

.



STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY GRAND RAPIDS



C. HEIDI GRETHER DIRECTOR

September 11, 2017

Mr. Daniel Hibma 1701 Porter Street, SW Wyoming, Michigan 49508

Dear Mr. Hibma:

SUBJECT: Preapplication Meeting Michigan Department of Environmental Quality (MDEQ) Submission Number HN7-0ZFV-QV0XF

This letter is a follow-up to our August 30, 2017 pre-application meeting regarding the proposed Grand River Dredging project between Grand Haven and Grand Rapids, in Ottawa and Kent Counties. 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, the proposed site, and potential modifications to the project discussed during our meeting.

During the review of the project site, the MDEQ's Water Resources Division (WRD) made the following findings regarding the need for a permit under Part 301 and Part 303 of the NREPA:

 $\boxtimes$  A permit is required for the project as proposed.

A permit is not required for the project as proposed.

It ca

] It cannot be determined whether a permit is required given the information presented at this time.

This determination is based on the enclosed project plan prepared by Edgewater Resources and dated May 2, 2017 along with other enclosed information provided at the time of this meeting only. Provided that the proposed project and location are not altered, this determination is binding on the MDEQ 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:

- Floodplain Regulatory Authority found in Part 31, Water Resources Protection, of the NREPA.
- Section 404 of the federal Clean Water Act and/or the federal Rivers and Harbors Act from the United States Army Corps of Engineers.

Mr. Hibma Page 2 September 11, 2017

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

- Needed clarification in the project plans, *specifically* detailed plans identifying the specific project limits for each segment proposed for dredging. Detailed cross-sections must be included for each location.
- Sediment sampling. A detailed sediment sampling plan will be required for each of the areas proposed for dredging within the project limits. The applicant should follow up directly with Duane Roskoskey in the Waste Management and Radiological Division, email: roskeyd@michigan.gov to determine the required sampling parameters, locations, and quantities of samples needed to characterize the dredge spoils. Sediment sampling will require a separate permit under Part 301.
- 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' (MDNR) Web site at: http://www.mcgi.state.mi.us/esa/ for further information regarding coordination with the MDNR. A detailed mussel survey will be required to determine the extent of the mussel populations within the areas proposed for dredging. Both the United States Fish and Wildlife Service (USFWS) and the United States Environmental Protection Agency (USEPA) will review and comment on any potential or proposed impacts to
- A habitat conservation plan must be developed based on the findings of that survey to address any proposed impacts under the Federal Endangered Species Act.
- An Environmental Impact Statement will be needed to fully assess the proposed impacts and alternatives within the proposed project limits.
- Project Ownership. The applicant must obtain authorization from the riparian property owners adjacent to the proposed dredging locations as well as the United States Army Corps of Engineers (USACE), the Michigan Department of Transportation (MDOT), and any other easement holders impacted by the proposed dredging limits.
- Potential adverse effects to aquatic resources on the site that may result from the proposed project, *specifically* impacts resulting from dredging including but not limited channel head cutting, lateral impacts to adjacent wetlands, habitat loss and impacts to fisheries.
- Potential floodplain effects. We recommend that you discuss this issue further with the WRD District Floodplain Engineer, Matthew Occhipinti to review the proposed disposal locations of dredge spoils within the floodplain of the Grand River.
- Coordination with the USACE. The MDEQ recommends that you schedule a meeting with the USACE to coordinate on the issues identified above as well as any additional federal regulatory requirements that may need to be addressed through the USACE.
- Historic artifacts could occur on or near this project site and may be impacted by your activities. Please contact, the State Archaeologist, Dean L. Anderson at the State Historic Preservation Office, email: <u>Andersond15@michigan.gov</u> for additional information.

As the Grand River Waterway Project becomes better defined, we may have additional comments. Please note that this is not a permit. The WRD cannot indicate during a pre-application 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

Mr. Hibma Page 3 September 11, 2017

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.

The MDEQ submission number assigned to this project is HN7-0ZFV-QV0XF. 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 616-591-8163; BroadwaterB@michigan.gov; or MDEQ, WRD, Grand Rapids District Office, State Office Building, Fifth Floor, 350 Ottawa Avenue, NW, Unit 10, Grand Rapids, Michigan, 49503-2316.

Sincerely,

B. Broadwaxer

Bonnie Broadwater Water Resources Division

cc: Shana Shroll, Green Light Management James Rosendall, GroAmerica Matt MacGregor, King & MacGregor Heidi Hollenbach, DEQ Scott Hanshue, DNR Duane Roskoskey DEQ Dave Wierzbicki, DEQ

# Unionid Surveys at Proposed Dredge Sites, Grand River, Kent and Ottawa Counties, Michigan

**Prepared for:** 

King & MacGregor Environmental, Inc Grand Rapids, MI

**Prepared by:** 

Ecological Specialists O'Fallon, Missouri An EcoAnalysts, Inc. Company

## December 2017

(ESI Project no. 17-058)

### Acknowledgments

Mr. Matthew MacGregor coordinated the project for King and MacGregor, Inc. Mr. Dan Hibma coordinated the project for Grand River Waterway. Mr. Nathan Badgett was the field team leader for Ecological Specialists (ESI). Mr. David Ford, Mr. Kendall Cranney, and Mr. Benjamin Dunn (ESI) assisted with the field effort. Mr. Badgett was the project manager and primary report author, and Ms. Heidi Dunn (ESI) assisted with report preparation.

# Table of Contents

1.0 Introduction	1
2.0 Methods	2
3.0 Results and Discussion	3
5.0 Literature Cited	5

# List of Figures

Figure 1-1. Proposed dredge areas in the Grand River, Kent and Ottawa Counties, Michigan.	7
Figure 3-1. Depth and substrate within Site 1 survey cells, Grand River, October 2017.	8
Figure 3-2. Depth and substrate within Site 2 and Site 3 survey cells, Grand River, October 2017	9
Figure 3-3. Depth and substrate within Site 4 survey cells, Grand River, October 2017.	10
Figure 3-4. Depth and substrate within Site 5 survey cells, Grand River, October 2017.	11
Figure 3-5. Depth and substrate within Site 6 survey cells, Grand River, October 2017.	12
Figure 3-6. Depth and substrate within Site 7 survey cells, Grand River, October 2017.	13
Figure 3-7. Depth and substrate within Site 8 and Site 9 survey cells, Grand River, October 2017	14
Figure 3-8. Depth and substrate within Site 10 survey cells, Grand River, October 2017.	15
Figure 3-9. Depth and substrate within Site 11 survey cells, Grand River, October 2017.	16
Figure 3-10. Depth and substrate within Site 12 survey cells, Grand River, October 2017.	17
Figure 3-11. Depth and substrate within Site 13 survey cells, Grand River, October 2017.	
Figure 3-12. Depth and substrate within Site 14 survey cells, Grand River, October 2017.	19
Figure 3-13. Depth and substrate within Site 15 and Site 16 survey cells, Grand River, October 2017	20
Figure 3-14. Live unionids collected within Site 15 and Site 16 survey cells, Grand River, October 2017	21
Figure 3-15. Depth and substrate within Site 17 survey cells, Grand River, October 2017.	22
Figure 3-16. Live unionids within Site 17 survey cells, Grand River, October 2017	23
Figure 3-17. Depth and substrate within Site 18 survey cells, Grand River, October 2017.	24
Figure 3-18. Live unionids within Site 18 survey cells, Grand River, October 2017	25

## List of Tables

Table 1-1. Unionid mussel records from the Lower Grand River.	26
Table 2-1. Location and dimensions of potential dredge areas and survey areas.	27
Table 3-1. Unionids collected within potential dredge sites, Grand River, October 2017	28

#### **1.0 Introduction**

Grand River Waterway is proposing to dredge 18 sites located along a 29 km (18 mi) stretch of the Grand River downstream of the City of Grand Rapids, Michigan (Figure 1-1). The purpose of the proposed dredging project is to improve recreational navigation by providing a continuous approximately 2-meter-deep (6 ft) navigation channel from the mouth of the Grand River (Grand Haven, MI) to the City of Grand Rapids. Dredging operations can harm freshwater mussels (unionids) directly by removing them from the sediment, drawing them into the dredge (entrainment), and burying them beneath dredge spoils. Dredging may also temporarily increase turbidity downstream, impeding unionid feeding and respiration.

The proposed dredge sites lie within the Lower Grand River, a stretch of river that extends from the confluence of the Maple and Grand Rivers in Ionia County downstream to the City of Lamont in Ottawa County. The Lower Grand harbors a diverse unionid community, supporting approximately 26 of the 29 species that historically occurred in this stretch of river. Protected unionid species occurring in the Lower Grand include the federally endangered *E. triquetra*, as well as an additional nine species listed as endangered, threatened, species of special concern, or species of greatest conservation need in Michigan (Table 1-1).

Since the proposed activities may impact unionids, King and MacGregor Environmental, Inc. (KME) has requested surveys be conducted within the proposed dredging sites. The objective of this project was to assess each dredge area for the presence of unionids and/or suitable unionid habitat. Fieldwork for this study was conducted October 4 - 7, 2017.

#### 2.0 Methods

Methods for the unionid survey were adapted from the newly implemented Michigan Freshwater Mussel Survey Protocols and Relocation Procedures (Hanshue et al, 2017). Proposed dredge sites varied in length from 15 m to 1,127 m and were 15 m wide (Table 2-1). A survey area was established at each of the proposed dredge sites. Survey areas included the proposed dredge footprint (Area of Direct Impact [ADI]), as well as a 25 m Upstream Buffer (USB), 50 m Downstream Buffer (DSB), and 8 m Lateral Buffers (LB). The ADI, USB, DSB, and LB were divided into cells not exceeding 500 m<sup>2</sup>, and each cell was searched for a minimum of 5 minutes. Unionid surveys involved moving through each cell, collecting all unionids encountered. Depth (m) and substrate composition (visual and tactile estimate) was recorded for each cell.

All unionids were identified to species and classified as live, fresh dead (nacre shiny, hinge flexible, valves attached, with or without tissue, periostracum intact; dead within the past few months), or weathered dead (nacre chalky, hinge brittle, valves may or may not be attached, periostracum intact; likely dead many months to years). All live unionids were aged (external annuli count) and measured (total length in mm).

Michigan Department of Natural Resources authorization was obtained prior to initiation of field surveys.

#### **3.0 Results and Discussion**

The stretch of river surveyed during this study can be generally divided into two sections: a downstream section that offers very poor unionid habitat and is devoid of unionids, and an upstream section that offers some suitable habitat and contains live unionids in low abundance. The downstream section extends from Site 1 near the City of Lamont to Site 13, located just upstream of the 28<sup>th</sup> Street Bridge (see Figure 1-1). Habitat within this downstream section was fairly uniform: depths observed within survey cells ranged from 0.3 to 1.5 m, and substrate was almost entirely loose shifting sand (Figures 3-1 through 3-11). No live unionids were collected between Site 1 and Site 13, although a few weathered dead shells of common unionid species were collected from Site 13 (Table 3-1). No evidence exists that unionids have recently inhabited Site 13, and given the unstable sandy substrate, these shells may have been carried into the area during a previous high water/high flow event.

The upstream section of the study area extends from Site 14 near Millennium Park to Site 18 in the City of Grand Rapids (see Figure 1-1). The upstream section of the study area tended to have greater depths and a more stable, heterogeneous substrate than the downstream section. A detailed description of upstream sites follows below.

#### Site 14

The ADI at Site 14 was approximately 23 m long (see Table 2-1). Depths ranged from 0.3 to 2.7 m, although the right descending LB cell and one of the DSB cells were above water at the time of the survey (Figure 3-12). Substrate consisted of a stable mix of boulder, cobble, gravel, and sand, with silt present in some of the search cells. While no unionids or unionid shells were observed at Site 14 (see Table 3-1), a more thorough search effort may be needed to detect live unionids, as physical habitat was consistent with other upstream sites that did harbor unionids.

#### Site 15

The ADI at Site 15 was approximately 69 m long (see Table 2-1). Depths ranged from 0.8 to 1.8 m, with the greatest depths occurring within the ADI and LBs. Substrate was a mix of sand, silt, and gravel, with sand comprising a larger percentage of substrate constituents in DSB cells (Figure 3-13). Two live individuals, a juvenile Threeridge (*Amblema plicata*) and an adult Plain Pocketbook (*Lampsilis cardium*) were collected from Site 15 (Figure 3-14, see Table 3-1). Weathered dead shells of three common species were also present at the site (Mapleleaf [*Quadrula quadrula*], Mucket [*Actinonaias ligamentina*], Fragile Papershell [*Leptodea fragilis*]).

#### Site 16

Site 16 had the smallest dredge footprint of any site, with an ADI of 15 m (see Table 2-1). Site 16 was also one of the shallowest sites surveyed: the maximum observed depth was 0.3 m, and 4 of the survey cells were above water at the time of the survey (see Figure 3-13). Substrate consisted of a mix of gravel and sand, with some cobble also present. Search efforts yielded one adult Plain Pocketbook and one adult Fragile Papershell (see Figure 3-14, see Table 3-1). Weathered dead shells of Pink Heelsplitter (*Potamilus alatus*) were also present at Site 16.

#### Site 17

The ADI at Site 17 was approximately 304 m long. Site 17 was generally deeper than other sites surveyed, with depths ranging from 1.5 to 2.7 m (Figure 3-15). Substrate was comprised of sand, gravel, and cobble, with sand making up a larger percentage of the substrate along the right descending half of the site. A total of 5 live individuals representing 4 species were collected at Site 17. Live species observed at Site 17 include Plain Pocketbook (n=1), Fragile Papershell (n=1), Pink Heelsplitters (n=2), and White Heelsplitter (*Lasmigona c. complanata*, n=1; Figure 3-16, see Table 3-1). Also collected at Site 17 were fresh dead shells of Pimpleback (*Quadrula pustulosa*), and weathered dead shell material of Black Sandshell (*Ligumia recta*).

#### Site 18

The ADI at Site 18 was approximately 76 m long. Depths ranged from 0.9 to 1.5 m (Figure 3-17). Substrate consisted of sand or a mix of sand and gravel; cobble and silt were also present in some survey cells. Search efforts yielded 2 live Mapleleaf, fresh dead shells of the Fragile Papershell, and weathered dead shells of Pink Heelsplitter, Fawnsfoot (*Truncilla donaciformis*), White Heelsplitter, Giant Floater (*Pyganodon grandis*), and Paper Pondshell (*Utterbackia imbecillis*), a Michigan species of special concern (Figure 3-18, see Table 3-1).

Proposed dredging operations are unlikely to affect unionids within the downstream section (Sites 1 - 13), but do have the potential to harm unionids occurring in the upstream section (Sites 14 - 18). Sites 1 - 13 do not harbor significant unionid aggregations or quality unionid habitat. While only those sites identified as potential dredge areas were surveyed during this study, visual reconnaissance suggests that poor-quality shifting sand substrate occurs throughout, and dredging operations that occur within this downstream section should have negligible impact on unionid resources of the Grand River. In contrast, Sites 14 - 18 offer varying degrees of coarser substrate constituents (boulder, cobble, gravel) mixed with sand, and are somewhat more stable than downstream sites. A total of 11 live individuals representing 6 common species were collected from Sites 14 - 18, suggesting that this upstream section of river has some value as unionid habitat. While search effort was sufficient to meet the study objective of determining presence/absence of unionids, additional search effort is required to adequately assess unionid communities inhabiting Sites 14 - 18. Recommendations for future studies include conducting additional searches to a point of diminishing returns to determine species richness, and quantitative sampling to estimate unionid density. The Michigan Freshwater Mussel Survey Protocols and Relocation Procedures provides guidance for the search effort required to develop species area curves (species richness), as well as the number of quantitative samples required to estimate density of a project area.

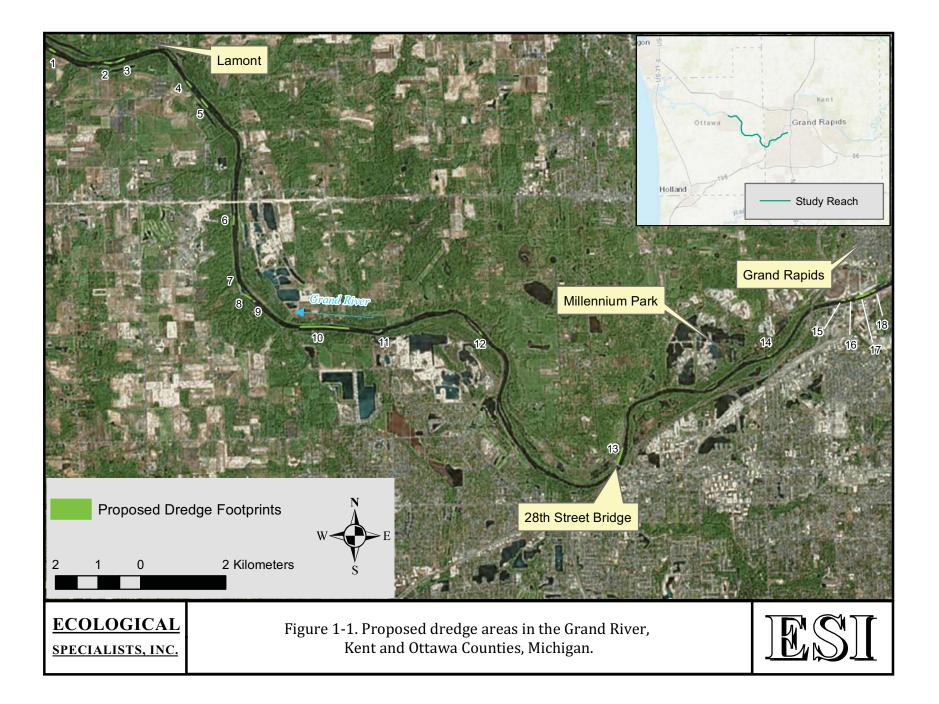
#### 5.0 Literature Cited

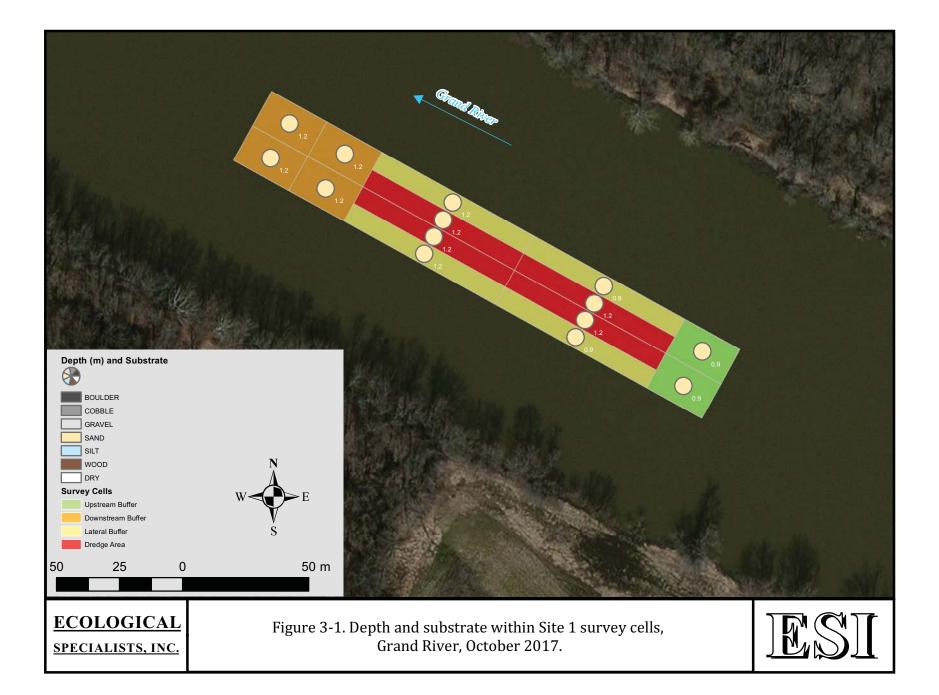
- Ecological Specialists, Inc. (ESI). 2014. Unionid survey of the Grand River within Grand Rapids, Michigan. Prepared for RiverRestoration, Carbondale, CO. 65pp.
- Ecological Specialists, Inc. (ESI). 2016. Characterization of unionid communities at potential recipient sites for the Grand River Revitalization Project, Grand Rapids, Michigan. Prepared for RiverRestoration, Carbondale, CO. 30pp.
- Ecological Specialists, Inc. (ESI). 2017. Pre-Project unionid survey of the Grand River associated with Grand Rapids revitalization project. Prepared for Grand Rapids White Water. Grand Rapids, MI. 34pp.
- EnviroScience (ES). 2013. Final report. Mussel salvage and relocation in the Grand River at the Cleveland Street Bridge replacement site, Ionia, Ionia County, Michigan, May 2013. MDOT Project #34006-112262. Prepared for: Ionia County Road Commission, Ionia, MI and Davis Construction Company, Lansing, MI.
- Hanshue, S. K., and A. H. Harrington. 2011. Draft Grand River Assessment. Michigan Department of Natural Resources Fisheries Division, Special Report. 127pp + figures, tables, appendices.
- Hanshue, S. K., J. Rathbun, P. Badra, J. Bettaso, B. Hosler, J. Pruden, and J. Grabarkiewicz. 2017. Michigan Freshwater Survey Protocols and Relocation Procedures. Prepared by Michigan Department of Natural Resources, Michigan Department of Environmental Quality, Michigan Natural Features Inventory, U.S. Fish and Wildlife Service, and Michigan Department of Transportation. 15pp.
- JF New and Associates, Inc. 2013a. Mussel survey and relocation: JN 112936-US 131 BR (Leonard Street) Grand Rapids, Kent County, Michigan. Prepared for Michigan Department of Transportation, Lansing, MI. 8pp.
- JF New and Associates, Inc. 2013b. Mussel survey and relocation: JN 109771, I-196 Westbound Bridge Grand Rapids, Kent County, Michigan. Prepared for Michigan Department of Transportation, Lansing, MI. 9pp.
- JF New and Associates, Inc. 2013c. Mussel survey and relocation JN 112938, Fulton Street Bridge, Grand River, Grand Rapids, Kent County, Michigan. Prepared for Michigan Department of Transportation, Lansing, MI. 8pp. and appendices.
- JF New and Associates, Inc. 2013d. Mussel survey and relocation JN 109855/109856, I-196 bridges, Grand River Market Avenue, Kent County, MI. Prepared for Michigan Department of Transportation, Lansing, MI. 5pp and appendices.
- JF New and Associates, Inc. 2016. Mussel relocation-interim report. Grand River at I-196 bridge downstream Grand

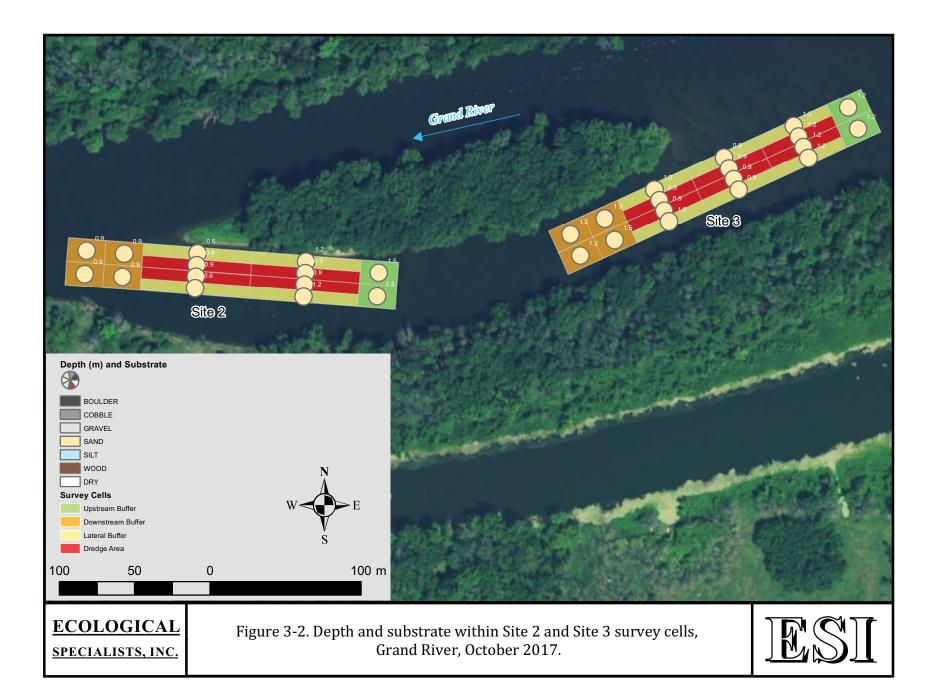
Rapids, Michigan. CS-109839 JN-109771. Prepared for Michigan Department of Transportation, Lansing, MI. 6pp and Appendices.

