



MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY WATER RESOURCES DIVISION PERMIT

ISSUED TO:

Basil Abou
790 Red Run
Troy, MI 48085

Permit No.	11-63-0177-P
Issued	April 18, 2012
Extended	
Revised	
Expires	April 18, 2017

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

- Part 301, Inland Lakes and Streams
- Part 315, Dam Safety
- Part 325, Great Lakes Submerged Lands
- Part 323, Shorelands Protection and Management
- Part 303, Wetlands Protection
- Part 353, Sand Dunes Protection and Management
- Part 31, Floodplain/Water Resources Protection

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

Permitted Activity:

Excavate approximately 14,950 cubic yards of material from wetland for creation of a pond within 0.32 acres of wetland. Place clean fill material within 0.005 acre of wetland to a home building site in upland. Install a 60 inch elliptical culvert through the existing drain for the driveway. Install utilities using the open trench method through a total of 38 feet of wetland, 20 feet wide.


All work shall be in accordance with DEQ approved plans and the conditions of this permit.

Water Course Affected: near the Dutton Drain
Property Location: Oakland County, City of Rochester Hills, Section 6
Subdivision, Lot Town/Range 3N, 11E Property Tax No. 70-15-06-280-001

- 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, Water Resources Protection, 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 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 Act 53 of the Public Act of 1974 and comply with each of the requirements of that Act.
 - 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.

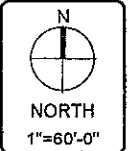
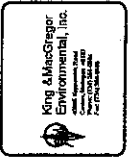
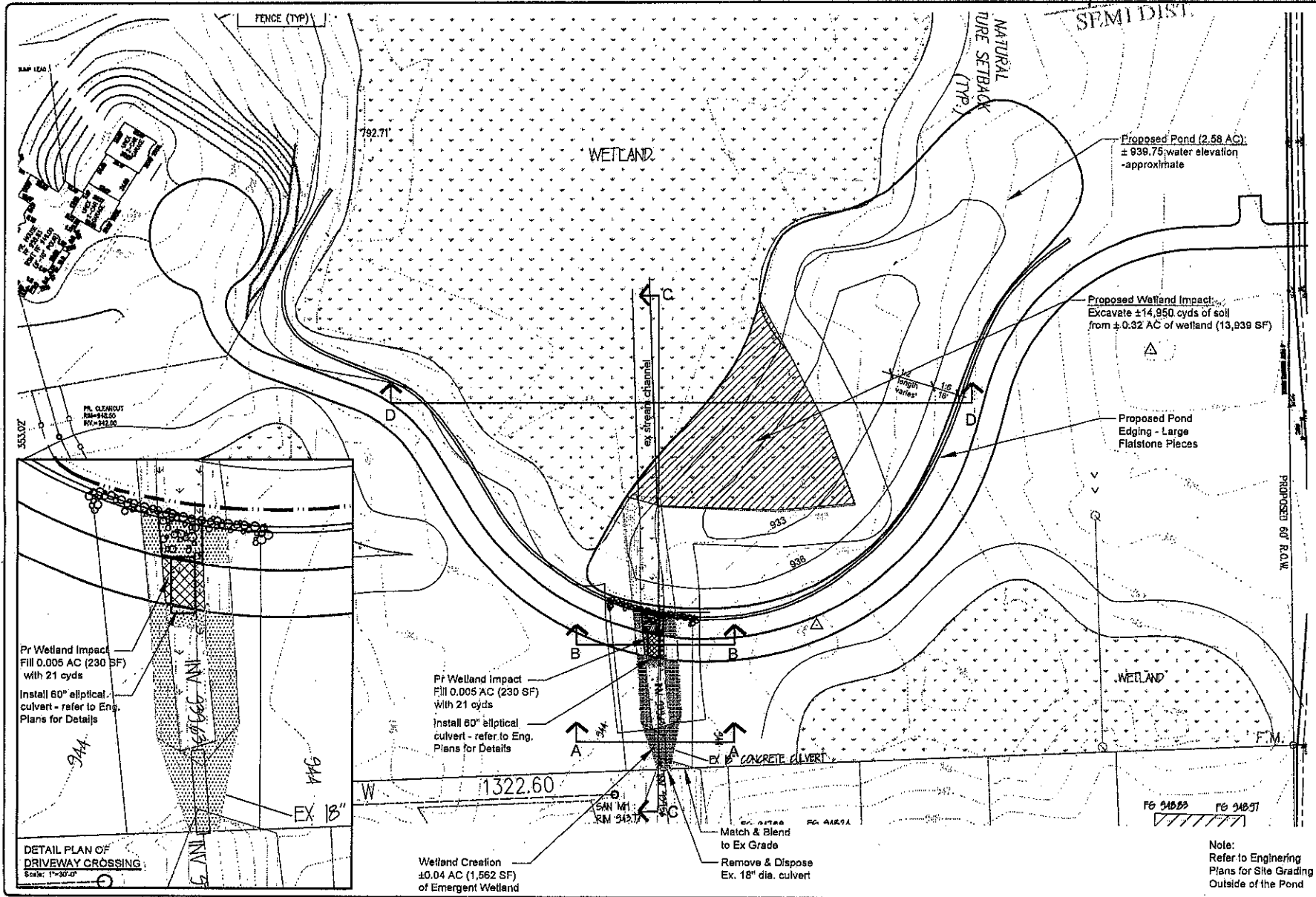
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31, and wetland).
- 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 representatives of the permittee undertaken in connection with this 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 which includes all 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.
- 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 waterbody 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 MDNR, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
 - 1. All work shall be completed in accordance with the attached plans and the terms and conditions of this permit.
 - 2. Prior to the initiation of any permitted construction activities, a siltation barrier shall be constructed immediately down gradient of the construction site. Siltation barriers shall be specifically designed to handle the sediment type, load, water depth, and flow conditions of each construction site throughout the anticipated time of construction and unstable site conditions. The siltation barrier shall be maintained in good working order throughout the duration of the project. Upon project completion, the accumulated materials shall be removed and disposed of at an upland (non-wetland, non-floodplain) site. The siltation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
 - 3. All raw areas resulting from the permitted construction activity shall be promptly and 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.
 - 4. All fill/backfill shall consist of clean inert material that will not cause siltation nor contain soluble chemicals, organic matter, pollutants, or contaminants. All fill shall be CONTAINED in such a manner so as not to erode into any surface water, floodplain, or wetland. All raw areas associated with the permitted activity shall be STABILIZED with sod and/or seed and mulch, riprap, or other technically effective methods as necessary to prevent erosion.
 - 5. 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.

