael:

SUBJECT: Preapplication Meeting
MiWaters Site Name: 63-Parcel E of 2520 South Blvd-Rochester Hills
Submission Number: HPC-CW00-XBEMH
Parcel ID 15-32-376-078, Rochester Hills, Oakland County

This letter is a follow up to our December 7, 2021, preapplication meeting regarding the proposed project in Rochester Hills, Oakland County. The purpose of a preapplication meeting is to provide you with information that will clarify the permit process, answer preliminary questions about your specific project in order to avoid delays at a later date, and to determine, if possible, the need for wetland or inland lakes and streams permits.

During this meeting, we reviewed the need to obtain a permit under Part 301, Inland Lakes and Streams; and Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The review was based on discussion of the proposed project and/or draft permit application, the proposed site, and potential modifications to the project discussed during our meeting.

During the review of the project site, the Michigan Department of Environment, Great Lakes, and Energy's (EGLE) Water Resources Division (WRD) made the following findings regarding the need for a permit under Part 301 and Part 303 of the NREPA:

- A permit is required for the project as proposed.
- A permit is not required for the project as proposed.
- It cannot be determined whether a permit is required given the information presented at this time.

This determination is based on the project plan prepared by Powell Engineering and Associates, along with other information provided at the time of this meeting only. Provided that the proposed project and location are not altered, this determination is binding on EGLE for a period of two years from the date of this meeting.

During the review of the proposed project, the WRD noted activities that, as currently designed, may require authorization under the Floodplain Regulatory Authority in Part 31, Water Resources Protection, of the NREPA. To determine if your project is regulated under Part 31,

request a discharge request to the EGLE Hydrologic Studies Unit, available on the web at www.mi.gov/hydrology. Then submit a base flood elevation via MiWaters when applying for a permit.

During the meeting, we also discussed a number of issues related to the project, including the following:

- Information on completing an application form. Please submit the Joint Permit Application (JPA) using the same MiWaters site as was used for this preapplication meeting request.
- Possible alternative design options to minimize project effects on aquatic resources; specifically, inclusion of an equalization pipe under an proposed road crossing through wetlands. If a permit is issued, EGLE may include as a condition the requirement for split rail fencing between some lots and remaining wetland. EGLE will also require restoration of all temporary impacts to wetland with a wetland seed mix and potentially planting plugs.
- The need to more clearly define the purpose of your project in the permit application.
- Needed clarification in the project plans. Please include a copy of the wetland report in the application, as well as wetland map indicating the flagged field boundary of the wetland. This will presumably include at least two additional wetland parcels identified at the time of the preapplication meeting but not included on preliminary maps presented at the time of the meeting.
- Additional note regarding project plans: during the time of inspection there appeared to be a small stream, possibly erupting from a groundwater seep, in the wetland on your plans identified as "C" pocket". You will need to indicate the location of this stream in your plans as well as indicate its bankfull width. If the proposed driveway and associated fill pass over it, this information will be needed to properly size the culvert it would presumably pass through.
- The need for a more thorough analysis of alternative methods or locations in the permit application; specifically, the proposed location of lots of detention ponds on a plan that includes all wetlands on site. EGLE typically does not permit stormwater detention ponds in regulated wetlands or for the fill of all-wetland lots or wetland-majority lots.
- The necessity to obtain wetland mitigation credits from an approved wetland mitigation bank within the watershed of the proposed project, should a permit be issued for impacts to wetland of 0.1 of an acre or greater.
- The potential presence of state- or federally-listed threatened or endangered species on the site. We recommend review of the material available on the Michigan Department of Natural Resources' Web site at [Michigan.gov/Threatened and Endangered Species](http://Michigan.gov/Threatened_and_Endangered_Species).
- Potential floodplain effects. Please review the instructions regarding possible regulation under Part 31. You can discuss this issue further with the WRD District Floodplain Engineer, Pat Durack who can be reached at durackp@michigan.gov or (586) 256-7273.

Please note that this is not a permit. The WRD cannot indicate during a preapplication meeting whether or not a permit will be issued. The WRD cannot make a decision regarding a permit until it has considered all of the information provided in the final permit application, and, in some instances, has also considered comments received in response to a public notice of the project. Therefore, the WRD cannot legally tell you whether the project will be permitted in advance of a permit application being submitted and reviewed.

Bruce Michael
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The EGLE submission number assigned to this project is HPC-CW00-XBEMH. Please keep a record of this submission number and use it when submitting a final application or otherwise corresponding with our office on this project.

We appreciate the opportunity to meet with you or your representative to address these concerns. We have established a submission for this project, and the information submitted to date will be used to facilitate processing of the final application. If you should have follow-up questions before then, please contact me at 586-256-7274; primeaur@michigan.gov; or EGLE, WRD, Warren District Office, 27700 Donald Court, Warren, Michigan 48092-2793.

Sincerely,

A handwritten signature in black ink that reads "Robert Primeau". The signature is fluid and cursive, with a large loop at the end.

Robert Primeau
Water Resources Division

cc:
James Sallee, Barr Engineering
Woody Held, Barr Engineering
Andy Hartz, EGLE
Rochester Hills City Clerk
Oakland County Water Resources Commission
Pat Durack, EGLE