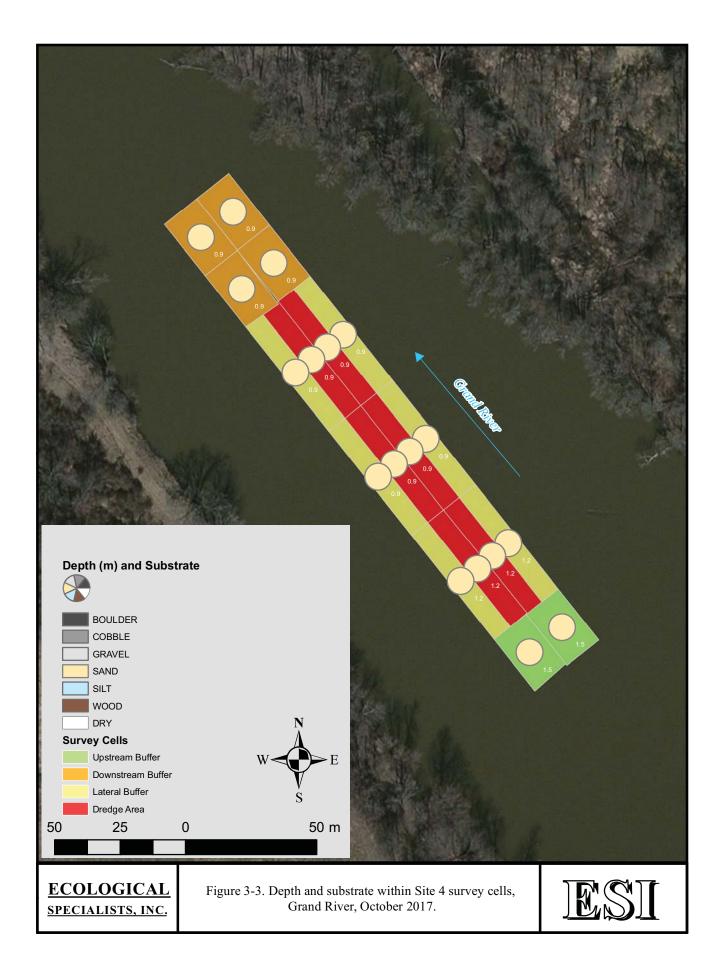
Michigan Department of Natural Resources (MIDNR). 2009. Michigan's official list of endangered and threatened specieseffective April 9, 2009.

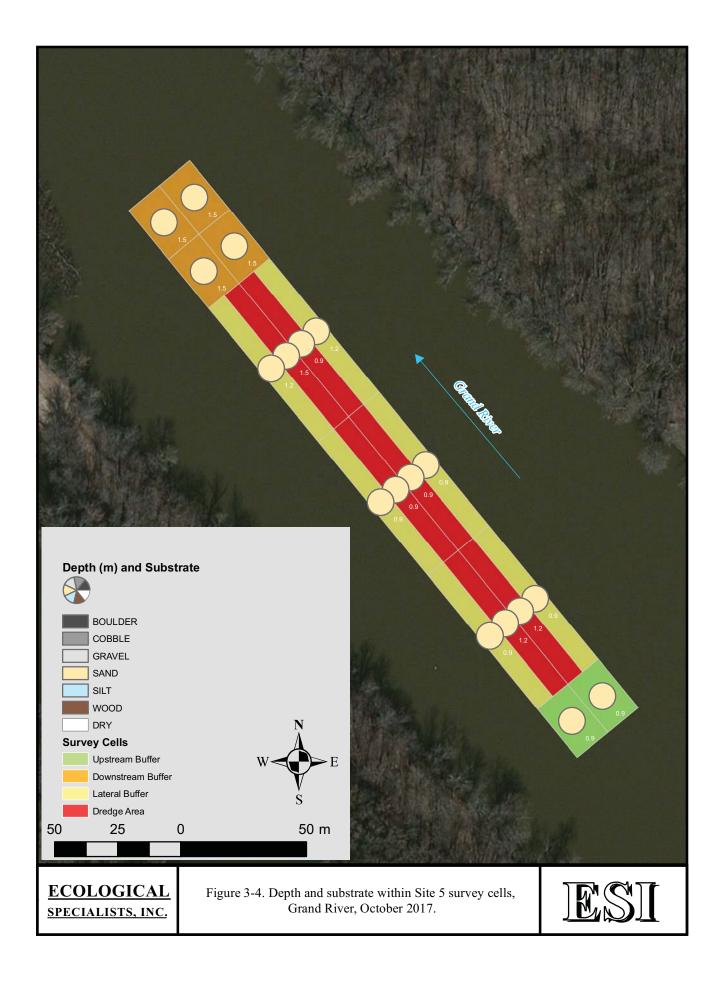
U. S. Fish and Wildlife Service (USFWS). 2017. Endangered and Threatened Wildlife and Plants 50 CFR 17.11 and 17.12.