6. Excess soil materials from the project shall not be deposited in wetlands or surface water without first securing a permit under Part 303, Wetlands Protection, of the NREPA or other applicable statute. Prior to the initiation of any permitted construction activity, a silt fence shall be installed along the entire route of the disturbed wetland area and maintained in good working order until permanent stabilization and re-vegetation of all disturbed areas has occurred. The silt fence shall be removed after re-vegetation. All excess soil material shall be placed on an upland location and then seeded and mulched to prevent erosion into waters, floodplain, or wetlands.
7. Construction must be undertaken and completed during the dry period of the wetland.
8. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
9. Upon completion of the project, the site shall be restored to the original contour elevation and stabilized with sod and/or seed and mulch to prevent erosion. Trench excavation shall be restored as closely as possible to pre-existing grade by backfilling the trench so native soils are replaced in reverse order of excavation, replacing the topsoil at the surface.
10. Prior to the start of construction, all non-work wetland areas shall be bounded by properly trenched filter fabric fence and orange construction fencing to prevent sediment from entering the wetland and to prohibit construction personnel from entering or performing work in these areas. Fence shall be maintained daily throughout the construction process. Upon project completion, the accumulated materials shall be removed and disposed of at an upland site. The erosion barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
11. This permit is being issued for the maximum time allowed under Part 301, Inland Lakes and Streams and Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended, including all permit extensions allowed under the administrative rules R 281.813 and R 281.923. Therefore, 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 at the date of issuance.

By: 
Melanie J. Foose
Water Resources Division
586-753-3866

cc: City of Rochester Hills Clerk
Mr. Roger Moore, City of Rochester Hills
Mr. Joe Gardner, Oakland County Water Resources Commission
Mr. Derek Stratelak, King & MacGregor Environmental, Inc.

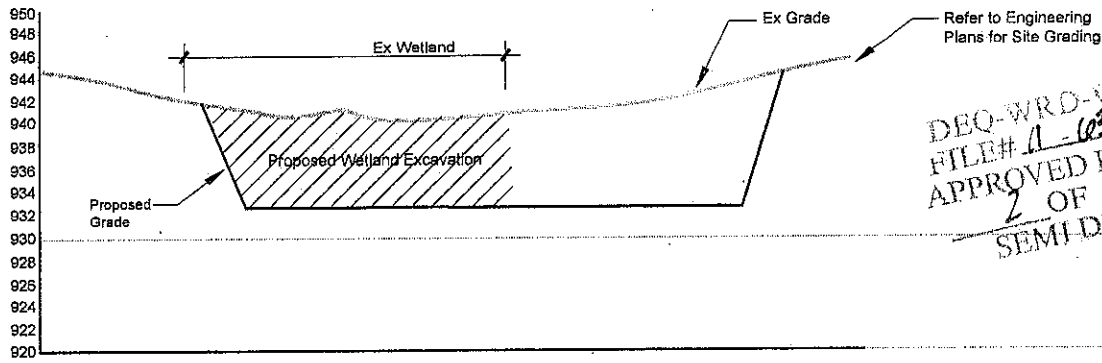
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 FILE# 11-03 0177-P
 APPROVED PLANS
 1 OF 2
 SEMI DIST.