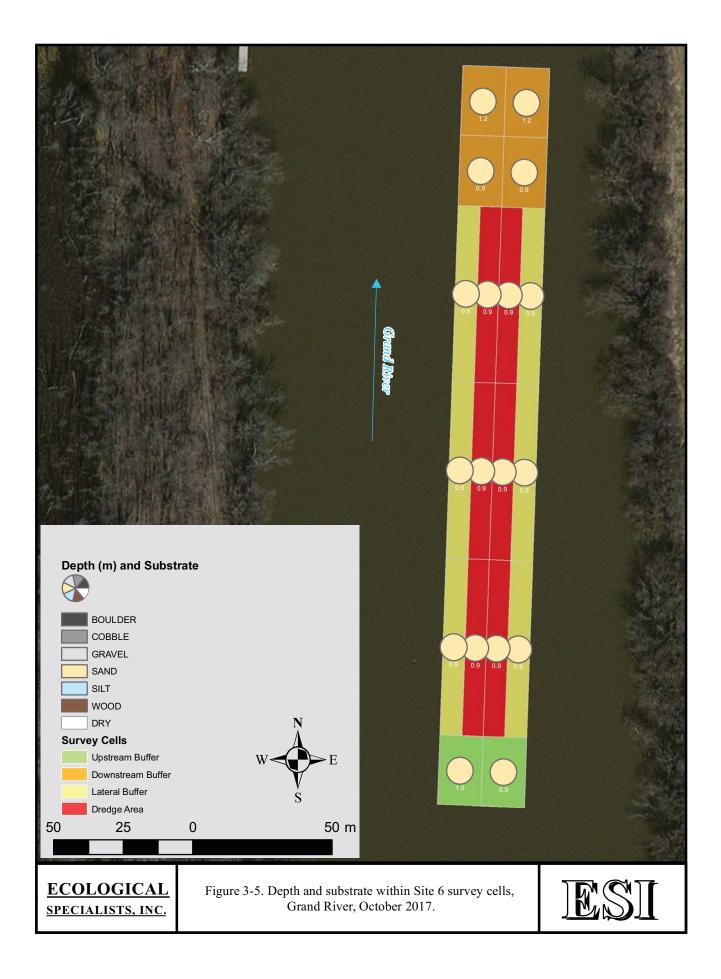


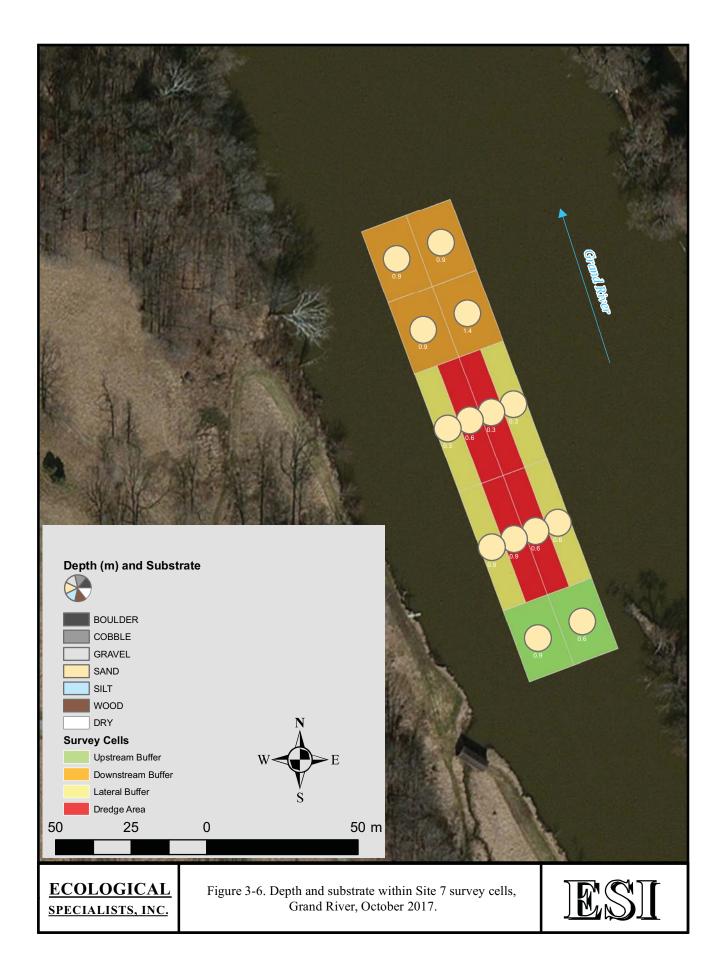


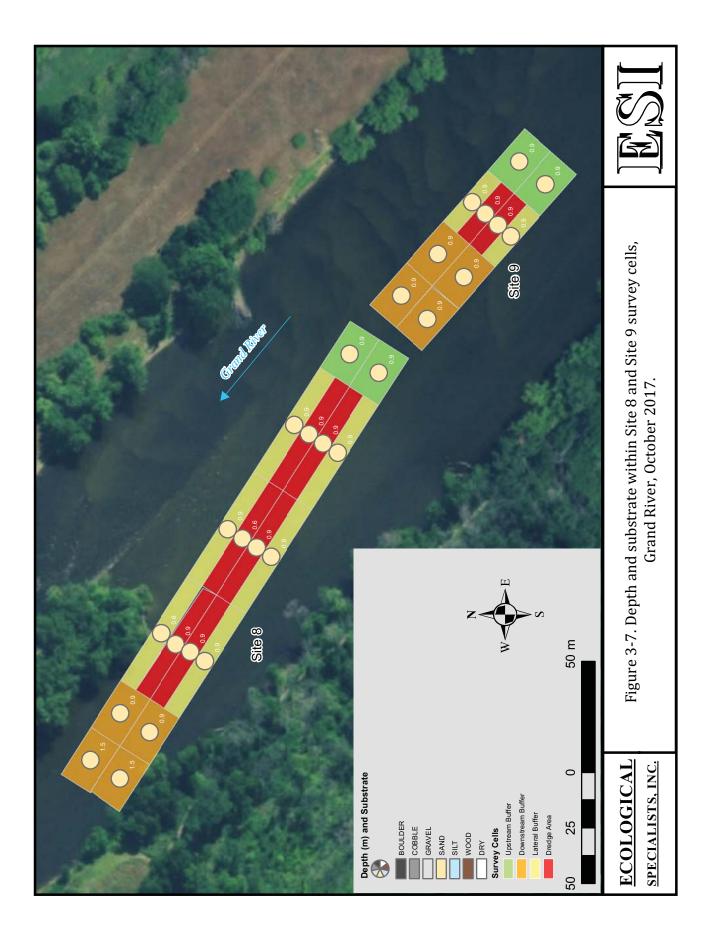


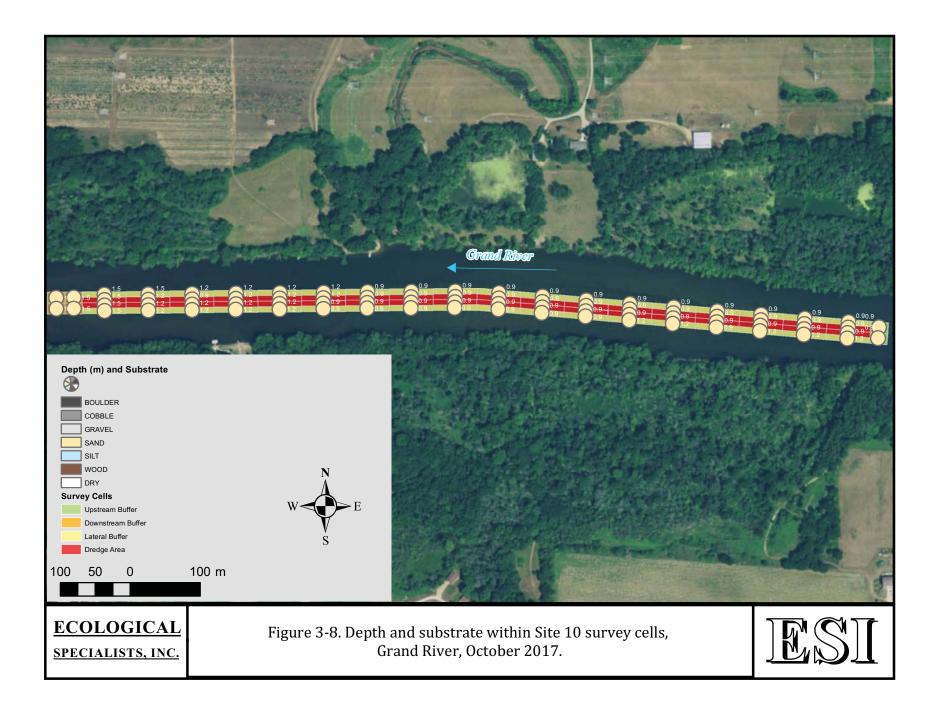


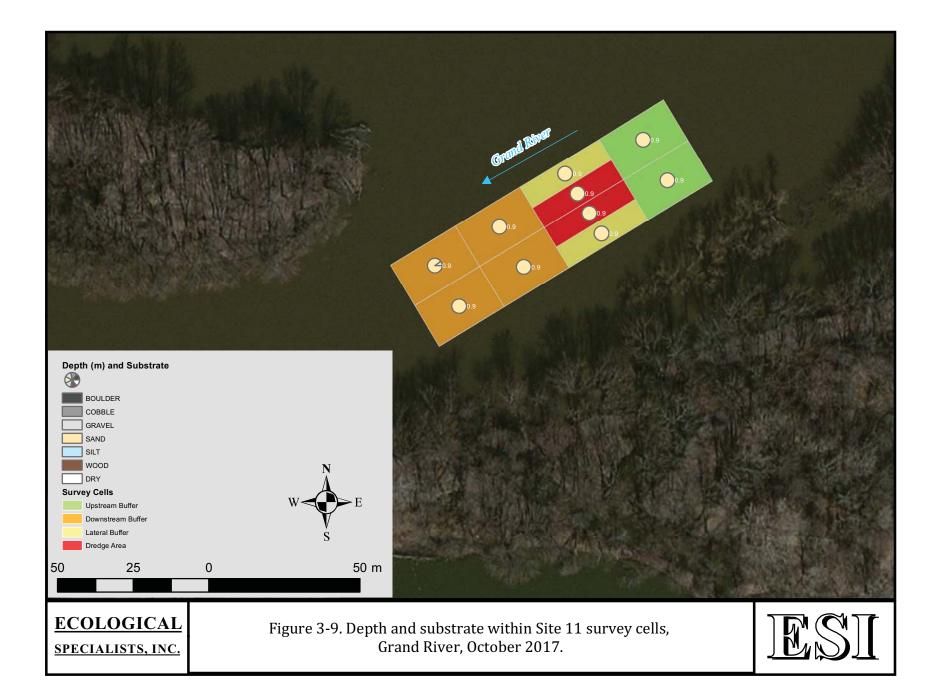


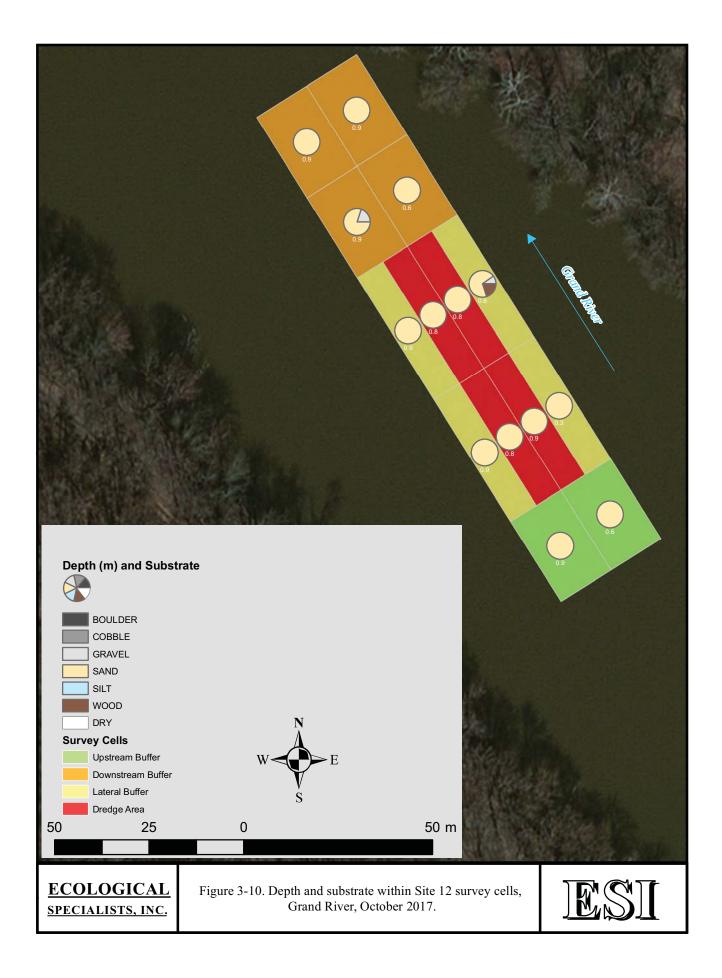


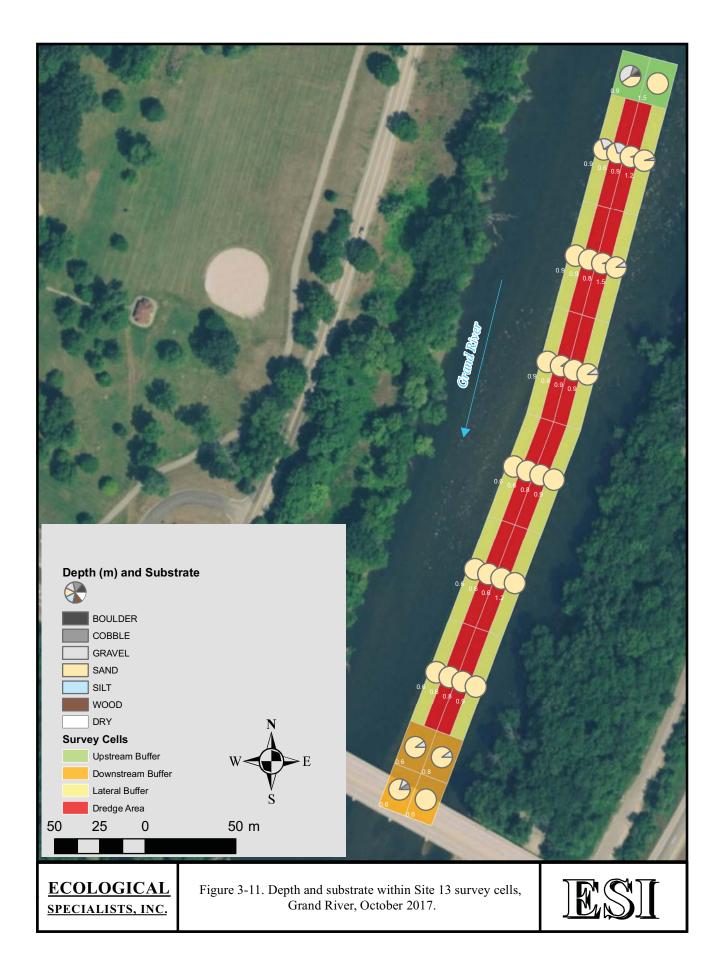


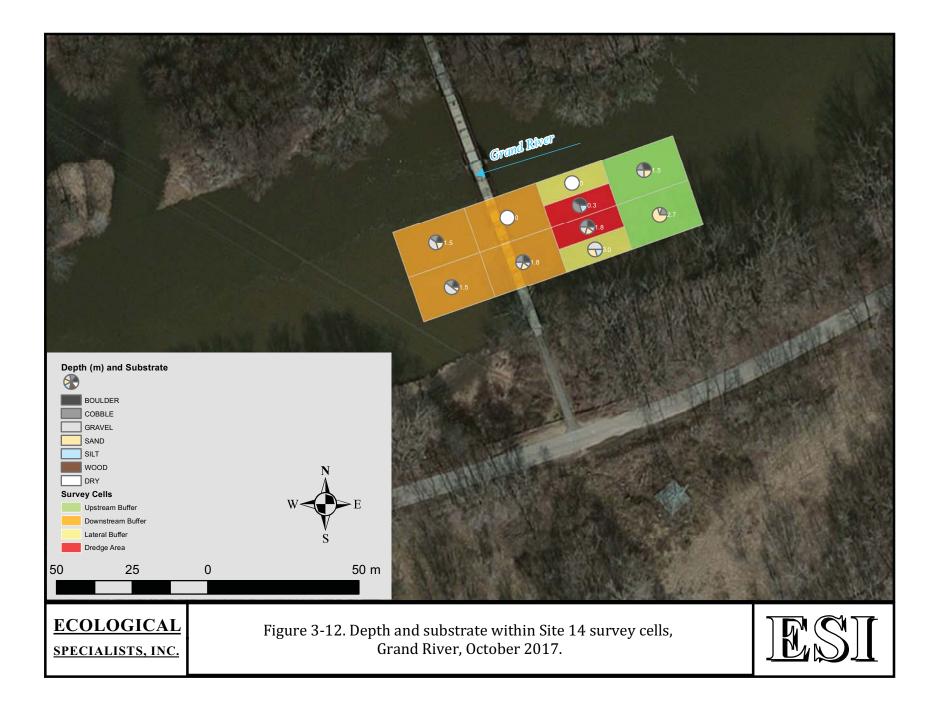


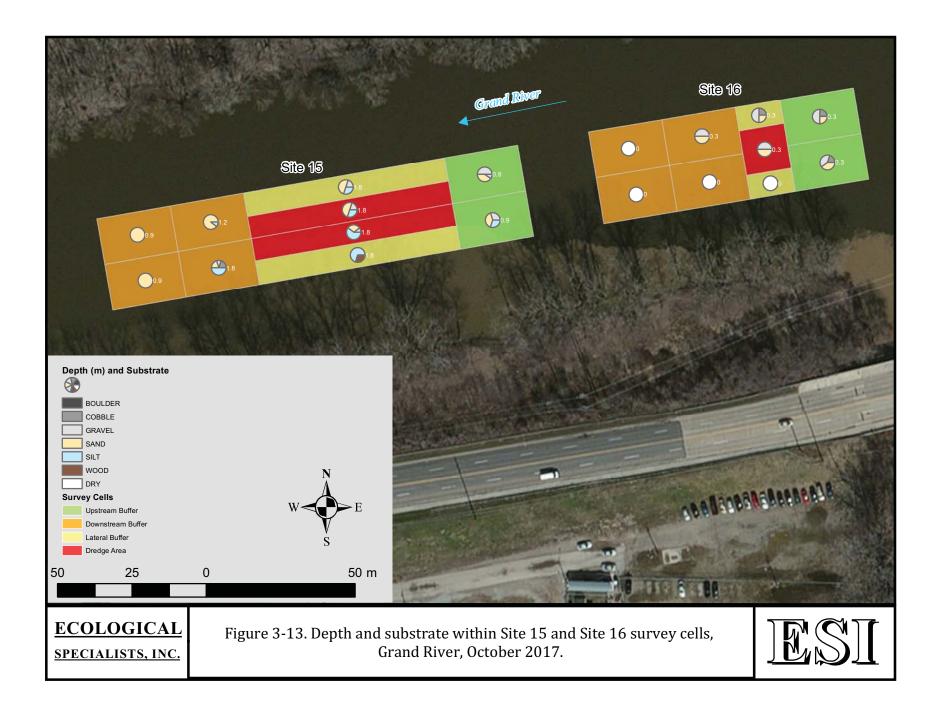


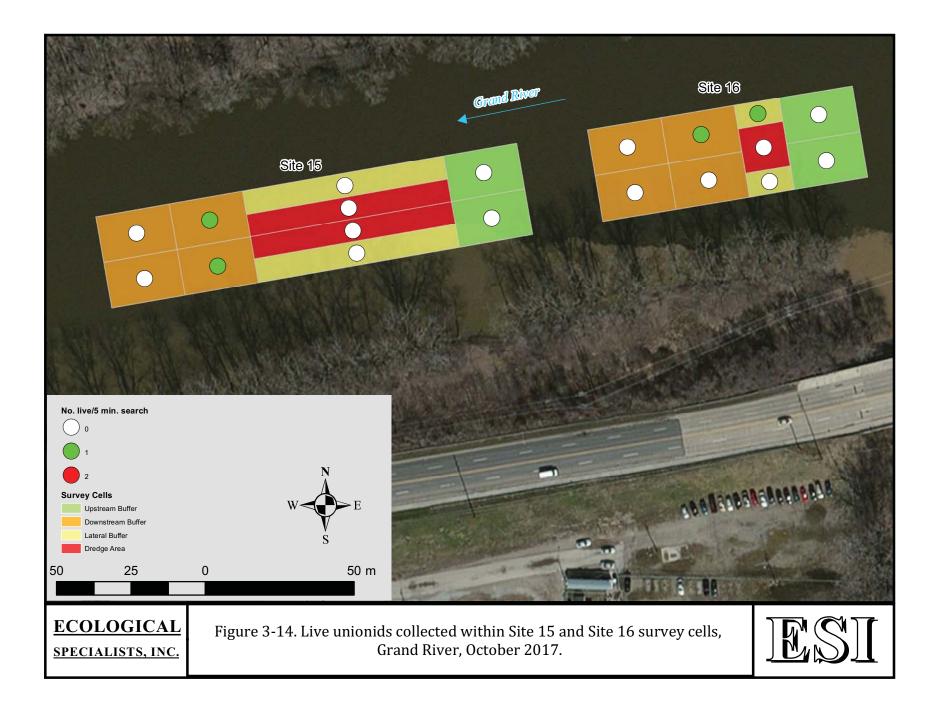


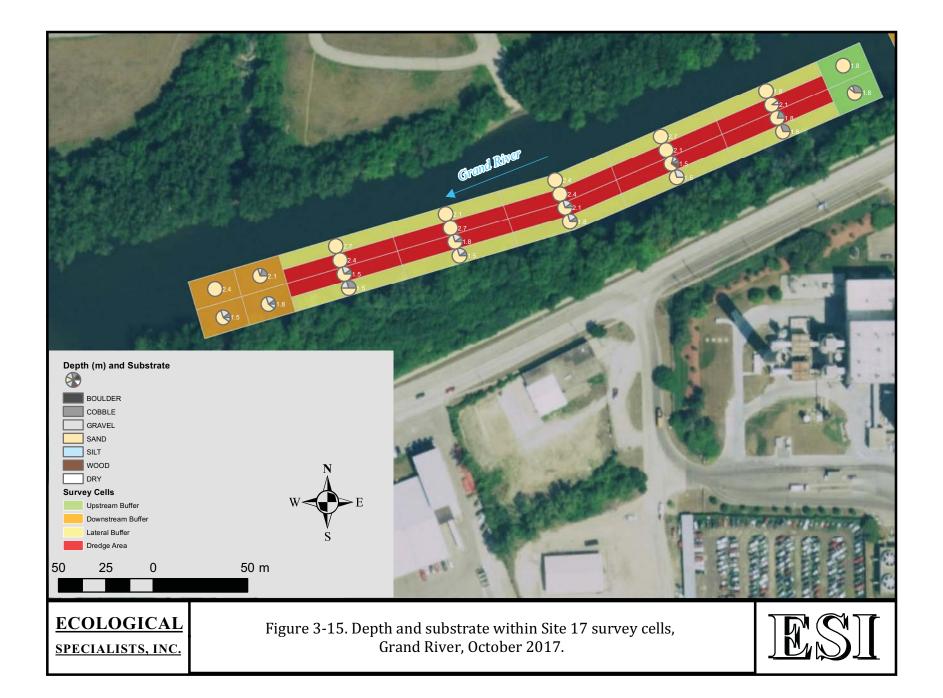


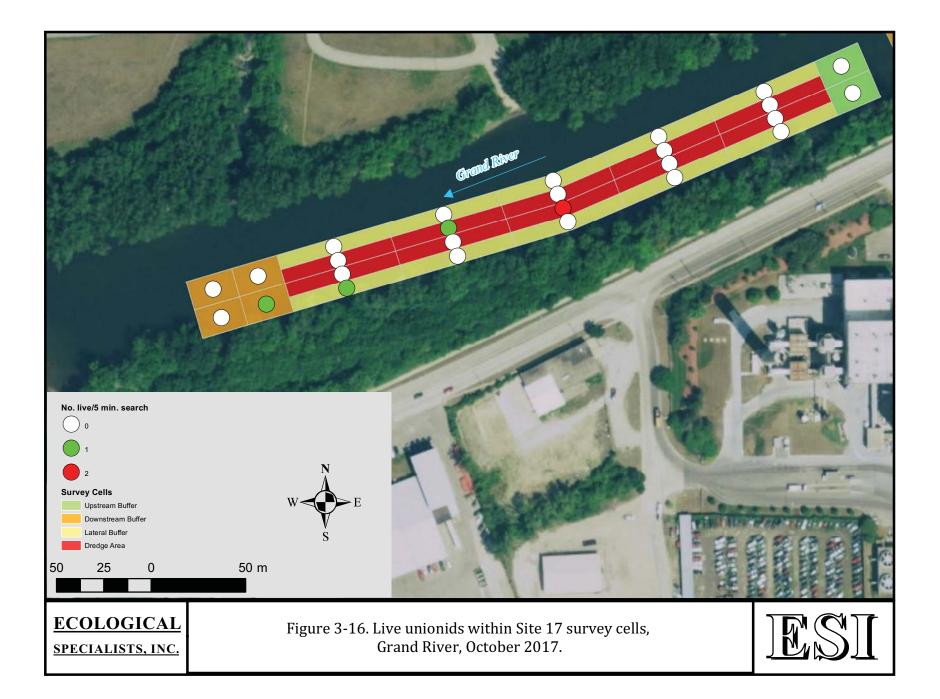


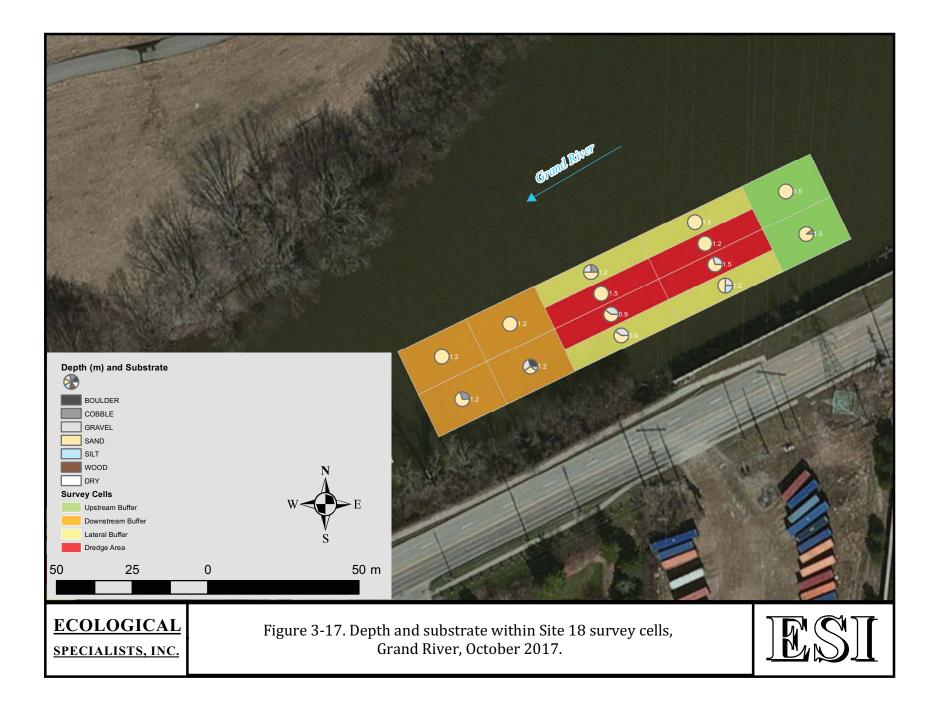


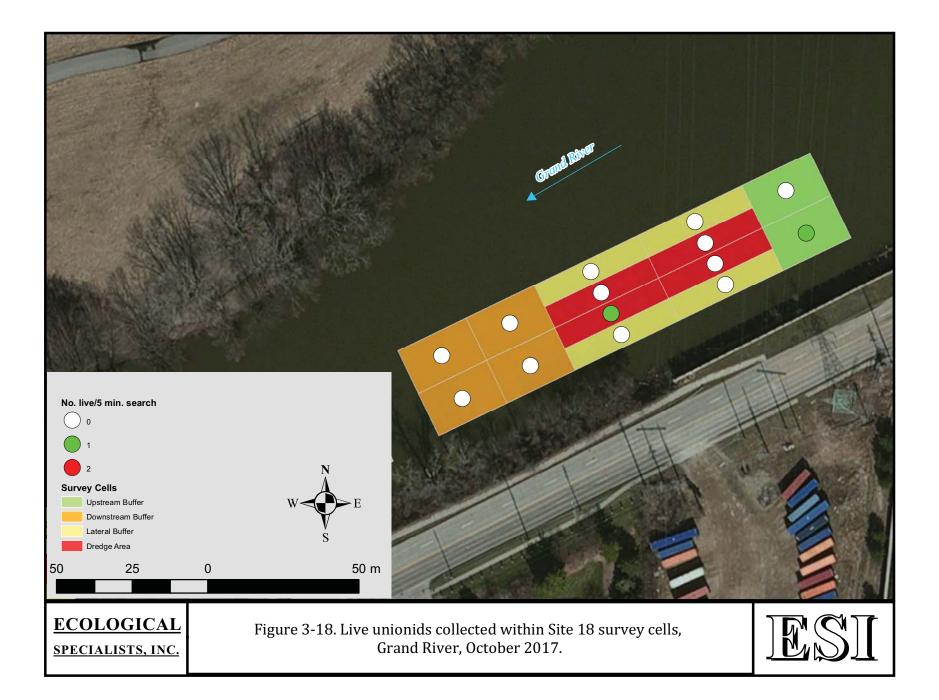












Species by Tribe	Common name	Federal and Michigan Status <sup>2</sup>	Recent or Historic <sup>3</sup>
		C	
<u>Amblemini</u>			
Amblema plicata	Three ridge		R
<u>Pleurobemini</u>			
Elliptio dilatata	Spike		R
Fusconaia flava	Wabash pigtoe		R
Pleurobema sintoxia	Round pigtoe	MSC	R
<u>Quadrulini</u>			
Cyclonaias tuberculata	Purple wartyback	MT	R
Quadrula pustulosa	Pimpleback		R
Quadrula quadrula	Mapleleaf		R
<u>Lampsilini</u>			
Actinonaias ligamentina	Mucket		R
Epioblasma triquetra	Snuffbox	FE, ME	R
Lampsilis cardium	Pocketbook		R
Lampsilis siliquoidea	Fat mucket		R
Leptodea fragilis	Fragile papershell		R
Ligumia recta	Black sandshell	ME	R
Obliquaria reflexa	Threehorn wartyback	ME	Н
Obovaria olivaria	Hickory nut	ME	Н
Potamilus alatus	Pink heelsplitter		R
Toxolasma parvus	Lilliput	ME	R
Truncilla truncata	Deertoe	MSC	R
Venustaconcha ellipsiformis	Ellipse	MSC	R
Villosa iris	Rainbow shell	MSC	Н
Anodontini			
Alasmidonta marginata	Elk toe	MSC	R
Alasmidonta viridis	Slipper shell	MT	R
Anodontoides ferussacianus	Cylindrical papershell		R
Lasmigona c. complanata	White heelsplitter		R
Lasmigona compressa	Creek heelsplitter		R
Lasmigona costata	Fluted shell		R
Pyganodon grandis	Floater		R
Strophitus undulatus	Creeper		R
Utterbackia imbecillis	Paper pondshell	MSC	R
No. recently collected species			26
Total no. species			29

# Table 1-1. Unionid mussel records from the Lower Grand River.<sup>1</sup>

<sup>1</sup>Modified from Hanshue and Harrington (2011) with added recent records from ESI (2014, 2016, 2017, unpublished), JFNew (2013a, b, c, d, 2016), ES (2013)

<sup>2</sup> FE=Federally endangered (USFWS, 2017); ME=Michigan endangered, MT=Michigan threatened, MSC=Michigan special concern (MIDNR, 2009)

<sup>3</sup>H=found live prior to 1950 or collected recently as only shell material, R= found live 1999 to present

	ADI				Total Search Area (m <sup>2</sup> )	
Site	Lat. <sup>1</sup>	Long. <sup>1</sup>	Length (m)	Width (m)	Area (m <sup>2</sup> )	ADI plus Buffers
1	43.004420	-85.928020	137	15	2089	3336
2	43.001629	-85.912125	144	15	2199	3452
3	43.002196	-85.908205	152	15	2321	3580
4	42.996906	-85.888753	152	15	2322	3581
5	42.992809	-85.884286	206	15	3134	4433
6	42.967941	-85.876371	190	15	2902	4190
7	42.953812	-85.874815	84	15	1277	2484
8	42.951705	-85.872512	167	15	2544	3814
9	42.950706	-85.870742	30	15	464	1630
10	42.945054	-85.850559	1127	15	17174	19173
11	42.944150	-85.834295	30	15	464	1630
12	42.943329	-85.805622	76	15	1161	2362
13	42.916953	-85.765819	365	15	5561	6981
14	42.937618	-85.722387	23	15	348	1508
15	42.949161	-85.700824	69	15	1045	2240
16	42.949359	-85.699117	15	15	232	1387
17	42.950050	-85.695320	304	15	4631	6005
18	42.951023	-85.692136	76	15	1161	2362

Table 2-1. Location and dimensions of potential dredge areas and survey areas.

<sup>1</sup>Decimal degrees, recorded at the centerpoint of ADI

Table 3-1. Unionids collected within	notential dredge sites	Grand River, October 2017
Table 3-1. Unionids conected within	i potentiai ureuge sites,	Oranu Kiver, October 2017.

										Si	te									Total	
Tribe	Species	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	No.	%
Amblemini	Amblema plicata	-	-	-	-	-	-	-	-	-	-	-	-	WD	-	1	-	-	-	1	9.1
Quadrulini	Quadrula pustulosa	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	FD	-	0	-
	Quadrula quadrula	-	-	-	-	-	-	-	-	-	-	-	-	-	-	WD	-	-	2	2	18.2
Lampsilini	Actinonaias ligamentina	-	-	-	-	-	-	_	-	-	-	-	-	-	-	WD	-	-	-	0	
1	Lampsilis cardium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	1	-	3	27.3
	Leptodea fragilis	-	-	-	-	-	-	-	-	-	-	-	-	WD	-	WD	1	1	FD	2	18.2
	Ligumia recta	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	WD	-	0	-
	Potamilus alatus	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	WD	2	WD	2	18.2
	Truncilla donaciformis	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	WD	0	-
Anodontini	Lasmigona c. complanata	-	-	-	-	-	-	_	-	-	-	-	-	-	-	-	-	1	WD	1	9.1
	Pyganodon grandis	-	-	-	-	-	-	-	-	-	-	-	-	WD	-	-	-	-	WD	0	-
	Utterbackia imbecillis	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	WD	0	-
	Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	5	2	11	100
	No. live species	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	4	1	6	
	Total no. species	0	0	0	0	0	0	0	0	0	0	0	0	3	0	5	3	6	7	12	

FD = Fresh Dead; WD = Weathered Dead

### **Grand River Dredging Project**

Scott Hughes <SHughes@senate.michigan.gov>

Fri 5/4/2018 9:15 AM

To: Howes, Sarah (DEQ) <HowesS1@michigan.gov>Cc: Craig Ryan <CRyan@senate.michigan.gov>

Hi Sarah:

Thank you for your time this week to discuss the above matter. To recap, in prior fiscal years, money was appropriated to study/investigate a proposed project to dredge the Grand River from Lake Michigan to Grand Rapids.

Here's what was in the DNR FY15 supplemental that was included as part of the FY16 Omnibus Budget Bill:

Sec. 706. The department shall work with the state budget office to ensure that the funds appropriated in 2013 PA 102 for the Grand River waterway study continue to be carried forward as a work project per the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, or until the project is complete.

And here's the original funding from PA102 of 2013:

2) PARKS AND RECREATION DIVISION
rand River waterway study
100,000
ROSS APPROPRIATION
100,000
ppropriated from:
tate general fund/general purpose
100,000

Sec. 650. The funds appropriated in part 1 for the Grand River waterway study shall be used to conduct a study on the depth of the Grand River from Lake Michigan to the city of Grand Rapids and the cost of dredging that section of the river to a depth sufficient for recreational boat traffic.

In FY17, additional monies were appropriated for pre-dredging activities, including an endangered species study and soil testing.

DEPARTMENT OF TALENT AND ECONOMIC DEVELOPMENT Sec. 801. (1) From the one-time funds appropriated in part 1 for special grants, \$3,300,000.00 shall be awarded to a highway project located in a county with a population of between 425,000 and 426,000 according to the most recent federal decennial census. (2) From the one-time funds appropriated in part 1 for special grants, \$200,000.00 shall be awarded to a river dredging project in a county with a population of between 600,000 and 605,000 according to the most recent federal decennial census.

That money eventually went to Grand River Waterway, LLC ("GRW"), which is a non-profit organization that was founded for the purpose of advocating for this project. I understand that the endangered species study has been completed (apparently no endangered species identified), but GRW has hit a roadblock in terms of soil testing and permitting for testing.

From what I understand, Bruce Watkins with DTMB has told GRW (or its representatives) that it needs permission of every riparian owner to conduct the soil testing. I believe Paul Petersen with DNR has also assisted on this project in the past.

I have reviewed applicable law, and I don't see a basis for requiring permission of every riparian owner for soil testing if the testing is associated with/incident to a State project to dredge a navigable river. I am hoping you can help us identify a path to keep this project moving forward, as there are ongoing discussions about funding the dredging in the FY19 budget.

Please let me know if you have any questions.

### Thanks,

Scott A. Hughes General Counsel & Deputy Chief of Staff Senate Majority Leader Arlan Meekhof Michigan State Senate P.O. Box 30036 Lansing, MI 48909 (517) 373-5264

This communication, including any attachment, contains information intended for the exclusive use of the person to whom it has been addressed. It may contain information that is proprietary, privileged, or confidential. If you believe that you have received this communication in error, please notify the sender immediately and destroy all copies, electronic or otherwise, including any attachment.

# **RE: Dredging Authorization**

Manning, Peter (AG) <ManningP@michigan.gov>

Wed 5/23/2018 2:07 PM

To: Howes, Sarah (DEQ) <HowesS1@michigan.gov>; Epkey, Amy (DEQ) <epkeya@michigan.gov>; Reichel, Robert (AG) <ReichelB@michigan.gov>
Cc: Boeskool, Travis (DEQ) <BoeskoolT@michigan.gov>; Fish, Kim (DEQ) <FISHK@michigan.gov>
It was a takings claim. The damages were \$35,000.

From: Howes, Sarah (DEQ)
Sent: Wednesday, May 23, 2018 2:02 PM
To: Manning, Peter (AG) <ManningP@michigan.gov>; Epkey, Amy (DEQ) <epkeya@michigan.gov>; Reichel, Robert (AG) <ReichelB@michigan.gov>
Cc: Boeskool, Travis (DEQ) <BoeskoolT@michigan.gov>; Fish, Kim (DEQ) <FISHK@michigan.gov>
Subject: RE: Dredging Authorization

Thanks again. I can't open the link you sent with the Petermen case because I don't have login info – do you know offhand what the liability repercussions to DNR were (did they have to restore, pay fines, etc.?).

Thanks, Sarah

Sarah M. Howes | Legislative Liaison Department of Environmental Quality 517.284.6707 O | C 517.282.9204

From: Manning, Peter (AG)
Sent: Tuesday, May 22, 2018 11:41 AM
To: Epkey, Amy (DEQ) <<u>epkeya@michigan.gov</u>>; Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Reichel, Robert (AG) <<u>ReichelB@michigan.gov</u>>
Cc: Boeskool, Travis (DEQ) <<u>BoeskoolT@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>>
Subject: RE: Dredging Authorization

No problem.

From: Epkey, Amy (DEQ)
Sent: Tuesday, May 22, 2018 11:40 AM
To: Manning, Peter (AG) <<u>ManningP@michigan.gov</u>>; Howes, Sarah (DEQ)
<<u>HowesS1@michigan.gov</u>>; Reichel, Robert (AG) <<u>ReichelB@michigan.gov</u>>
Cc: Boeskool, Travis (DEQ) <<u>BoeskoolT@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>>
Subject: RE: Dredging Authorization

Peter – Thanks for the follow-up. Sarah is going to join the first part of today's meeting. Let's plan on discussing the "Dredging Authorization" issue first. Thanks.

From: Manning, Peter (AG)
Sent: Tuesday, May 22, 2018 9:22 AM
To: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Epkey, Amy (DEQ) <<u>epkeya@michigan.gov</u>>; Reichel, Robert (AG) <<u>ReichelB@michigan.gov</u>>
Cc: Boeskool, Travis (DEQ) <<u>BoeskoolT@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>>
Subject: RE: Dredging Authorization

Sarah,

Under the public trust doctrine, if the State determined that dredging was needed to facilitate the public's ability to boat on a navigable water, it has that authority. The consent of the riparian owners would not be required. See highlighted section below.

So it isn't that the State doesn't have fairly broad authority to improve navigation. I think what Bob was pointing out is that the federal government's authority in this arena trumps everyone else's authority.

But the State can limit how it exercises its public trust powers through statute or case law. I know (at least historically) that the department required Part 301 and 325 applicants to get consent of affected property owners before it would process an application. I don't think that was legally required, but that has been the practice. So there is some question whether that practice would appropriately be carried over to a state project.

The *Peterman* case I pulled the quote from also imposed liability on DNR when it built a jetty on state land. The court found that DNR had authority to build the jetty to facilitate public use of the water but (greatly overgeneralizing) found that the jetty was "unscientifically designed" and created damage to riparian owners beyond what was reasonable. So there is the potential that a state dredging project could create liability issues.

Probably more than you need, but there isn't a straight "yes" or "no" answer to your question.

### Peter

The State of Michigan holds in trust the navigable waters of the state in behalf of its citizens, and riparian owners hold "the right to use and enjoy" their riparian property "subject to the public right of navigation . . . . " *Hall* v *Alford,* 114 Mich. 165, 167; 72 N.W. 137 (1897). Hence, "the public, through their proper authorities, have always the right to restrain any encroachments which may be injurious to the public right, and to compel the removal of any obstruction or impediment, as well as to punish the offender, to the same extent as if the bed of the lake were vested in the State." *Grand Rapids* v *Powers,* 89 Mich. 94, 110; 50 N.W. 661 (1891). Furthermore, the state may enact certain measures in furtherance of this trust -- including the fundamental power to improve the navigability of such waterways on behalf of recreation and commerce. See, e.g., *Nedtweg* v *Wallace,* 237 Mich. 14, 24-25; 211 N.W. 647 (1927) (Sharpe, J., concurring).

Peterman v. Department of Natural Resources, 446 Mich. 177, 194-198, 521 N.W.2d 499, 508-510, 1994 Mich. LEXIS 2045, \*25-31

From: Howes, Sarah (DEQ)
Sent: Tuesday, May 22, 2018 2:41 AM
To: Epkey, Amy (DEQ) <<u>epkeya@michigan.gov</u>>; Reichel, Robert (AG) <<u>ReichelB@michigan.gov</u>>;
Cc: Boeskool, Travis (DEQ) <<u>BoeskoolT@michigan.gov</u>>; Manning, Peter (AG)
<<u>ManningP@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>>
Subject: RE: Dredging Authorization

Peter-I'm now seeing that Bob is out until June 4<sup>th</sup> – do you have anyone else that could weigh in?

Bob,

Thanks again for this very thorough response. One follow up question in regards to this portion of your email-

But a different analysis would apply if the government, particularly the federal government, sought to improve or enhance public navigation rights through dredging. The federal government's predominant interest in preserving and promoting navigation (which is sometimes referred to as a "navigational servitude" on the landowners title) could take precedence and enable a dredging project to proceed even without the riparian property owners' consent. See, e.g. *McMorran Mill Co v C.H. Little Co*, 201 Mich 301 (1918) (discussing the paramount federal control of navigation) [copy attached]

I know you note that its more applicable to the federal government, but if the state were the applicant for such a project, could they claim "navigational servitude" and bypass riparian consent? I am in no way advocating this be done, but just asking the question.

Thanks, Sarah

Sarah M. Howes | Legislative Liaison Department of Environmental Quality 517.284.6707 O | C 517.282.9204

From: Epkey, Amy (DEQ) Sent: Wednesday, May 09, 2018 1:35 PM To: Reichel, Robert (AG) <<u>ReichelB@michigan.gov</u>> Cc: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Boeskool, Travis (DEQ) <<u>BoeskoolT@michigan.gov</u>>; Manning, Peter (AG) <<u>ManningP@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>> Subject: RE: Dredging Authorization

Thanks for the quick response. This is very helpful.

From: Reichel, Robert (AG)
Sent: Wednesday, May 9, 2018 12:44 PM
To: Epkey, Amy (DEQ) <<u>epkeya@michigan.gov</u>>
Cc: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Boeskool, Travis (DEQ)
<<u>BoeskoolT@michigan.gov</u>>; Manning, Peter (AG) <<u>ManningP@michigan.gov</u>>; Fish, Kim (DEQ)
<<u>FISHK@michigan.gov</u>>
Subject: RE: Dredging Authorization

Hi Amy,

The law in Michigan governing title to bottomlands of inland lakes, rivers and streams is not defined by statute, but is instead part of common law, i.e. a body of law defined by the courts applying long-standing legal principles. Michigan common law is evidenced and explained in reported decisions of the Michigan Supreme Court and Court of Appeals.

With respect to the property rights in Michigan rivers, the common law has been clear since at least at least 1860: the riparian property owner (i.e., the owner of land along the river bank) owns/holds title to the bottomland of the river to the center of the stream. See, e.g. *Lorman v Benson*, 8 Mich 18 (1860) [copy attached]. So, as a matter of general property law, the land on the riverbed cannot normally be removed without the consent of the riparian owner.

It is important to note that if a river is navigable, riparian rights are subject to the public trust doctrine. Under that doctrine, the public may make reasonable use of the waterway for certain recognized purposes such as commercial and recreational navigation, and fishing. The statute that regulates certain activities (including dredging) in inland lakes, rivers and streams, Part 301 of NREPA, expressly recognizes riparian property rights:

"This part does not deprive a riparian owner of rights associated with his or her ownership of water frontage. A riparian owner among other rights controls any temporarily or periodically exposed bottomland to the water's edge, wherever it may be at any time, and holds the land secure against trespass in the same manner as his or her upland subject to the public trust to the ordinary high-water mark." MCL 324.30111.

So, while the public has the right to boat/navigate on navigable rivers such as the Grand River, that public trust right would not extend to allowing private individuals or entities to remove or alter the privately owned property in the riverbed without the consent of the property owner.

But a different analysis would apply if the government, particularly the federal government, sought to improve or enhance public navigation rights through dredging. The federal government's predominant interest in preserving and promoting navigation (which is sometimes referred to as a "navigational servitude" on the landowners title) could take precedence and enable a dredging project to proceed even without the riparian property owners' consent. See, e.g. *McMorran Mill Co v C.H. Little Co*, 201 Mich 301 (1918) (discussing the paramount federal control of navigation) [copy attached]

I hope this information is helpful. Please note that this response to your question reflects my informal, individual views. It is neither a formal nor informal opinion of the Attorney General.

Bob

Robert P. Reichel First Assistant Attorney General Environment, Natural Resources and Agriculture Division Michigan Department of Attorney General 6th Floor G. Mennen Williams Building 525 West Ottawa Street P.O. Box 30755 Lansing, MI 48909 Phone: 517-373-7540 Fax: 517-373-1610 E-Mail: reichelb@michigan.gov

From: Epkey, Amy (DEQ) Sent: Tuesday, May 8, 2018 8:48 PM To: Reichel, Robert (AG) <<u>ReichelB@michigan.gov</u>> Cc: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Boeskool, Travis (DEQ) <<u>BoeskoolT@michigan.gov</u>> Subject: Dredging Authorization

Bob,

I hope things are going well for you. I have a question that I am hoping you may be able to assist with.

Last week, DEQ met with Senator Meekhof. He brought up a potential recreational dredging project that could be between 20-25 miles along the Grand River from potentially Grand Rapids to Grand Haven. The Grand River Waterway, LLC was specifically formed to promote this effort. Representatives from various agencies have met with those wishing to pursue the project. My understanding is that there was mention of the need for authorization from individual property owners along the river to move forward with the project. Staff within the Senator's office are questioning what legal authority exists to require authorization from all property owners.

Based on a conversation with our Water Resources Division staff, it was relayed that the authorization is required as part of general property laws. Do you agree that authorization is required from each property owner for the dredging project, and if so, could you please provide the law that we should reference in responding to the Senator's office?

Please feel free to call me if this is easier to discuss. Thanks in advance for your assistance.

Amy Epkey, Administration Deputy Director Michigan Department of Environmental Quality Phone: (517) 284-5002

# **RE: Dredging Authorization**

Manning, Peter (AG) <ManningP@michigan.gov>

Wed 5/23/2018 2:07 PM

To: Howes, Sarah (DEQ) <HowesS1@michigan.gov>; Epkey, Amy (DEQ) <epkeya@michigan.gov>; Reichel, Robert (AG) <ReichelB@michigan.gov>
Cc: Boeskool, Travis (DEQ) <BoeskoolT@michigan.gov>; Fish, Kim (DEQ) <FISHK@michigan.gov>
It was a takings claim. The damages were \$35,000.

From: Howes, Sarah (DEQ)
Sent: Wednesday, May 23, 2018 2:02 PM
To: Manning, Peter (AG) <ManningP@michigan.gov>; Epkey, Amy (DEQ) <epkeya@michigan.gov>; Reichel, Robert (AG) <ReichelB@michigan.gov>
Cc: Boeskool, Travis (DEQ) <BoeskoolT@michigan.gov>; Fish, Kim (DEQ) <FISHK@michigan.gov>
Subject: RE: Dredging Authorization

Thanks again. I can't open the link you sent with the Petermen case because I don't have login info – do you know offhand what the liability repercussions to DNR were (did they have to restore, pay fines, etc.?).

Thanks, Sarah

Sarah M. Howes | Legislative Liaison Department of Environmental Quality 517.284.6707 O | C 517.282.9204

From: Manning, Peter (AG)
Sent: Tuesday, May 22, 2018 11:41 AM
To: Epkey, Amy (DEQ) <<u>epkeya@michigan.gov</u>>; Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Reichel, Robert (AG) <<u>ReichelB@michigan.gov</u>>
Cc: Boeskool, Travis (DEQ) <<u>BoeskoolT@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>>
Subject: RE: Dredging Authorization

No problem.

From: Epkey, Amy (DEQ)
Sent: Tuesday, May 22, 2018 11:40 AM
To: Manning, Peter (AG) <<u>ManningP@michigan.gov</u>>; Howes, Sarah (DEQ)
<<u>HowesS1@michigan.gov</u>>; Reichel, Robert (AG) <<u>ReichelB@michigan.gov</u>>
Cc: Boeskool, Travis (DEQ) <<u>BoeskoolT@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>>
Subject: RE: Dredging Authorization

Peter – Thanks for the follow-up. Sarah is going to join the first part of today's meeting. Let's plan on discussing the "Dredging Authorization" issue first. Thanks.

From: Manning, Peter (AG)
Sent: Tuesday, May 22, 2018 9:22 AM
To: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Epkey, Amy (DEQ) <<u>epkeya@michigan.gov</u>>; Reichel, Robert (AG) <<u>ReichelB@michigan.gov</u>>
Cc: Boeskool, Travis (DEQ) <<u>BoeskoolT@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>>
Subject: RE: Dredging Authorization

Sarah,

Under the public trust doctrine, if the State determined that dredging was needed to facilitate the public's ability to boat on a navigable water, it has that authority. The consent of the riparian owners would not be required. See highlighted section below.

So it isn't that the State doesn't have fairly broad authority to improve navigation. I think what Bob was pointing out is that the federal government's authority in this arena trumps everyone else's authority.

But the State can limit how it exercises its public trust powers through statute or case law. I know (at least historically) that the department required Part 301 and 325 applicants to get consent of affected property owners before it would process an application. I don't think that was legally required, but that has been the practice. So there is some question whether that practice would appropriately be carried over to a state project.

The *Peterman* case I pulled the quote from also imposed liability on DNR when it built a jetty on state land. The court found that DNR had authority to build the jetty to facilitate public use of the water but (greatly overgeneralizing) found that the jetty was "unscientifically designed" and created damage to riparian owners beyond what was reasonable. So there is the potential that a state dredging project could create liability issues.

Probably more than you need, but there isn't a straight "yes" or "no" answer to your question.

### Peter

The State of Michigan holds in trust the navigable waters of the state in behalf of its citizens, and riparian owners hold "the right to use and enjoy" their riparian property "subject to the public right of navigation . . . . " *Hall* v *Alford,* 114 Mich. 165, 167; 72 N.W. 137 (1897). Hence, "the public, through their proper authorities, have always the right to restrain any encroachments which may be injurious to the public right, and to compel the removal of any obstruction or impediment, as well as to punish the offender, to the same extent as if the bed of the lake were vested in the State." *Grand Rapids* v *Powers,* 89 Mich. 94, 110; 50 N.W. 661 (1891). Furthermore, the state may enact certain measures in furtherance of this trust -- including the fundamental power to improve the navigability of such waterways on behalf of recreation and commerce. See, e.g., *Nedtweg* v *Wallace,* 237 Mich. 14, 24-25; 211 N.W. 647 (1927) (Sharpe, J., concurring).

Peterman v. Department of Natural Resources, 446 Mich. 177, 194-198, 521 N.W.2d 499, 508-510, 1994 Mich. LEXIS 2045, \*25-31

From: Howes, Sarah (DEQ)
Sent: Tuesday, May 22, 2018 2:41 AM
To: Epkey, Amy (DEQ) <<u>epkeya@michigan.gov</u>>; Reichel, Robert (AG) <<u>ReichelB@michigan.gov</u>>;
Cc: Boeskool, Travis (DEQ) <<u>BoeskoolT@michigan.gov</u>>; Manning, Peter (AG)
<<u>ManningP@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>>
Subject: RE: Dredging Authorization

Peter-I'm now seeing that Bob is out until June 4<sup>th</sup> – do you have anyone else that could weigh in?

Bob,

Thanks again for this very thorough response. One follow up question in regards to this portion of your email-

But a different analysis would apply if the government, particularly the federal government, sought to improve or enhance public navigation rights through dredging. The federal government's predominant interest in preserving and promoting navigation (which is sometimes referred to as a "navigational servitude" on the landowners title) could take precedence and enable a dredging project to proceed even without the riparian property owners' consent. See, e.g. *McMorran Mill Co v C.H. Little Co*, 201 Mich 301 (1918) (discussing the paramount federal control of navigation) [copy attached]

I know you note that its more applicable to the federal government, but if the state were the applicant for such a project, could they claim "navigational servitude" and bypass riparian consent? I am in no way advocating this be done, but just asking the question.

Thanks, Sarah

Sarah M. Howes | Legislative Liaison Department of Environmental Quality 517.284.6707 O | C 517.282.9204

From: Epkey, Amy (DEQ) Sent: Wednesday, May 09, 2018 1:35 PM To: Reichel, Robert (AG) <<u>ReichelB@michigan.gov</u>> Cc: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Boeskool, Travis (DEQ) <<u>BoeskoolT@michigan.gov</u>>; Manning, Peter (AG) <<u>ManningP@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>> Subject: RE: Dredging Authorization

Thanks for the quick response. This is very helpful.

From: Reichel, Robert (AG)
Sent: Wednesday, May 9, 2018 12:44 PM
To: Epkey, Amy (DEQ) <<u>epkeya@michigan.gov</u>>
Cc: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Boeskool, Travis (DEQ)
<<u>BoeskoolT@michigan.gov</u>>; Manning, Peter (AG) <<u>ManningP@michigan.gov</u>>; Fish, Kim (DEQ)
<<u>FISHK@michigan.gov</u>>
Subject: RE: Dredging Authorization

Hi Amy,

The law in Michigan governing title to bottomlands of inland lakes, rivers and streams is not defined by statute, but is instead part of common law, i.e. a body of law defined by the courts applying long-standing legal principles. Michigan common law is evidenced and explained in reported decisions of the Michigan Supreme Court and Court of Appeals.

With respect to the property rights in Michigan rivers, the common law has been clear since at least at least 1860: the riparian property owner (i.e., the owner of land along the river bank) owns/holds title to the bottomland of the river to the center of the stream. See, e.g. *Lorman v Benson*, 8 Mich 18 (1860) [copy attached]. So, as a matter of general property law, the land on the riverbed cannot normally be removed without the consent of the riparian owner.

It is important to note that if a river is navigable, riparian rights are subject to the public trust doctrine. Under that doctrine, the public may make reasonable use of the waterway for certain recognized purposes such as commercial and recreational navigation, and fishing. The statute that regulates certain activities (including dredging) in inland lakes, rivers and streams, Part 301 of NREPA, expressly recognizes riparian property rights:

"This part does not deprive a riparian owner of rights associated with his or her ownership of water frontage. A riparian owner among other rights controls any temporarily or periodically exposed bottomland to the water's edge, wherever it may be at any time, and holds the land secure against trespass in the same manner as his or her upland subject to the public trust to the ordinary high-water mark." MCL 324.30111.

So, while the public has the right to boat/navigate on navigable rivers such as the Grand River, that public trust right would not extend to allowing private individuals or entities to remove or alter the privately owned property in the riverbed without the consent of the property owner.

But a different analysis would apply if the government, particularly the federal government, sought to improve or enhance public navigation rights through dredging. The federal government's predominant interest in preserving and promoting navigation (which is sometimes referred to as a "navigational servitude" on the landowners title) could take precedence and enable a dredging project to proceed even without the riparian property owners' consent. See, e.g. *McMorran Mill Co v C.H. Little Co*, 201 Mich 301 (1918) (discussing the paramount federal control of navigation) [copy attached]

I hope this information is helpful. Please note that this response to your question reflects my informal, individual views. It is neither a formal nor informal opinion of the Attorney General.

Bob

Robert P. Reichel First Assistant Attorney General Environment, Natural Resources and Agriculture Division Michigan Department of Attorney General 6th Floor G. Mennen Williams Building 525 West Ottawa Street P.O. Box 30755 Lansing, MI 48909 Phone: 517-373-7540 Fax: 517-373-1610 E-Mail: reichelb@michigan.gov

From: Epkey, Amy (DEQ) Sent: Tuesday, May 8, 2018 8:48 PM To: Reichel, Robert (AG) <<u>ReichelB@michigan.gov</u>> Cc: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Boeskool, Travis (DEQ) <<u>BoeskoolT@michigan.gov</u>> Subject: Dredging Authorization

Bob,

I hope things are going well for you. I have a question that I am hoping you may be able to assist with.

Last week, DEQ met with Senator Meekhof. He brought up a potential recreational dredging project that could be between 20-25 miles along the Grand River from potentially Grand Rapids to Grand Haven. The Grand River Waterway, LLC was specifically formed to promote this effort. Representatives from various agencies have met with those wishing to pursue the project. My understanding is that there was mention of the need for authorization from individual property owners along the river to move forward with the project. Staff within the Senator's office are questioning what legal authority exists to require authorization from all property owners.

Based on a conversation with our Water Resources Division staff, it was relayed that the authorization is required as part of general property laws. Do you agree that authorization is required from each property owner for the dredging project, and if so, could you please provide the law that we should reference in responding to the Senator's office?

Please feel free to call me if this is easier to discuss. Thanks in advance for your assistance.

Amy Epkey, Administration Deputy Director Michigan Department of Environmental Quality Phone: (517) 284-5002 U.S. Army Corps of Engineers www.lre.usace.army.mil Michigan Department of Environmental Quality www.mi.gov/jointpermit

NCY	Previous USACE File Number	Date		DEQ File Number
AGENCY USE	USACE File Number	Date Received		Fee received \$
All it Proje	that all parts of this checklist are submitteems in Sections 1 through 9 are completeect-specific Sections 10 through 20 are consions, volumes, and calculations are proformation contained in the headings for the	d. mpleted. wided for all impa e appropriate Se	act areas. ctions (1-20) are addressed, and id	lentified attachments (*) are included.
	, site plan(s), cross sections; one set must ication fee is attached.	be black and wh	ite on 8 ½ by 11 inch paper; photog	jraphs.
<b>1</b> P	oject Location Information For Latit	ude, Longitude, a	nd TRS info anywhere in Michigan	see www.mcgi.state.mi.us/wetlands/
	Address (road, if no street address) stretch of the Grand River		Municipality Township/Village/City)	County Ottawa & Kent
Propert	/ Tax Identification Number(s)	Latitude	see attached map	Township/Range/Section (TRS)
			N	T N or S; R E or W;
Subdivi	sion/Plat and Lot Number	Longitude	w	Sec OR Private Claim #
2 A	oplicant and Agent Information			
	Applicant (individual or corporate name) an Department of Natural Resources		Agent/Contractor (firm name an	d contact person) ental, Inc. Attn: Matt MacGregor
<u> </u>	Address PO Box 30028		Mailing Address 2520 Woodme	· · · · · · · · · · · · · · · · · · ·
City La	·····	Code 48909	City Grand Rapids	State MI Zip Code 49546
	Phone Number Fax		Contact Phone Number	Fax
Contact			616-957-1231	
Email			E-mail mmacgregor@king-ma	cgregor.com
	Yes Is the applicant the sole owner of ect?  ➡ If no, attach letter(s) of authorization			d and all property involved or impacted by ne disposal site.
Property	Owner's Name (If different from application	nt)	Mailing Address	
Contact	Phone Number		City	State Zip Code
3 P	oject Description		• • • • • • • • • • • • • • • • • • •	
Project	Name Grand River Waterway		Preapplication File Number HN	7 – OZFV – QV0XF–P
Name o	f Water body Grand River		Date project staked/flagged	
☐ an in ☐ a poi ⊠ a str ☐ a leg ☐ a ch: ☐ a ch:	posed project is on, within, or involves (ch land lake (5 acres or more) nd (less than 5 acres) eam, river, ditch or drain ally established County Drain Drain was established annel/canal feet of an existing water body	<ul> <li>□ a Great Lak</li> <li>□ a wetland</li> <li>□ a 100-year 1</li> <li>□ a dam</li> <li>□ a designate</li> <li>□ a designate</li> </ul>	e or Section 10 Waters	Project Use private commercial public/government project is receiving federal/state transportation funds Wetland Restoration other
Indicate	the type of permit being applied for:	General Permit	🗌 Minor Project 🔲 Individual (A	M other projects.) See Appendix C.
Written maxim	Summary of All Proposed Activities <i>In orc</i> <i>um depth of 6 feet (water depth) within</i>	ler to assess the the Grand River	e proposed river dredging locatio . Boreholes will have an outside	ons, advance up to 87 soll borings to a diameter of less than 8 inches.
Constru Sample	ction Sequence and Methods The boring Review Policy 09-018.	rs will be install	ed and samples collected and an	nalyzed in accordance with MDEQ Dredge
The sa		g times of norm I within a 48-hou	al water elevations from a barge ir period. Any excess soils to be	or other watercraft temporarily anchored disposed of in an upland location