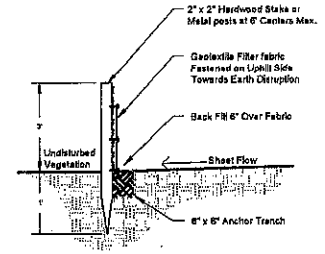
Wetland Pond Creation & Enhancement Plan for
Basil Abou Residence
 Oakland County, Michigan
 City of Rochester Hills

DATE	REVISION
12/20/11	City of Rochester Hills
02/16/12	ADDED
04/15/12	REDO

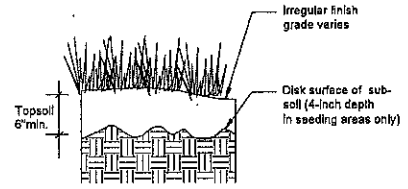
PROJECT NUMBER
 11018
 SHEET NAME
 Revised Grading Plan
 SHEET NUMBER
 WM-2
 Sheet 2 of 5



DEQ-WRD-WRII
 FILE# 1-630197-P
 APPROVED PLANS
 2 OF 2
 SEMI-DIST.



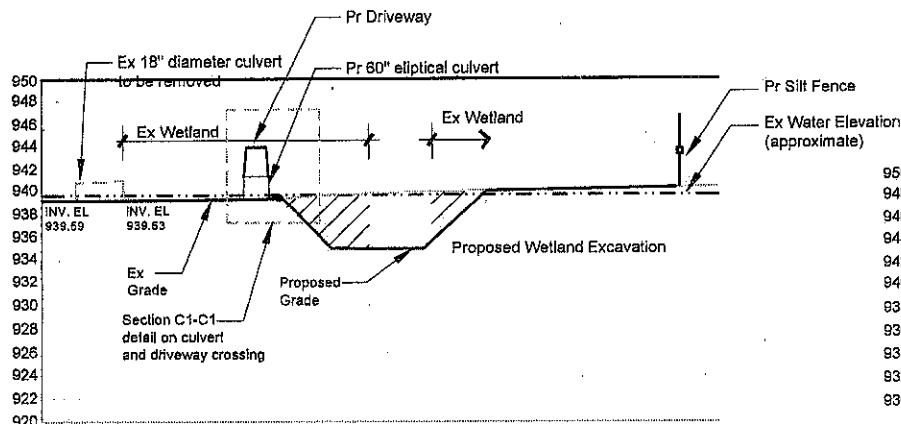
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 Not to Scale



2 Grading Detail
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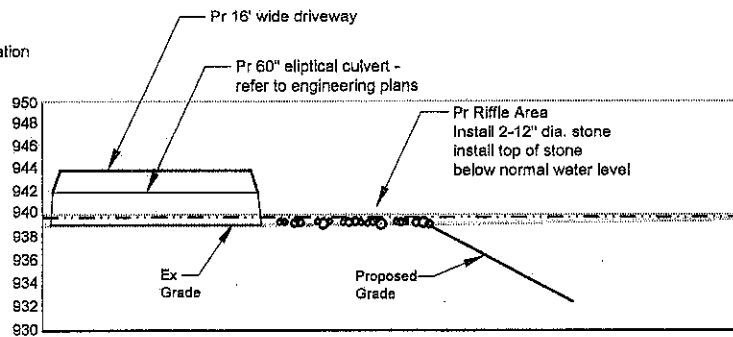
Pond Creation & Enhancement Section D-D

horizontal scale: 1" = 60'-0" vertical scale: 1" = 10'-0"



Pond Creation & Enhancement Section C-C

horizontal scale: 1" = 60'-0" vertical scale: 1" = 10'-0"



Road & Culvert Section C1-C1

horizontal scale: 1" = 10'-0" vertical scale: 1" = 10'-0"



MDEQ Wetland Pond Creation & Enhancement Plan for:
Basil Abou Residence
 Oakland County, Michigan
 City of Rochester Hills

DATE	REVISION
2/14/11	MDAQ
04/14/11	MDAQ

PROJECT NUMBER	11018
SHEET NAME	Sections
SHEET NUMBER	WM-4
	Sheet 4 of 5