DEQ

4 Project Purpe	ose, Use and Alternat	ives Attach ad	ditional sheet	s as nec	essary.	
Describe the purpose	of the project and its inte	ended use; include	any new devel	opment o	r expansion of an existing lan	d use.
To conduct river see	diment sampling via bo	rings to characte	rize the propo	sed dred	ge locations on the Grand F	River.
project layout and de	sign, and construction teo	hnologies. For uti	ility crossings ir	clude alte	ors such as, but to limited to, a ernative routes and constructi	on methods.
within the Grand Riv	ver to establish a recrea	tional navigation	channel to co	nnect Gr	ities for the potential of pur and Rapids to Lake Michiga han 6 feet within a designa	an. The proposed
	installed and samples o Ige spoil disposal alter			lance wi	th MDEQ Dredge Sample Re	view Policy 09-018 in
Since the character	of the river sediment is	required to be as	ssessed prior i	o dredgi	ng, no alternatives are avail	able.
This project is inten	ded to comply with MD	EQ General Perm	it Category P -	Soil Bor	ings.	
5 Locating You	r Project Site Attach	a legible black a	and white maj	with a l	Vorth arrow.	
Names of roads of clo	sest intersection See at	tached map - dre	dge areas only	reacheo	l by watercraft	
Directions from main	intersection to the project	site, with distance	es from the best	and near	rest visible landmark and wate	ər body
Description of building	s on the site (color; 1 or	2 story, other)	Description	on of adja	cent landmarks or buildings (	address; color; etc)
How can your site be	identified if there is no vis	ible address?				<b>、</b>
6 Easements ar	nd Other Permits		*******			
	re a conservation easem y. Provide copies of cou				ase, or other encumbrance up	on the property?
List all other federal in	aterstate state or local a	nency authorizatio	ne including re	uired ac	surances for Critical Dune Are	o proiosta
Agency	Type of Approval	Number	Date Ap		Date approved /denied	Reason for denial
Agonoy	Type of Approval	Number		plied	Date approved /demed	
					······································	
7 Compliance						
- oompnance		11 1008 00 1		l.		
If a permit is issued, w	hen will the activity begin	i? (M/D/Y) ASAP		Propos	ed completion date (M/D/Y) 1	1/1/18
🖾 No 🗌 Yes Hasa	ny construction activity c	ommenced or bee	n completed in	a regulate	ed area?	
➡ If Yes, identify the p	ortion(s) underway or co	mpleted on drawir	igs or attach pro	oject spec	ifications and give completior	n date(s).
No Yes Were	the regulated activities co	nducted under a l	DEQ and/or US	ACE pern	nit?	
➡If Yes, list the permi						
		ved violations of er	nvironmental la	v or litiga	tion involving the property?	
<ul> <li>If Yes, attach explanation</li> <li>Adjoining Pro</li> </ul>		wide ourrest me	iling oddrooo	. Attaa	h additional about the los	for low a links
					h additional sheets/labels	
Established Lake E	loard Contact Person	Mailir	ng Address		City	State and Zip Code
Lake Association	rtu ouraora					
List all adjoining prope		ad information for	the first adjaint	na naraal	that is not owned by you.	
Property Owner's Nan		Mailing Addr		ng parcel		State and Zin Onda
n/a General Permit			660		City	State and Zip Code

DEC

DE

#### 9 Applicant's Certification

#### Read carefully before signing.

I am applying for a permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application; that it is true and accurate; and, to the best of my knowledge, that it is in compliance with the State Coastal Zone Management Program. I understand that there are penalties for submitting false information and that any permit issued pursuant to this application may be revoked if information on this application is untrue. I certify that I have the authority to undertake the activities proposed in this application. By signing this application, I agree to allow representatives of the DEQ, USACE, and/or their agents or contractors to enter upon said property in order to inspect the proposed activity site before and during construction and after the completion of the project. I understand that I must obtain all other necessary local, county, state, or federal permits and that the granting of other permits by local, county, state, or federal agencies does not release me from the requirements of obtaining the permit requested herein before commencing the activity. I understand that the payment of the application fee does not guarantee the issuance of a permit.

of the application rec does not gud	diffeo dia loodanao ar a perma	/	
Property Owner G Agent/Contractor C Corp. or Public Agency / Title	Printed Name Ronz d A. OSON Chiel of Parks & Rec.	Signature	Date 8/30/18

10 Pr	ojects Impacting Inland Lakes, Strea	ms, Gre	at Lake	s, Wetlan	ds or Floodplai	ins	
Con	nplete only those sections A through M appl	icable to	your proj	ect.			
	our project impacts wetlands also complete s						
To c     and	calculate volume in cubic yards (cu yd), mult divide by 27. Example: (25 ft long x 10 ft w	iply the a ide x 2 fe	verage le et deep)	ength in fee / 27 = 18.5	t (ft) times the ave cubic yards	rage width	(ft) times the average depth (ft)
	ne projects on the Great Lakes require an ap						
features	vide a black and white overall site plan, with existing structures; and the location of all pl s. Review Appendix B and EZ Guides for a	oposed a	structure	<ol><li>land char</li></ol>	nge activities and s	ting lakes, s soil erosion	streams, wetlands, and other water and sedimentation control
	vide tables for multiple impact areas or multi					nle culverts	Include your calculations
	r Level Elevation			do manpre	nin drodo or main		
On in	land waters 🗌 NGVD 29 📋 NAVD 88 📋	] other	Ob	served wate	er elevation (ft)	date o	f observation (M/D/Y)
				observed st	ill water elevation.		· · · ·
	ROJECTS REQUIRING FILL (See All Sam						
r⊪Atta ⊯≯For	ch a site plan and cross-section views to sc multiple impact areas on a site provide a ta	ale show ble with I	ing maxi ocation,	num and a dimensions	verage fill dimensi and volumes for e	ons with ca each fill are	liculations. a.
Purpo		ection	🗌 boa	t ramp	🛄 boat well	🗌 bridge	e or culvert
	🗌 riprap		🗌 sea	wall	🗌 swim area	🗌 other	
Dimensio Length	ns of fill (ft) Width Maximum Depth		Total v	olume (cubi	c yards)	Volume b	elow OHWM (cubic yards)
Maximum	water depth in fill area (ft)		Area fil	ed (sq ft)			fabric be used under proposed fill? Yes (If Yes, type)
Fill will ex	tend feet into the water from the sho	reline and	d upland	feet	out of the water.		
Type of c	lean fill 🗌 peastone 🦷 🛛 sa	ind	% 🔲	gravel	%		
Source of					ation on site plan.		
🕅 B. PR	OJECTS REQUIRING DREDGING OR EX				cription of location		
	to www.mi.gov/iointpermit for spoils dispos			•			
	a site plan and cross-section views to scale					cavation di	mensions with calculations.
⊯For m	ultiple impact areas on a site provide a table	with loca	ation, din	ensions ar	d volumes for eac	h dredge/e	xcavation area.
Purpose	🔲 boat ramp	🗌 boa	at well	I	bridge or culver	rt 🗌	] maintenance dredge
	navigation	🗌 рог	nd/basin	I	⊠ other soil boriı	ngs	
Dimension	ns (ft) <i>" día. auger</i> Width - Maximum Depth (	ĵ+-		Total tbd	volume (cu yds)	Vc ali	plume below OHWM (cu yds)
	ame area been previously dredged?		🗌 Yes	-T	provide date and p		
Will the pr	eviously dredged area be enlarged?	🗌 No			when and how muc		
Is long-ter	m maintenance dredging planned?	🗌 No	🗌 Yes	If Yes, h	ow often? n/a		·
Dredge or	Excavation Method ] Hydraulic ] M	echanica	∣⊠ otł	ner soil bor	ing		
	Dredged or excavated spoils will be place	d 🖾 on	-site 📋	landfill 📋	USACE confined	disposal fa	acility 🛛 other upland off-site
sal	For disposal, provide a Detailed spoils c	lisposal a	irea loca	tion map ar	id site plan with pr	operty line:	5.
Spoils Disposal					f spoils disposal si		······
	For volumes less than 5,000 cu yards, has ☐ No ☐ Yes ➡If Yes, provide test res	s propose ults with a	ed dredg a map of	e material b sampling k	een tested for con ocations.	itaminants	within the past 10 years?
🗌 C. PRO	DJECTS REQUIRING RIPRAP (See Sampl	e Drawin	gs 2, 3, 8	8, 12, 14, 22	2, and 23)		
Riprap wa	ter ward of the ordinary high water mark: di	mensions	s (ft) ler	gth	width dept	th	Volume(cu yd)
Riprap lan	dward of the ordinary high water mark: dim	ensions (	ft) len	gth	width dept	h	Volume(cu yd)
• •	size of riprap (inches)			Will filter fa	ibric or pea stone	be used ur	der proposed riprap?
🗌 field st	one 🔄 angular rock 🔄 othe	r		No 🗆			

DEQ

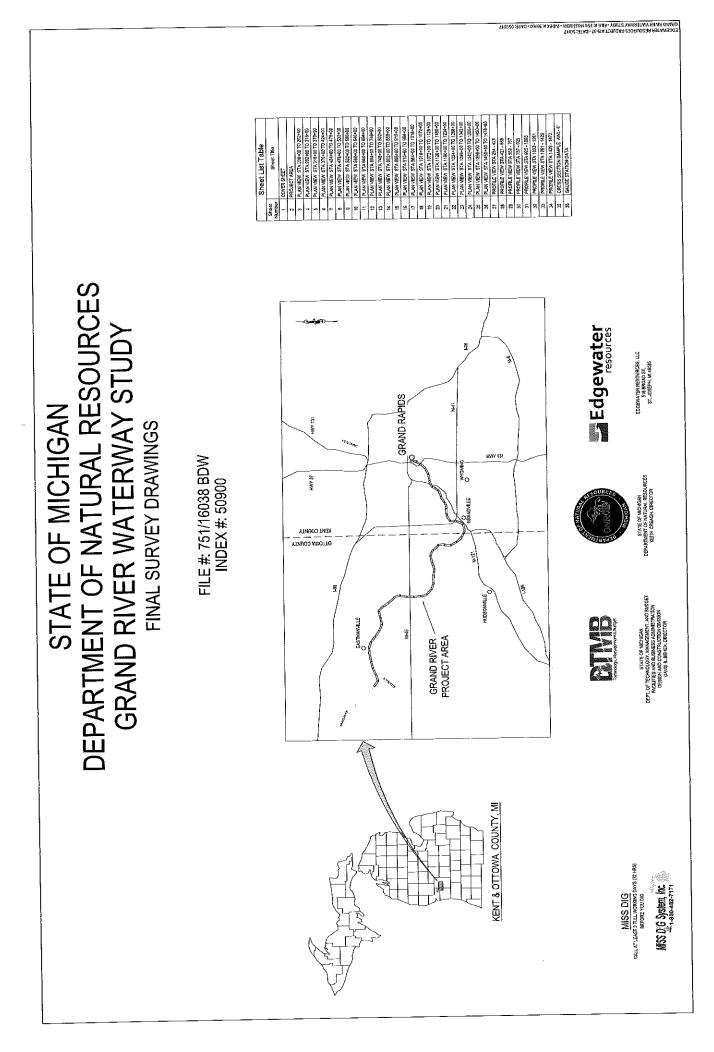
Purpose of buc	oss-section drawing(s) showing		ntific structures	🗌 swir	nming	other
Number of	Dimensions of buoys (ft)		· · · · · · · · · · · · · · · · · · ·		Boat Lengths	Type of anchor system
uoys	width height	swing radius	chain length			
luoy Location:	Latitude . N	Longitude			or multiple buoys	
o you own the	e property along the shoreline?	No Yes				the property owner(s).
o you own th	e bottomlands?	🗋 No 📋 Yes	➡ If No, attach an	n authoriz	ation letter from	the property owner(s).
L. FENCES				·		
	n overall site plan showing the p	proposed fencing through	streams, wetlands o	and dist	ains. ance from croun	d to bottom of fence
-	drawing of fence profile showin	ervidae			Securit	
urpose of ence						
otal length (ft	) of fence through		Fence height (ft)		Fence type and	material
treams	wetlands floodplains					
	t - e.g., structure removal, maint orings, or survey activities.	enance or repair, aerator,	dry fire hydrant, gol	d prospe	ecting, habitat str	uctures, scientific measuri
	e Section 10J for outlets and Se	uction of a New Lake ction 17 for water control s	structures.			collinears to postact water
	e Section 10J for outlets and Se elevations, cross-sections and p scribes your proposed water bo recreation  storm water rete for lake/pond	ction 17 for water control s rofiles of outlets, dams, di dy use (check all that app	structures. kes, water control st ly) ter basin 🔲 wildlife	e 🗌 oth	and emergency er	
<ul> <li>Complete</li> <li>Provide e bodies.</li> <li>Which best de</li> <li>mining</li> <li>Mater source</li> <li>groundwate</li> </ul>	e Section 10J for outlets and Se elevations, cross-sections and p scribes your proposed water bo recreation  storm water rete for lake/pond	ction 17 for water control s rofiles of outlets, dams, di dy use (check all that app ention basin	structures. kes, water control st ly) ter basin 🔲 wildlife	e 🗌 oth	and emergency er np 🗌 sewage	
Complete Provide e bodies. Which best de mining Water source groundwate Location of the Maximum dim	e Section 10J for outlets and Se elevations, cross-sections and p scribes your proposed water bo recreation	ction 17 for water control s rofiles of outlets, dams, di dy use (check all that app ention basin	structures. kes, water control st ly) ter basin	e oth	and emergency er np 🗌 sewage	
<ul> <li>⇒Complete</li> <li>⇒Provide e bodies.</li> <li>Which best de</li> <li>mining</li> <li>Water source</li> <li>groundwate</li> <li>Location of the</li> <li>Maximum dim</li> <li>length</li> </ul>	e Section 10J for outlets and Se elevations, cross-sections and p scribes your proposed water bo recreation	ction 17 for water control s rofiles of outlets, dams, di dy use (check all that app ention basin	structures. kes, water control st ly) ter basin	iructures	and emergency er np 🗌 sewage	☐ other
Complete Provide e bodies. Which best de mining Vater source groundwate cocation of the Maximum dim ength Has the there	e Section 10J for outlets and Se elevations, cross-sections and p scribes your proposed water bo recreation storm water rete for lake/pond er natural springs in e lake/basin/pond floodp ensions (ft) width depth	ction 17 for water control s rofiles of outlets, dams, di dy use (check all that app ention basin	structures. kes, water control st ly) ter basin	e oth	and emergency er upsewage and > If Yes, provide	☐ other
<ul> <li>⇒Complete</li> <li>⇒Provide e bodies.</li> <li>Which best de</li> <li>mining □</li> <li>Water source</li> <li>groundwate</li> <li>Location of the</li> <li>Maximum dim</li> <li>length</li> <li>Has the there</li> <li>Has the DEQ</li> </ul>	e Section 10J for outlets and Se elevations, cross-sections and p scribes your proposed water bo recreation	ction 17 for water control s rofiles of outlets, dams, di dy use (check all that app ention basin	structures. kes, water control st ly) ter basin	e oth	and emergency er p ] sewage and If Yes, provide If Yes, provide	☐ other a copy.

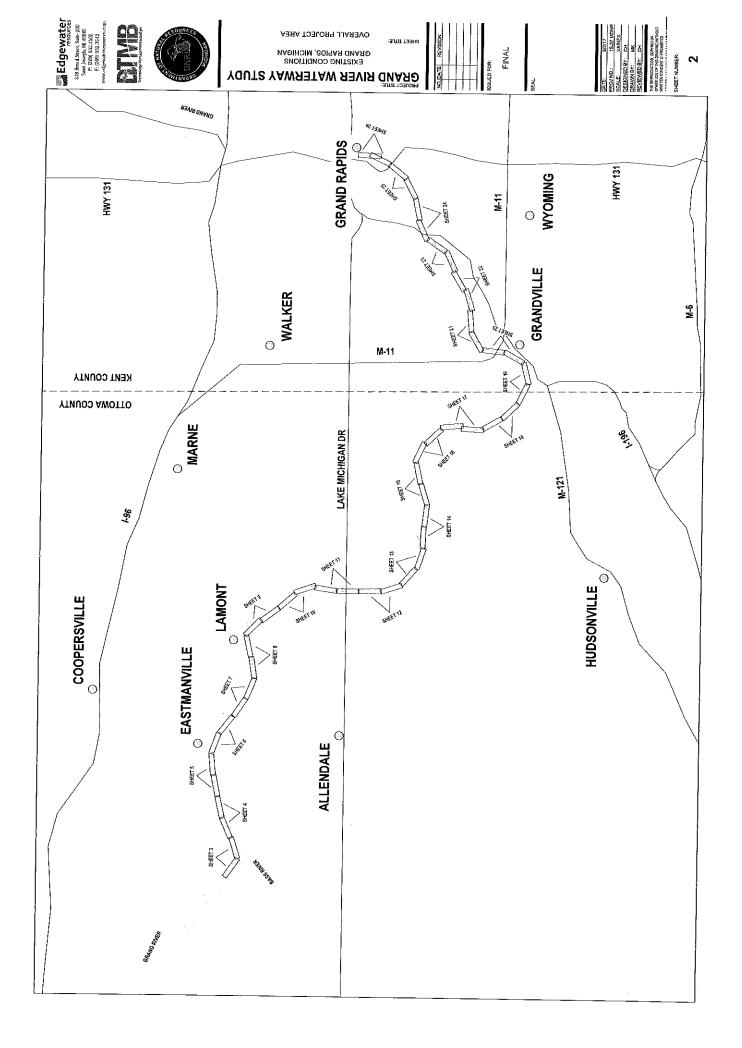
DEQ

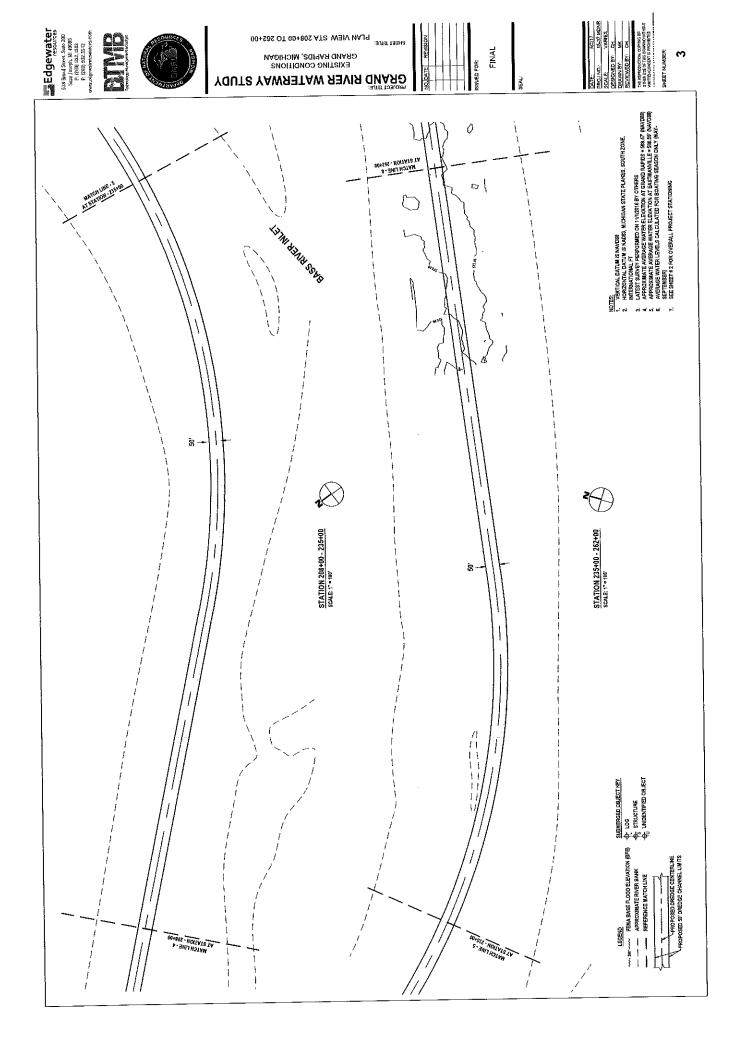


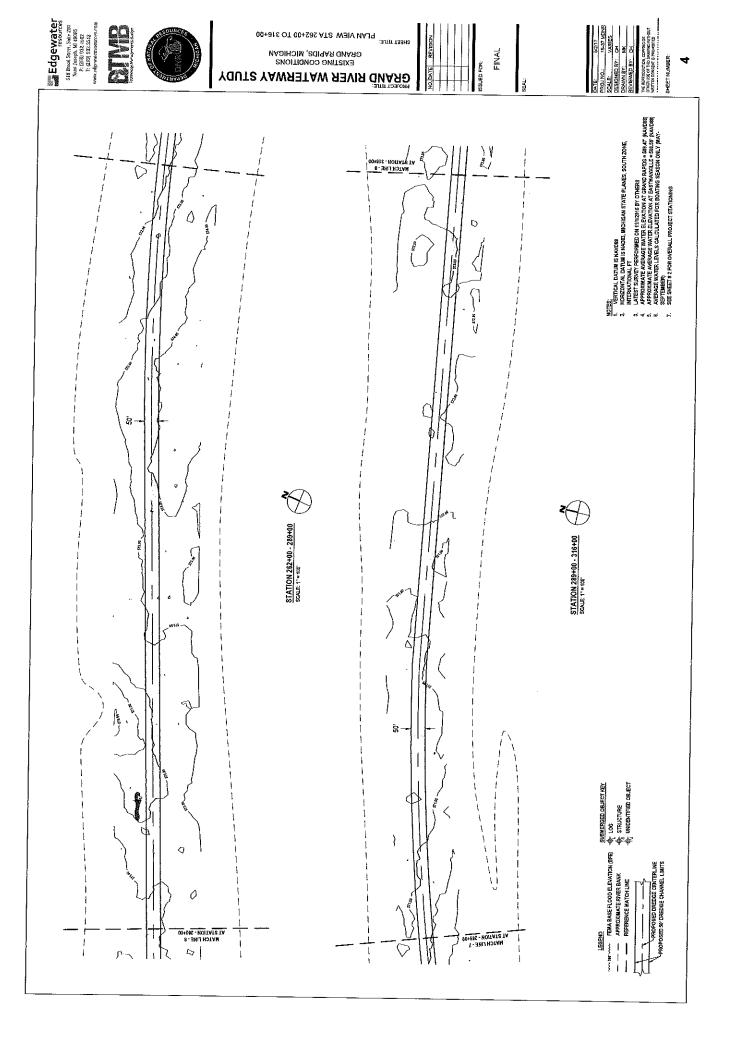
		mes by Station Range	terway - Dredge Volu	nd River Wa	Grai
Number of Soil Borings	Dredge Volume (CY): AWL - 7'	Dredge Volume (CY): AWL - 6'	Dredge Volume (CY): AWL - 5'	Sheet Number	Station Range
0	4	0	0	3	208+00 TO 262+00
- o	1	0	0	4	262+00 TO 316+00
0	0	0	0	5	316+00 TO 370+00
- o	0	0	0	6	370+00 TO 424+00
6	6,168	2,253	333	7	424+00 TO 478+00
6	8,794	3,919	1125	8	478+00 TO 532+00
6	4,382	1,584	189	9	532+00 TO 586+00
6	5,985	2,298	249	10	586+00 TO 640+00
6	5,552	2,200	511	11	640+00 TO 694+00
- 6	5,768	1,847	94	12	694+00 TO 748+00
6	7,260	3,230	555	13	748+00 TO 802+00
6	19,015	10,291	2978	14	802+00 TO 856+00
6	6,139	1,475	73	15	856+00 TO 910+00
6	2,269	843	98	16	910+00 TO 964+00
- O	447	0	0	17	964+00 TO 1018+00
2	1,421	175	0	18	1018+00 TO 1072+00
- o	0	0	0	19	1072+00 TO 1126+00
6	7,058	3,835	1233	20	1126+00 TO 1180+00
2	1,417	42	0	21	1180+00 TO 1234+00
1	1,190	55	0	22	1234+00 TO 1288+00
1 1	687	160	45	23	1288+00 TO 1342+00
6	4,690	1,844	536	24	1342+00 TO 1396+00
6	8,491	4,709	2244	25	1396+00 TO 1450+00
3	995	194	0	26	1450+00 TO 1478+00
87	97,732	40,956	10,263		Dredge Volume Total for Entire Project Length:

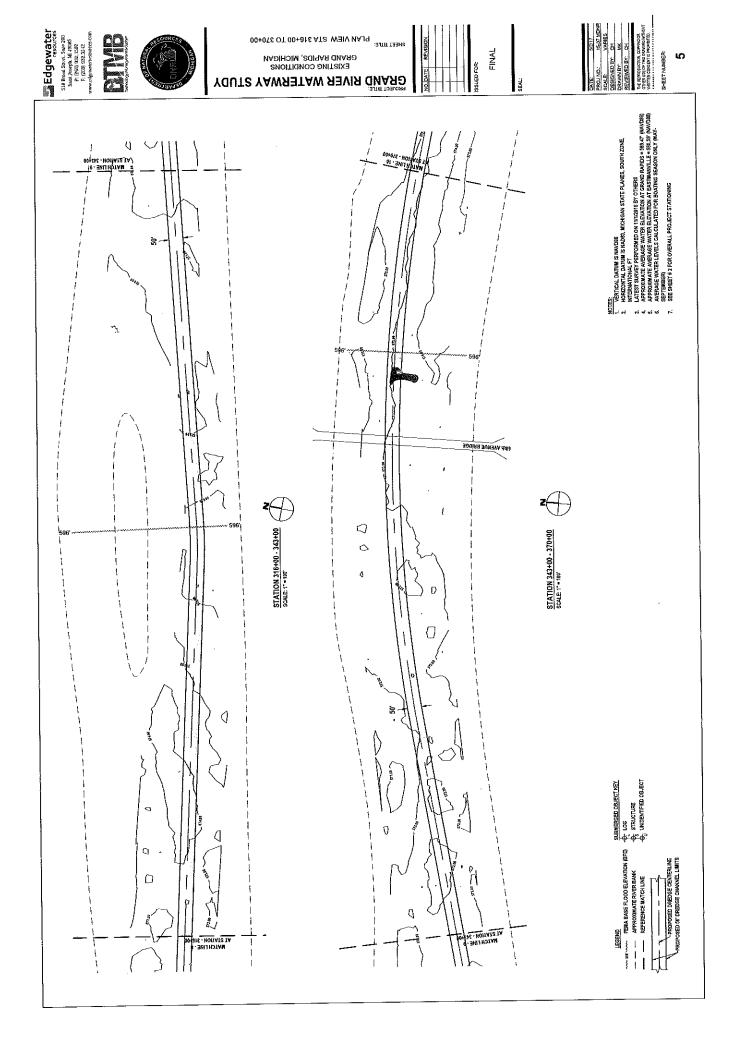
Table 2. Estimated Dredging Quantities for 50' Wide Navigation Channel

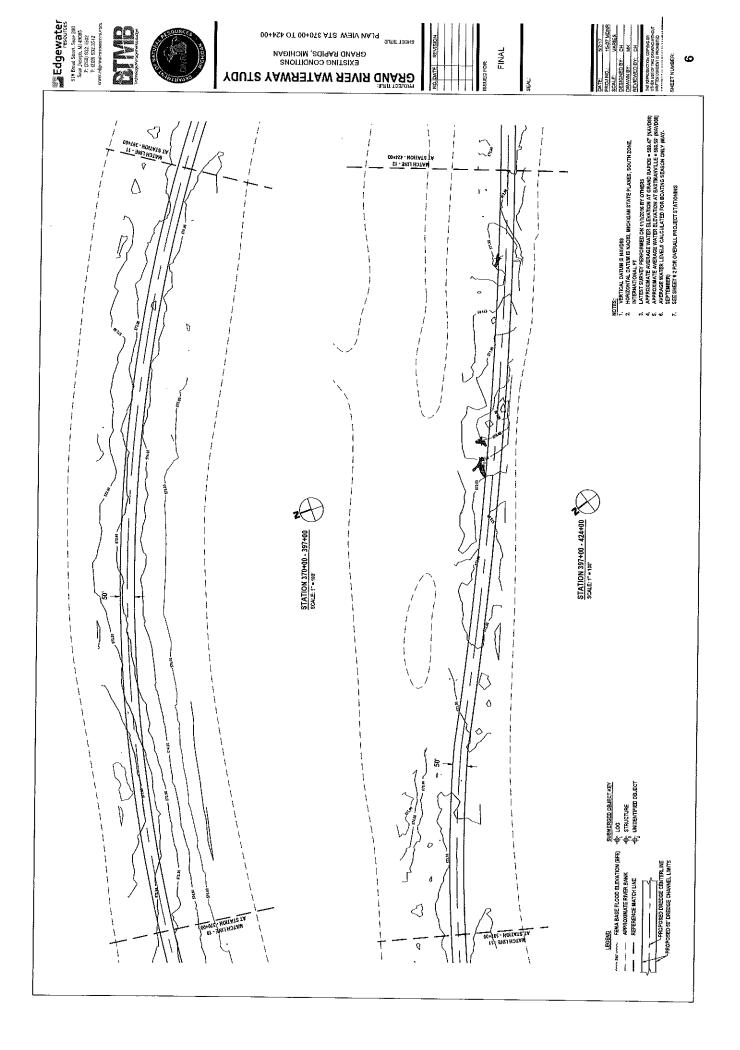


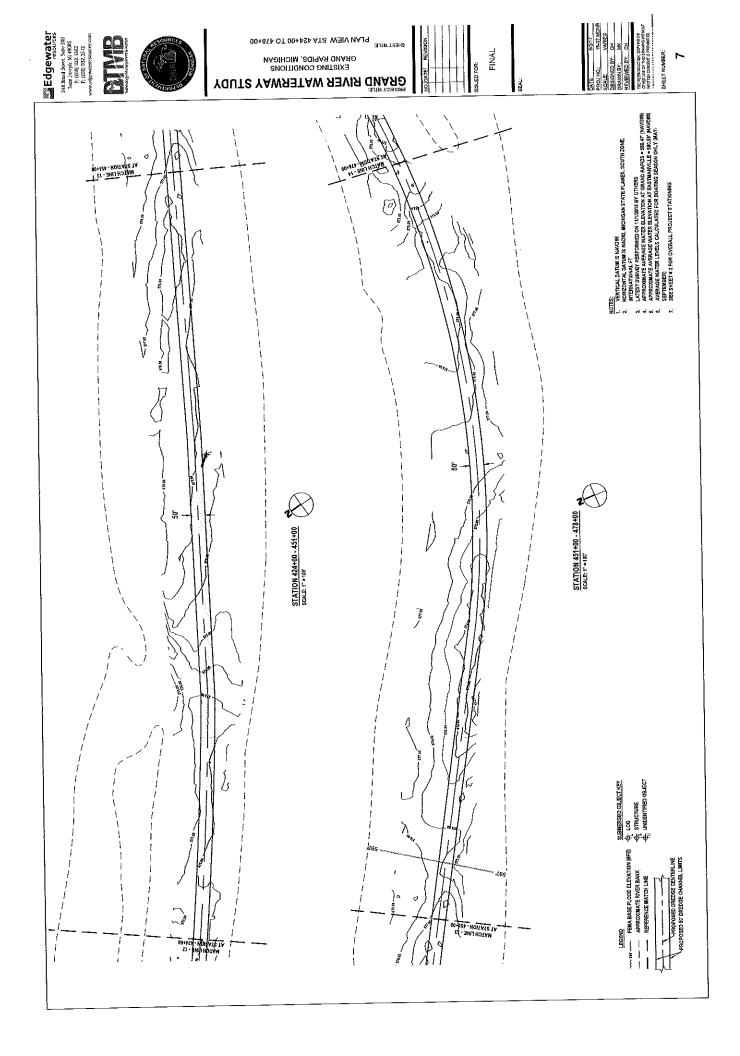


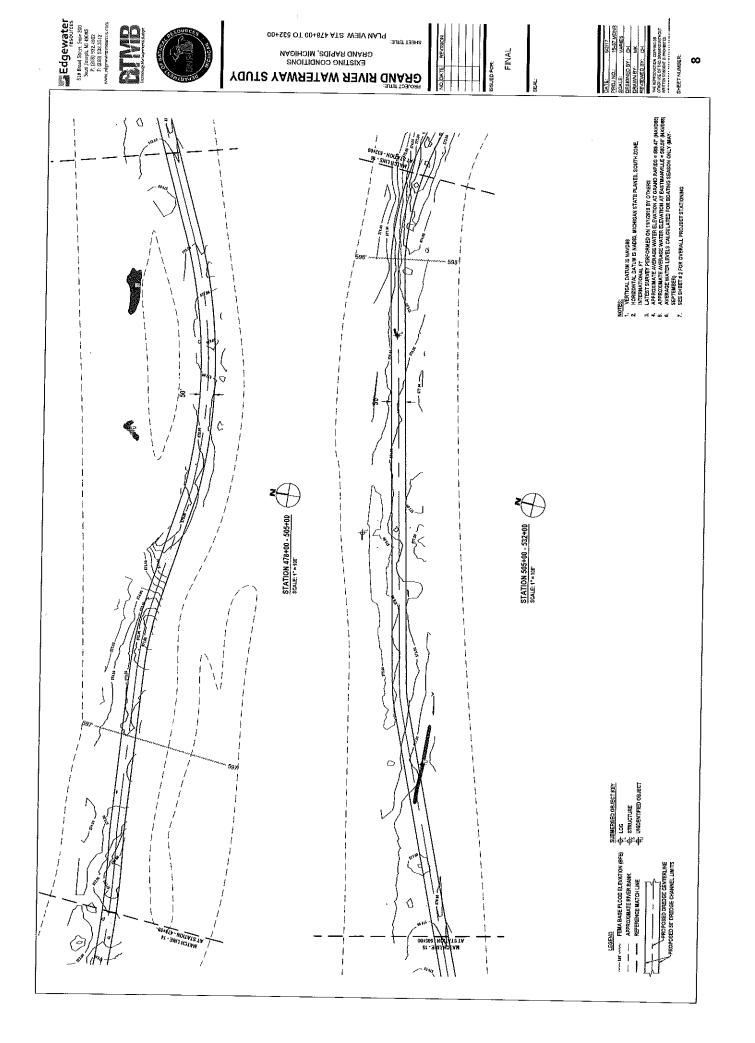


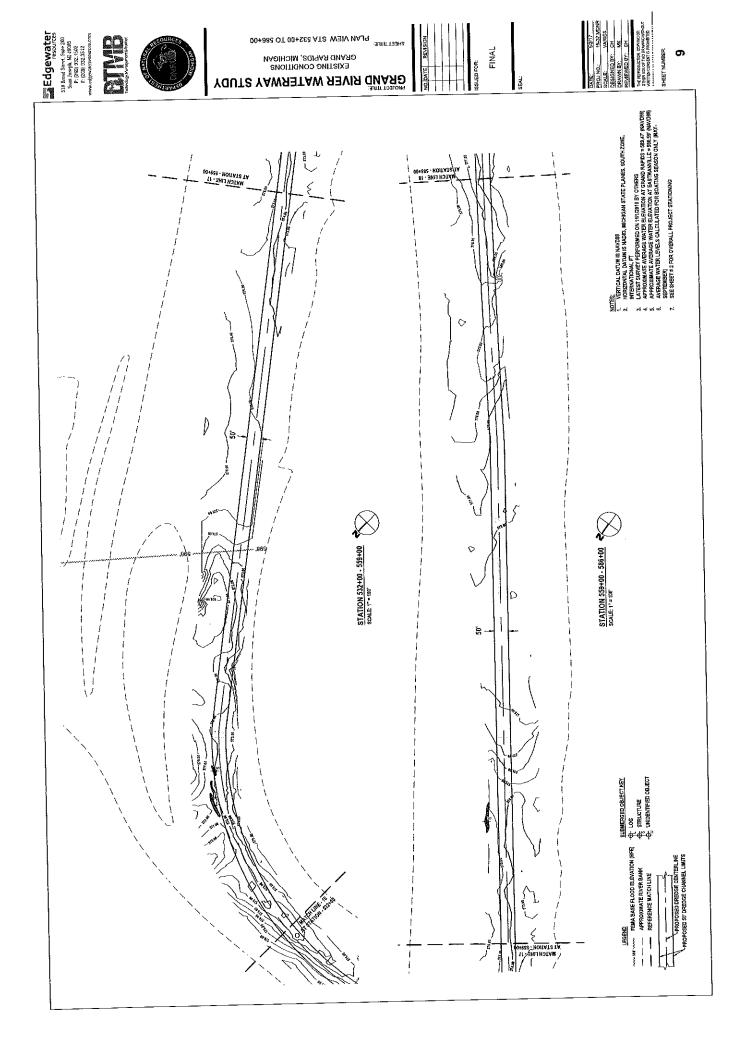


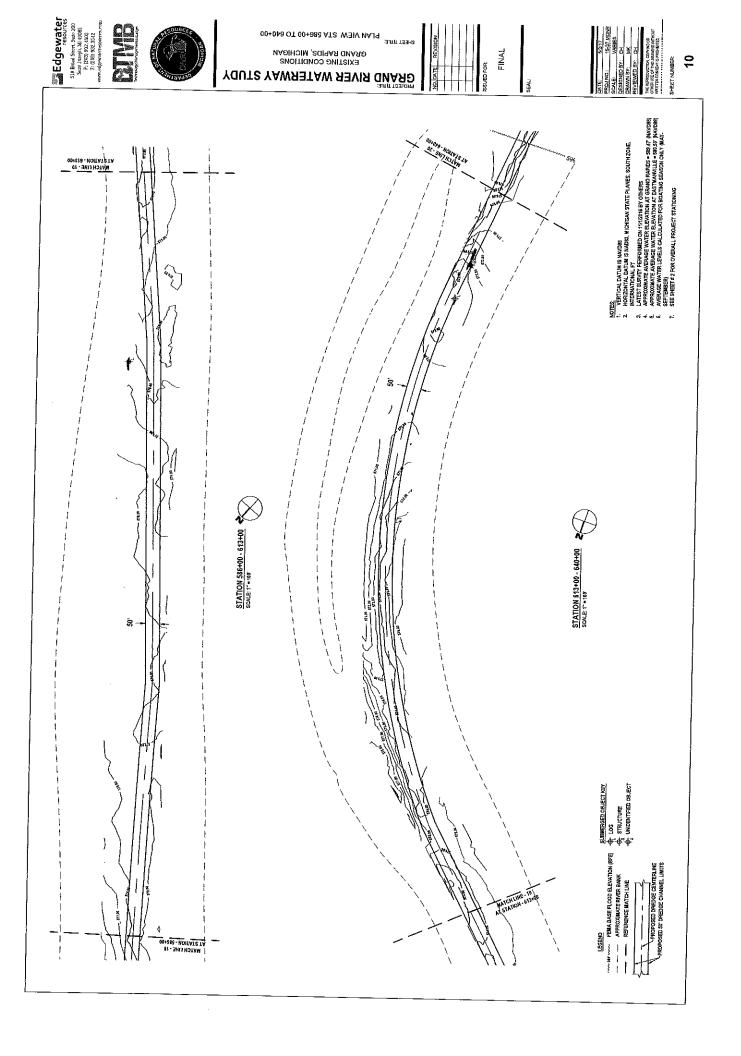


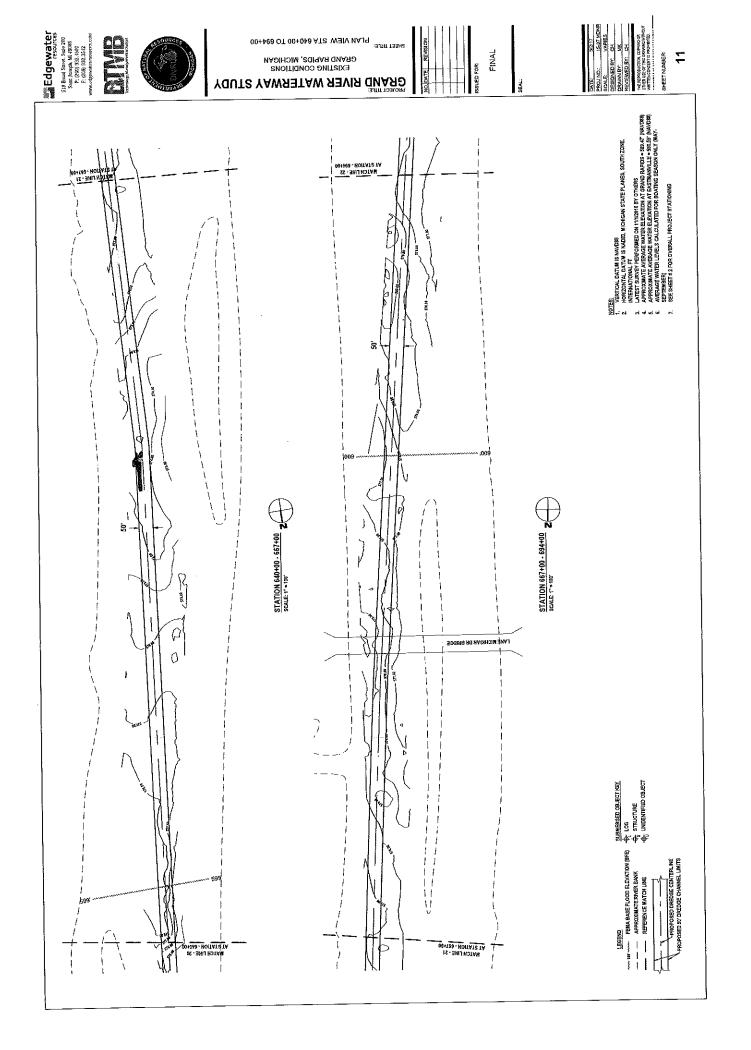


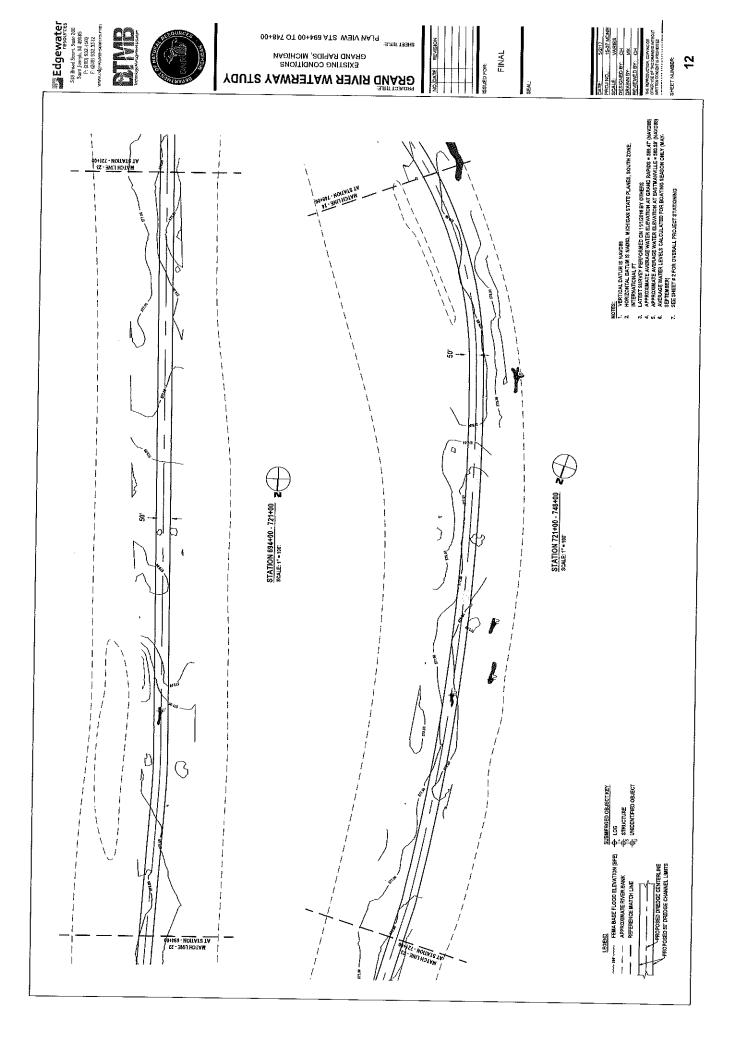


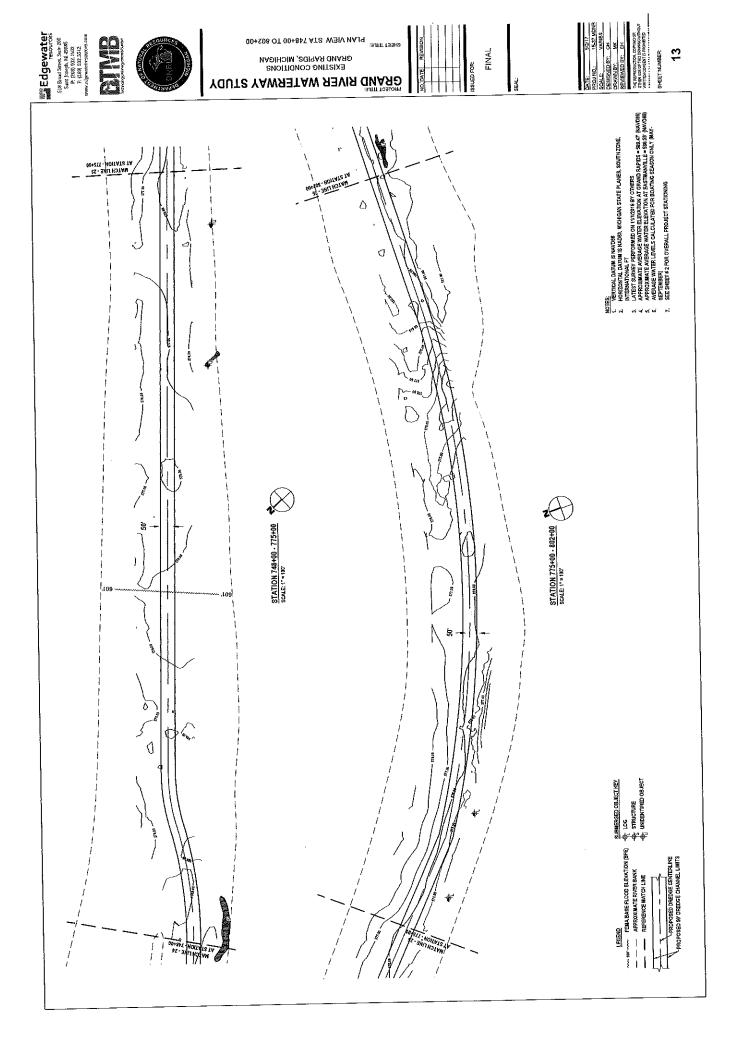


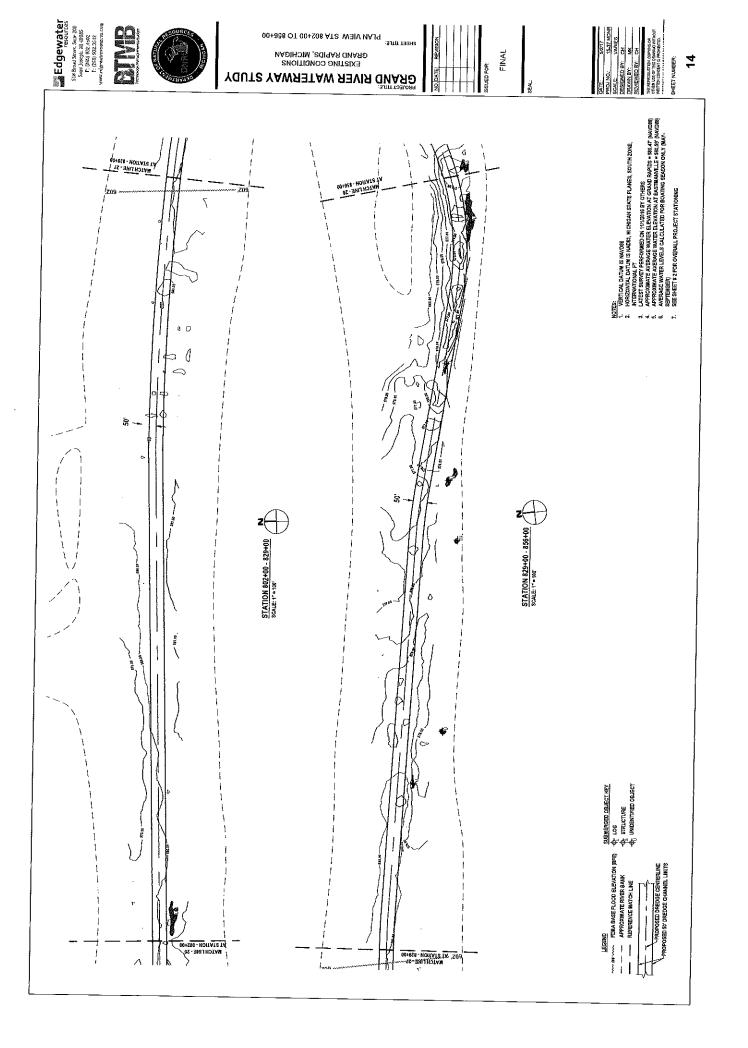


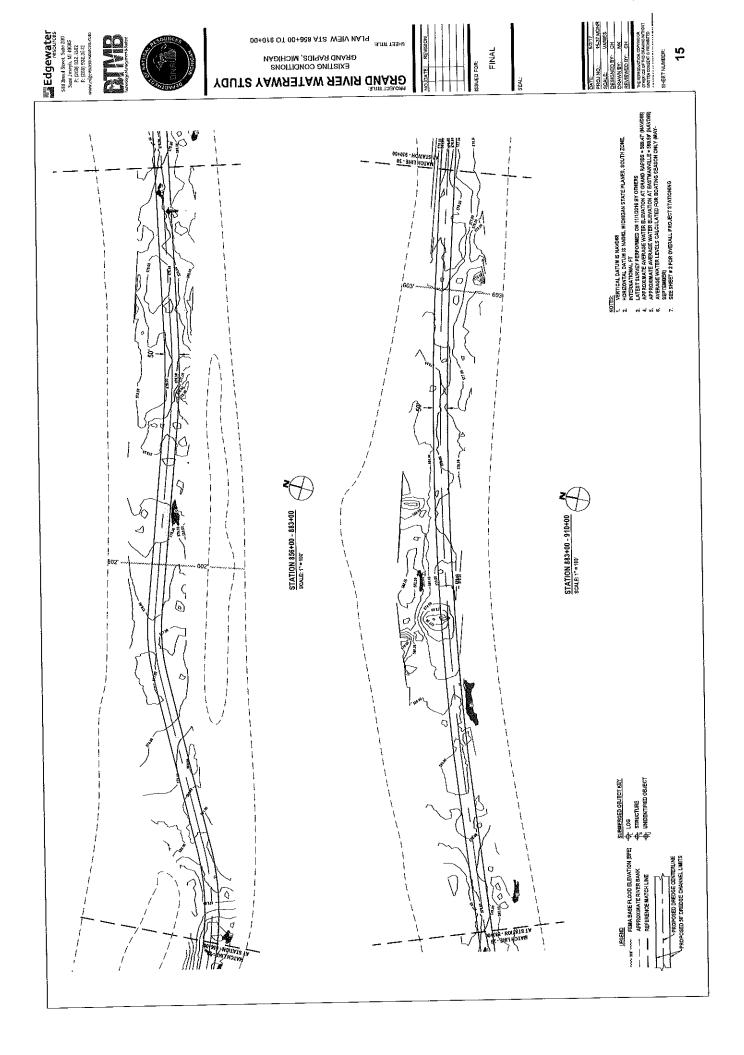


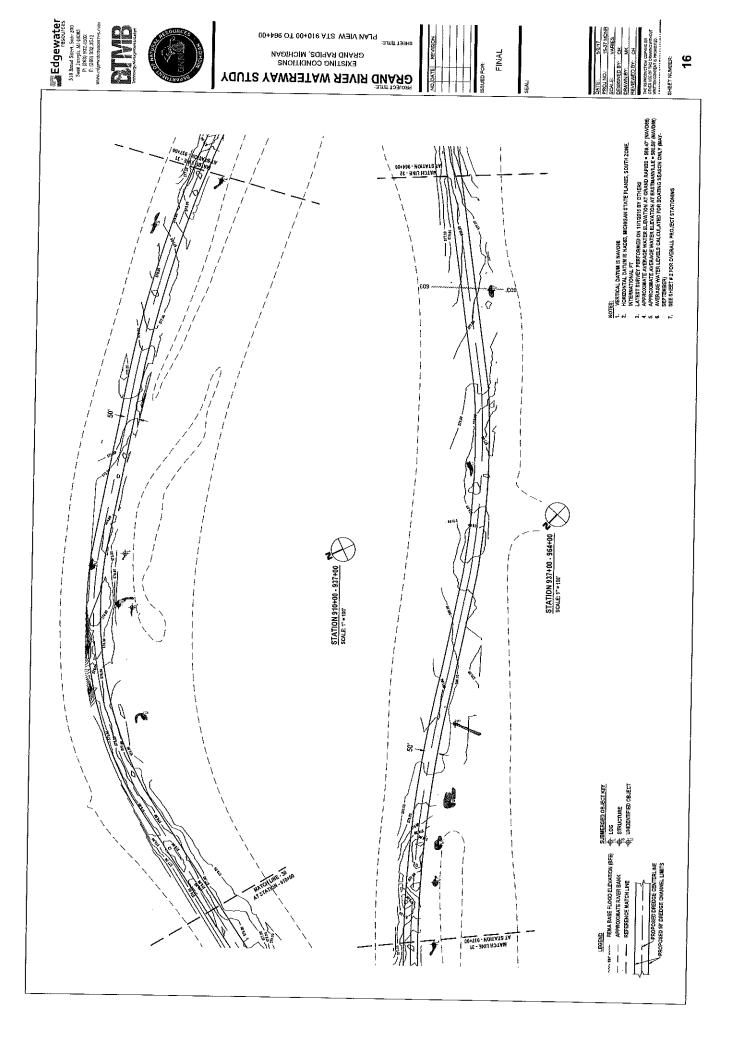


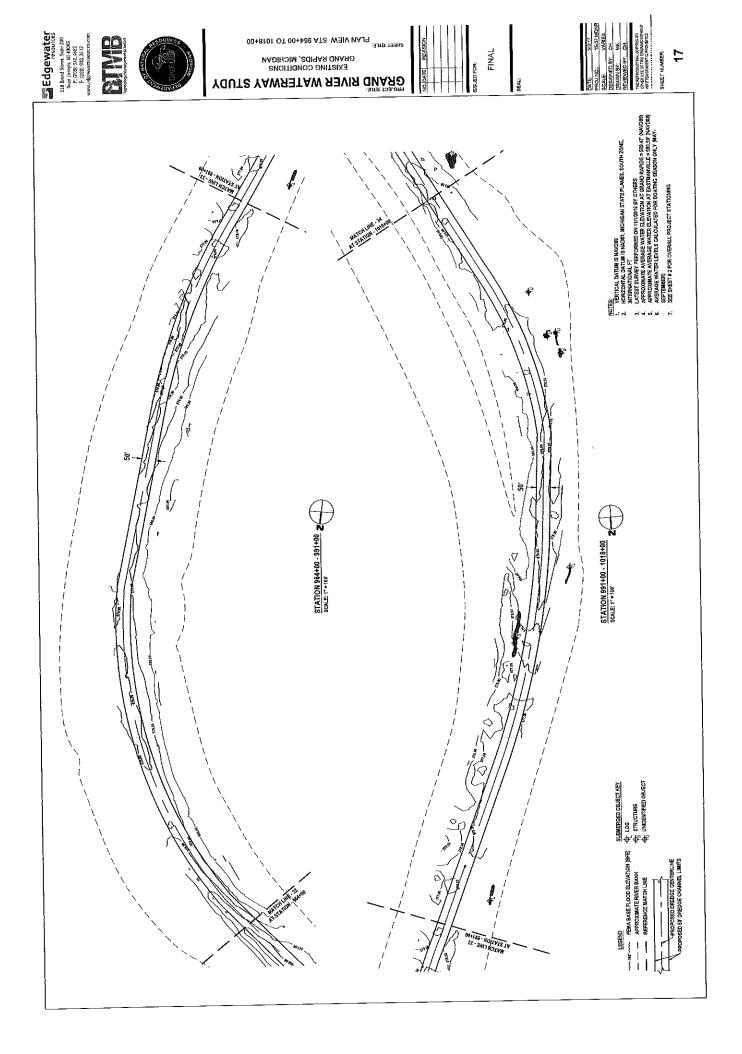


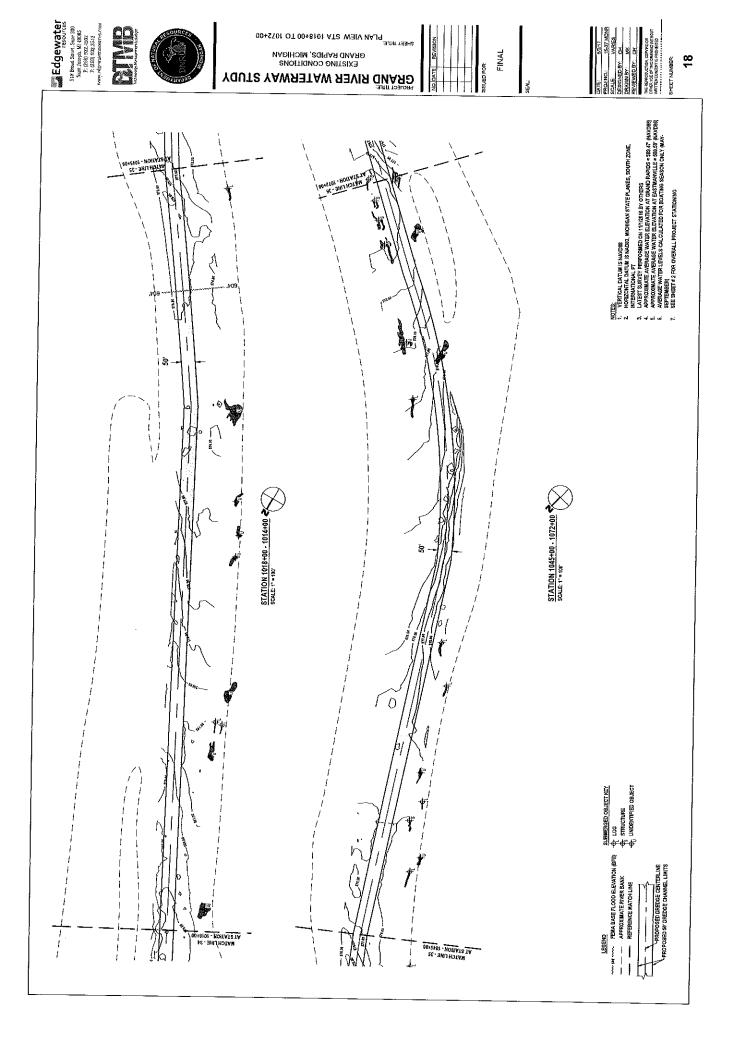


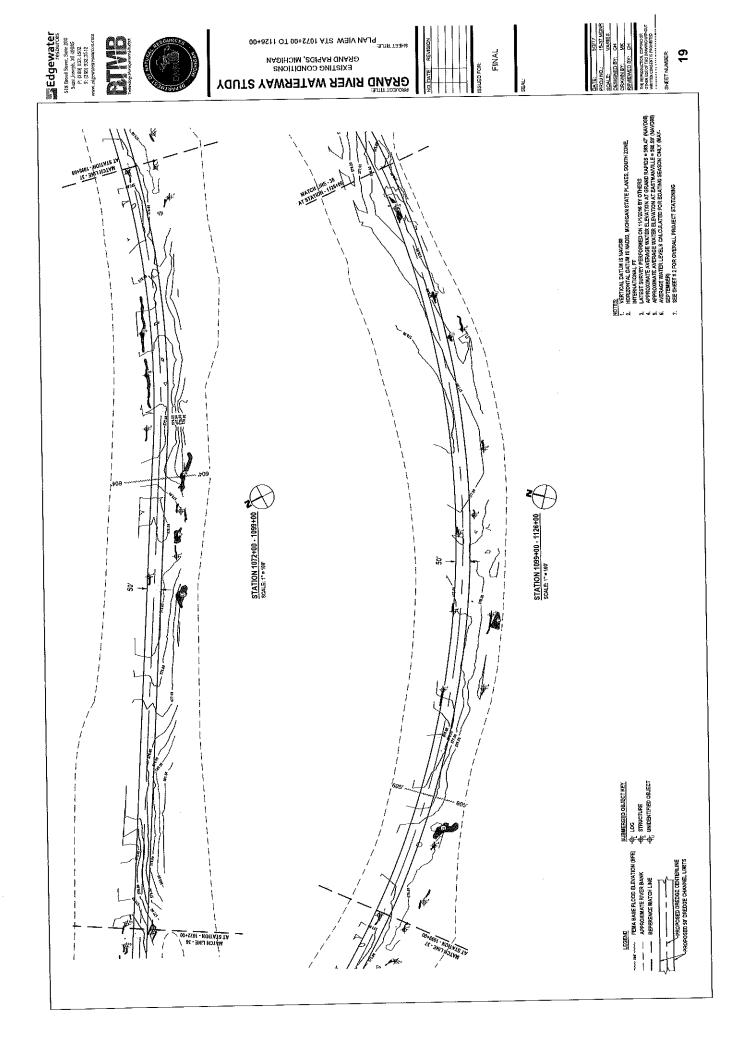


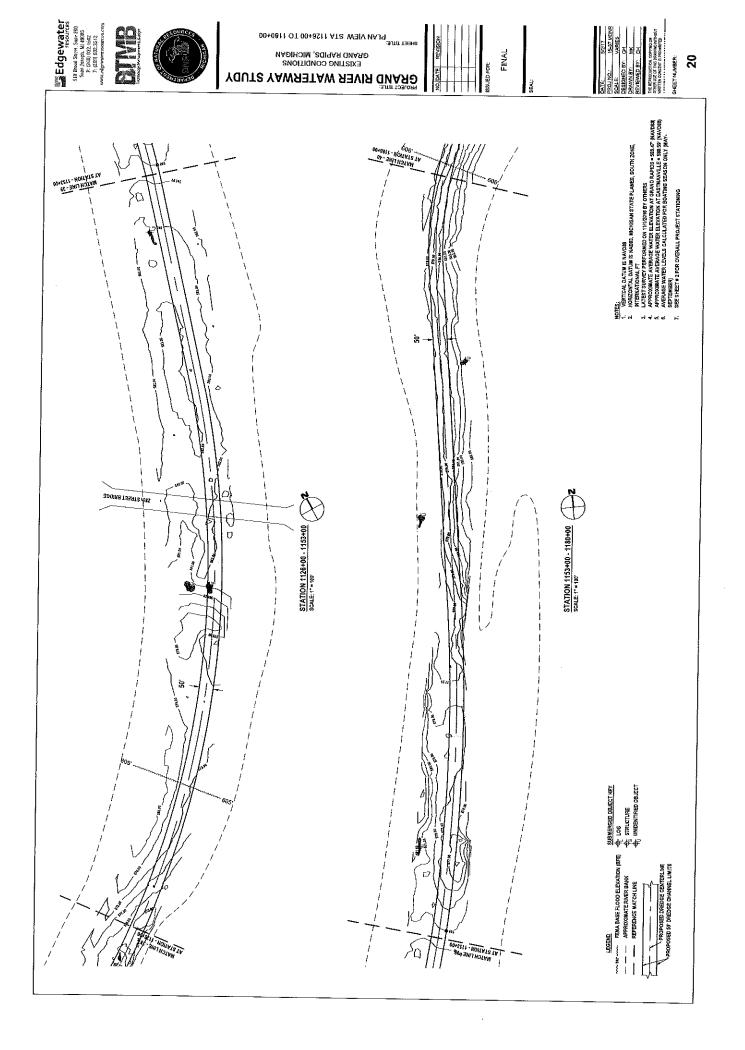


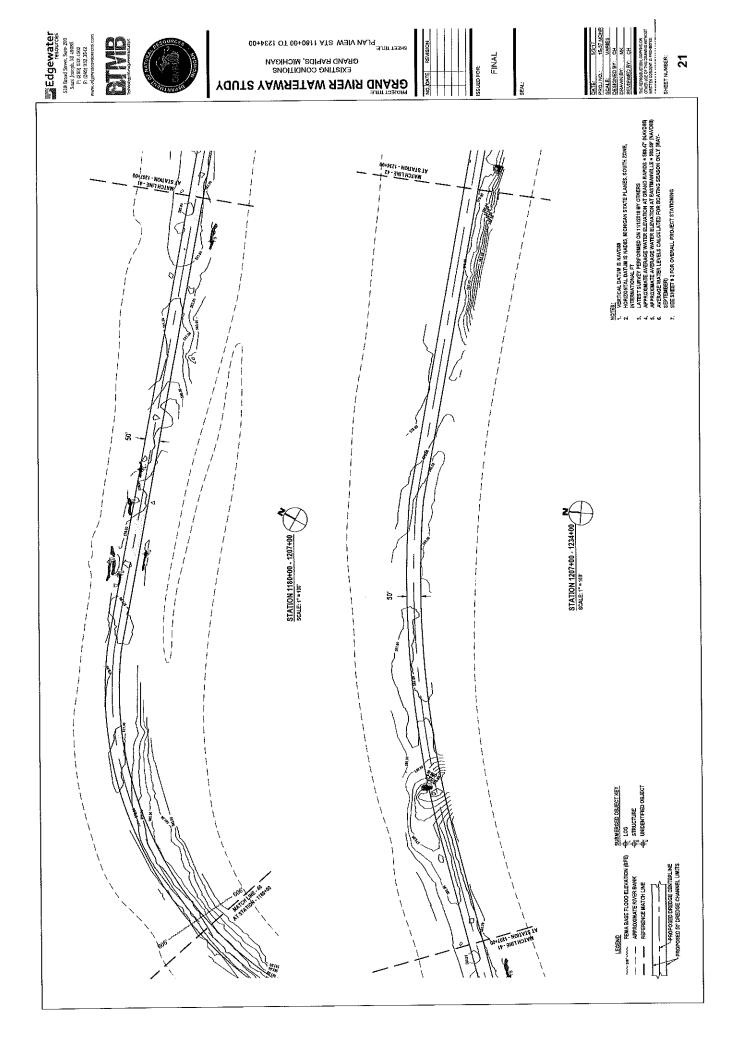


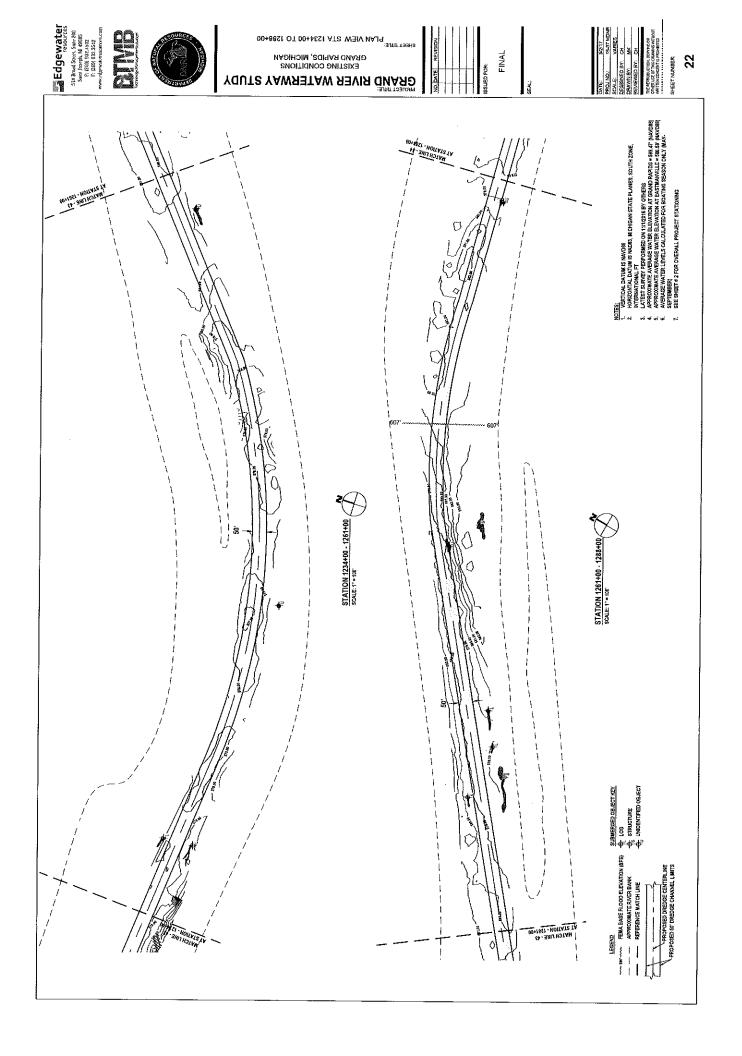


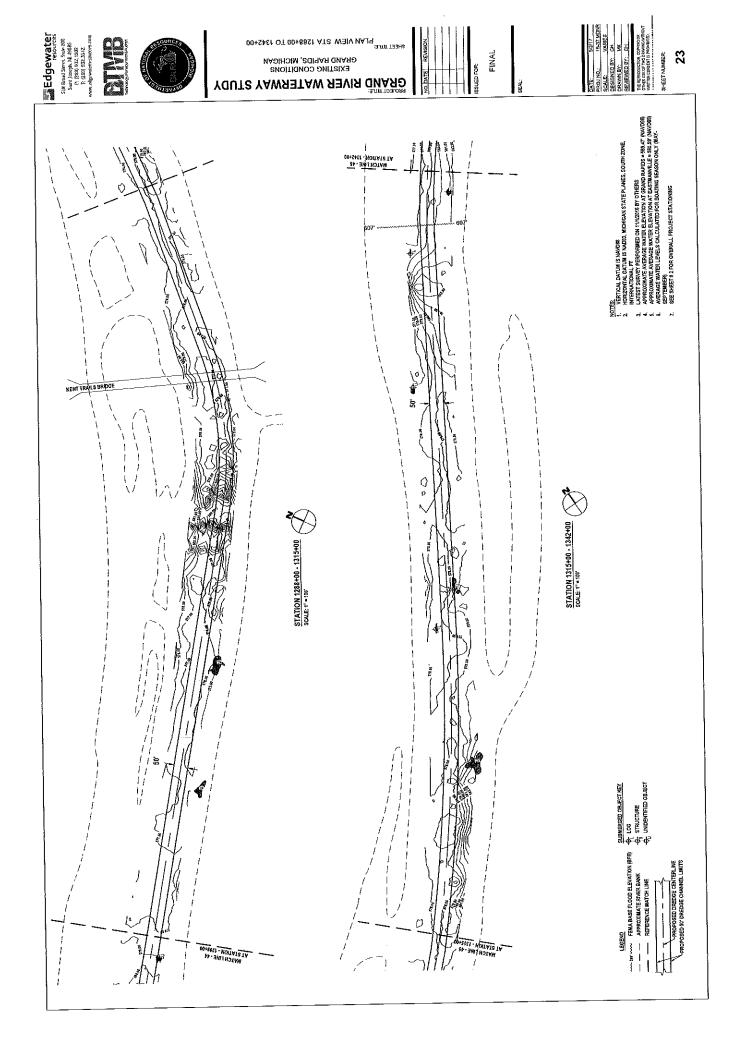


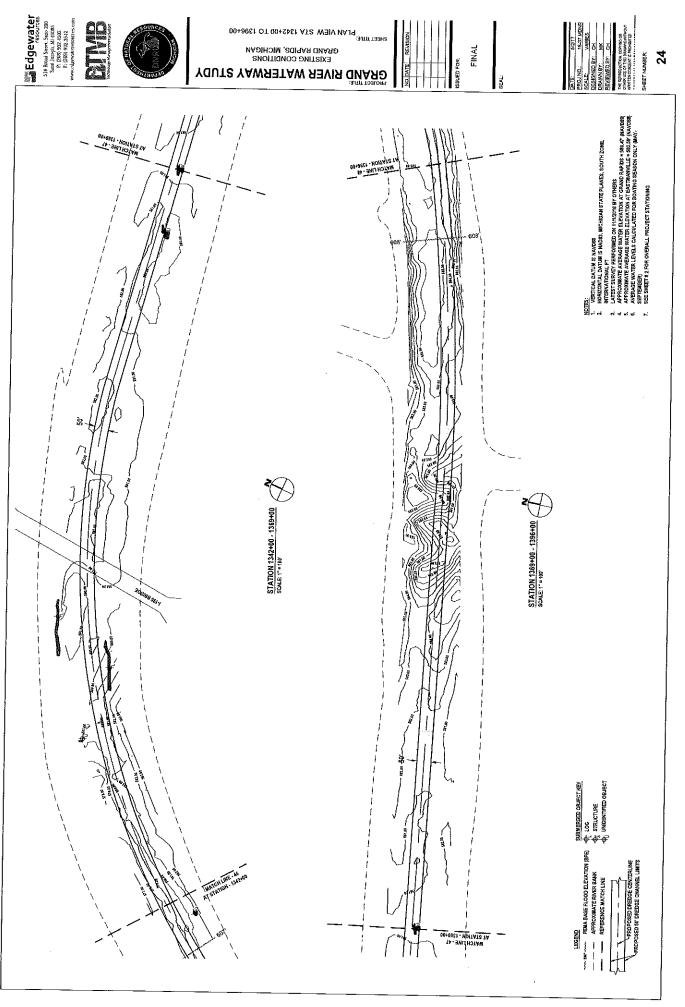




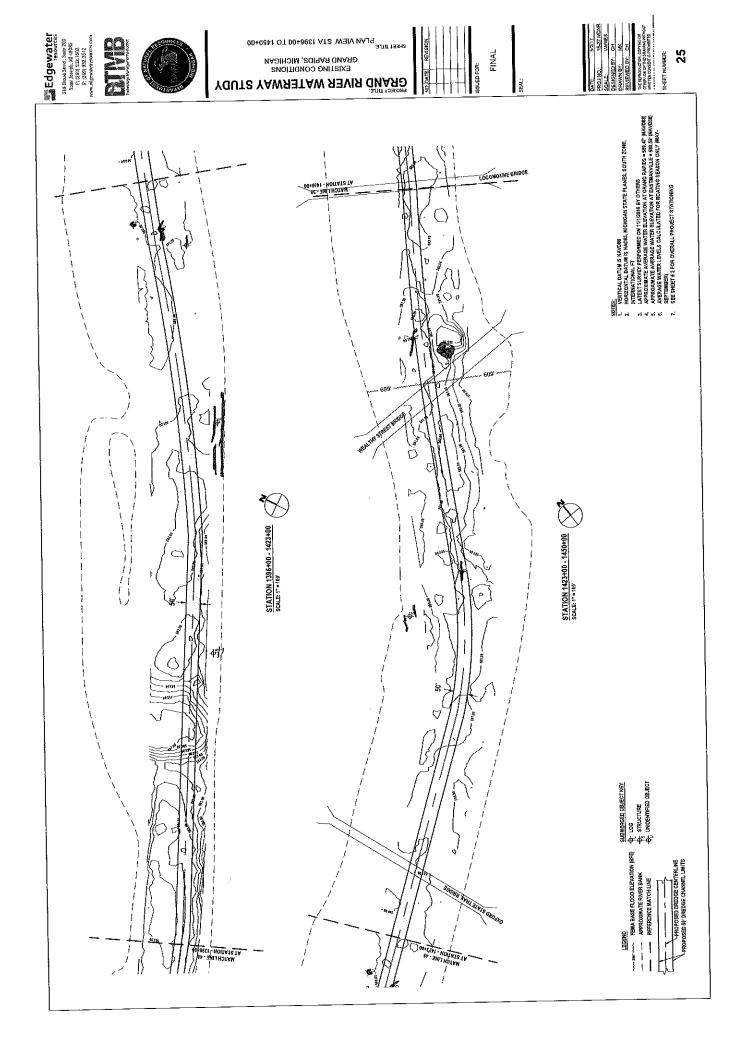


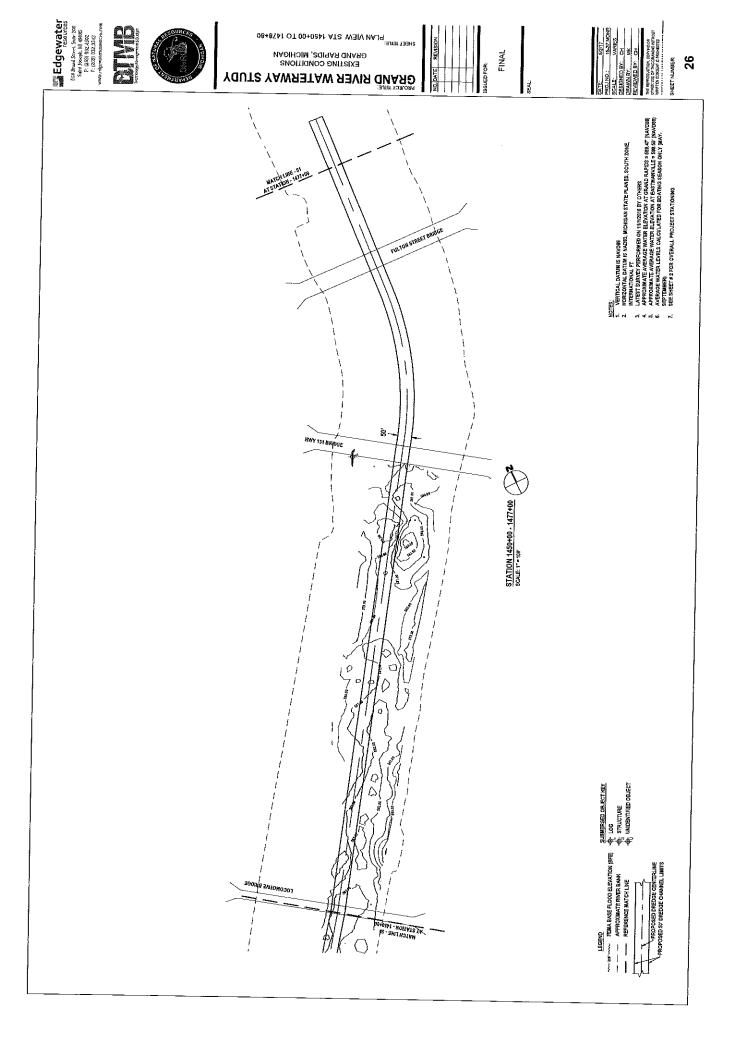




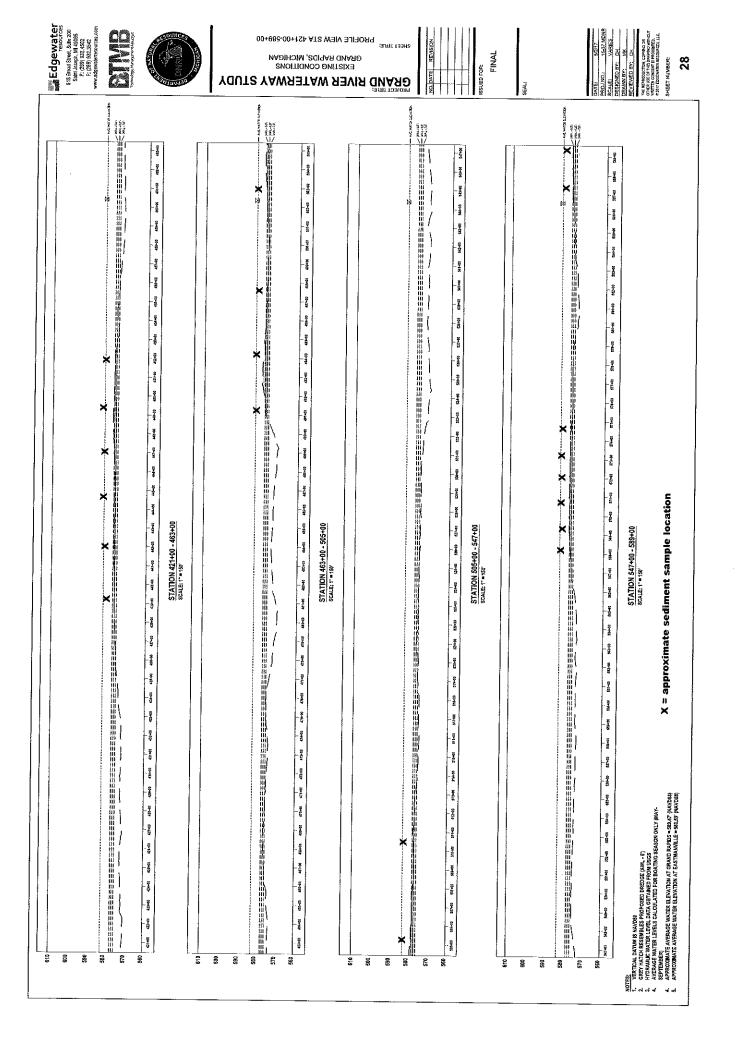


÷

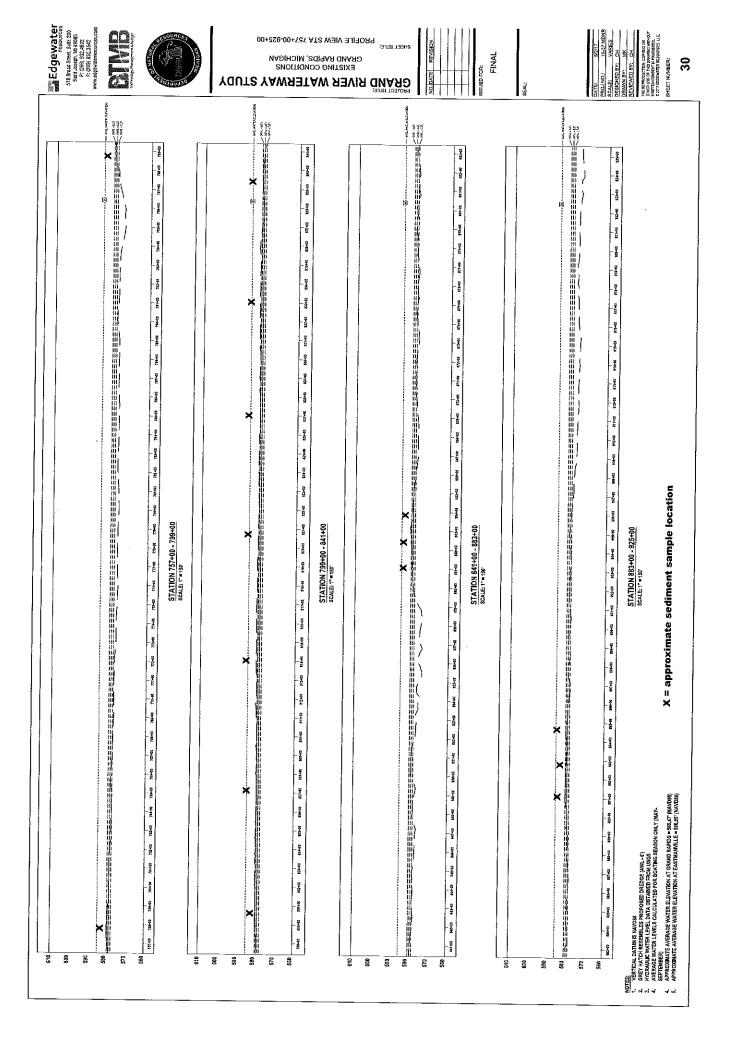




YOUTS YAWATTAW ASULUS AND		A construction of the second o
00         00         00         01         02         02         03         04         05         05         06         07         08         09         09         01         02         03         04         05         05         06         07         08         09         010         02         02         03         04         04         05         04         05         05         06         06         07         08         08         09         010         010         010         010         010         010         010         010         010         010         010         010         010         010	50         50         51         51         100       100         52         100       100         51         100       100         52         100       100         53         100       100         54         100       100         55         100       100         56         100       100         57         100       100	Statistical contractions       Statisticonticontractions       Statisticontic



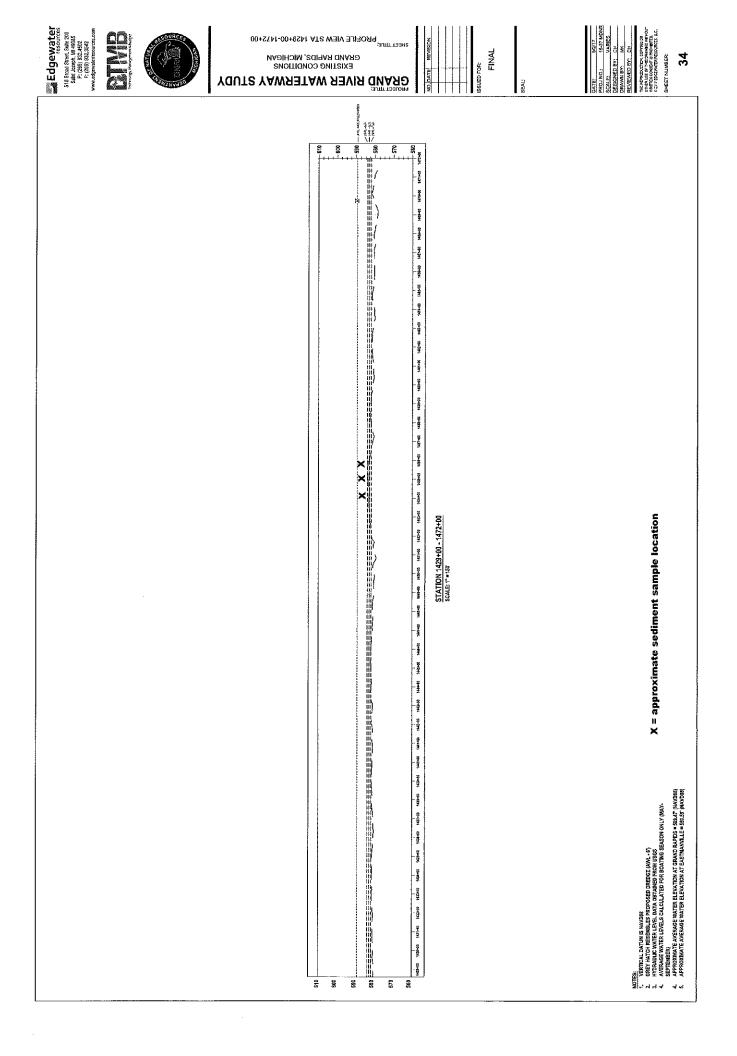
Statistical statisti statis statistical statistical statistical statistical statistis	P: (200) 332.3512 VWW.MCRESSINCES.CODE
- unit unive and unit unit unit unit unit unit unit unit	
STATION 589-60 - 631-60 sould: 1 - 1/58	and the second se
	A None
	Yau.
	N∀ÐI SN
that the teel the decision and the best teel teel teel teel teel teel teel t	<b>АТЕР</b> ојтјаиос ре, місн реева Ат
	) ONITRI) I9an GN,
	ARD The
	BHEEL WD DATE WD DATE WD DATE
12141 THAT 1244 THAT	
STATION 673+00 - 715+00 SCALE: (* - 169	issued For. FINAL
	SEAL
<b>,</b>	
	DATE: 5207
The Teel Teel Teel Teel Teel Teel Teel T	PROJINO: 15-37 MDNS SCALE VARIES DESIGNED BY: CH ORAWN BY: MK
<ol> <li>Teter Name Reservation more an investigation of the second more and used of the second more and t</li></ol>	SHEET NUMBER:

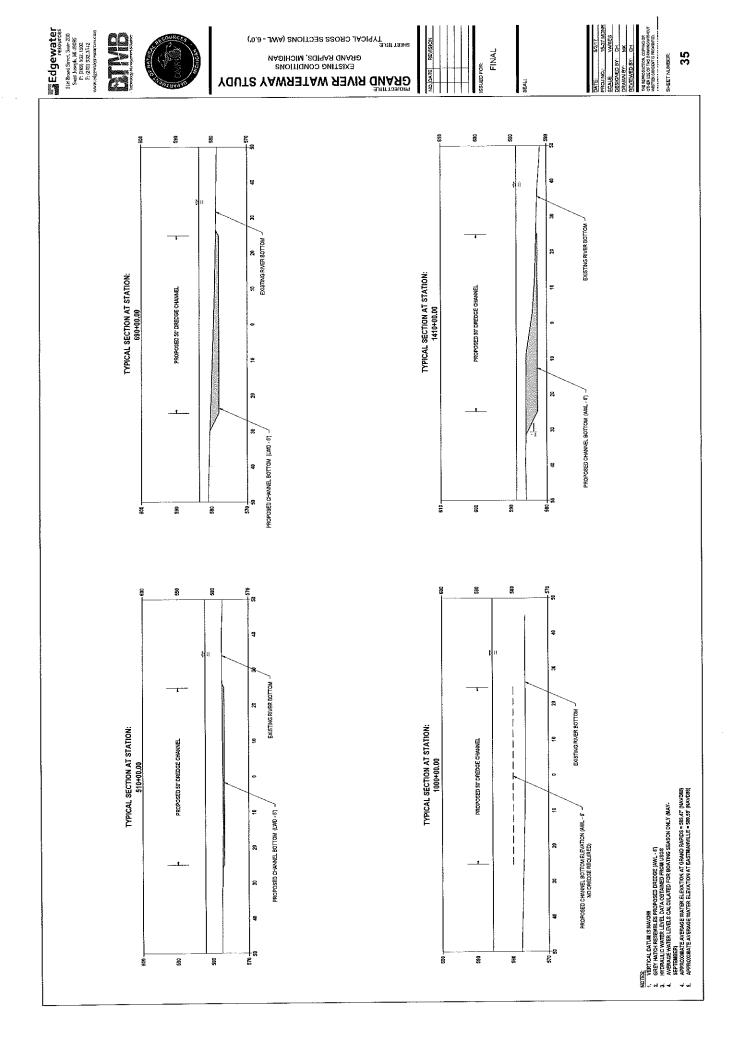


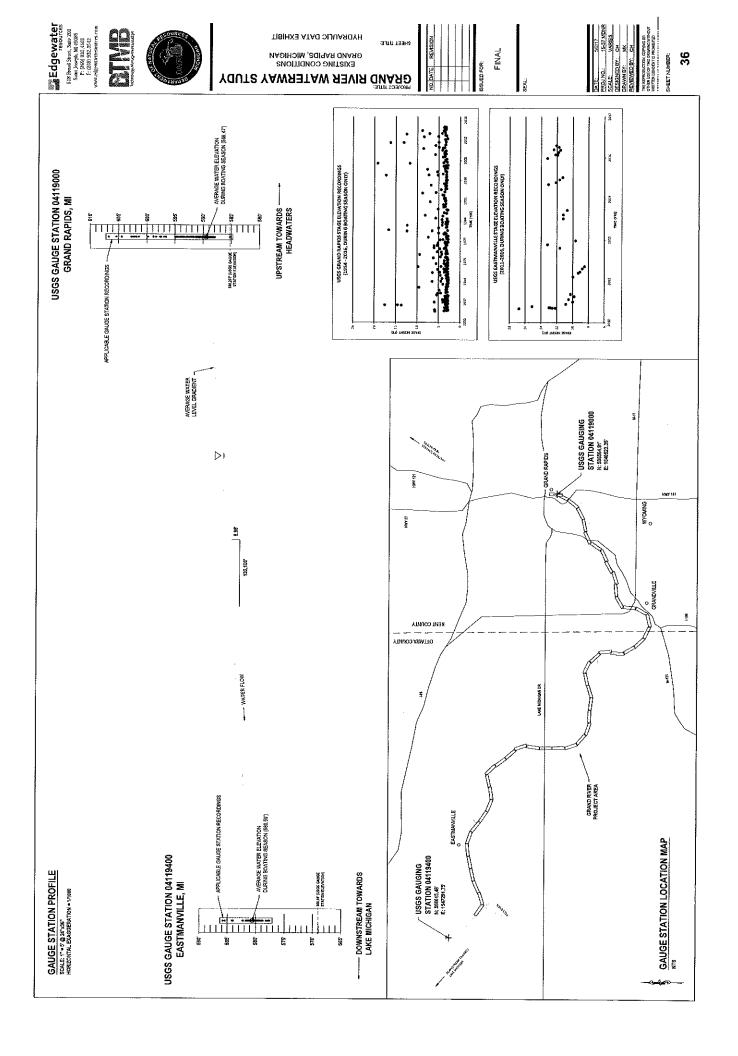
609		Contraction of the second seco
570 560 1834 1844 1844 1844 1844 1844 1844 1844	100 100 100 100 100 100 100 100 100 100	
510 10	STATION 925+00 - 967+00 SCALE - 1 - 198	R CHAR
50 260 280		
		SNO
500	1 1144 18-01 15-06 15-0	IDS, MICI
	STATION 957+00 - 1003+00 SEALE: 1" - 150	ЭИІТ2IX ЧАЯ ОИА
510 510		,яе Эл
500 500		
570 500 anna stean strian staan	e uttes stade man andre ondre ondre stade ondre	
	STATION 1009+00 - 1051+10 SCALE: T = 150	ISSUED FOR: FINAL
eto		SEALC
610 590		
50		DATE: S2017 PROLNO.: 15-07 MDNR
500 store man other same string store store string store	1 100-0 1444 1444 1444 1444 1444 1444 14	SCALE: VARIES DESIGNED BY: CH DRAWN BY: CH REVIEWED BY: CH
<u>NOTES</u> 1. VEGTICAL DATUMIS RAVD88 2. GREY INTEN BESEREIDES REPOSES DIGEDEE (AVL - 6) 2. BREY ANTEN BESEREIL LARLA BETROW LISSS	STATION 1051400 - 1093400 STATION 1051400 - 1093400	065
<ul> <li>ANEWAGE MATRIER LEFELS CALCULATED FOR BOATING SEASON ONLY (MAY- SEPTEMBATE AVERAGE WATER ELEVATION AT GAVIO RAPIDS = 684.4" (MAV1080)</li> <li>A POPRIOXIMATE AVERAGE WATER ELEVATION AT GAVIO RAPIDS = 684.4" (MAV1080)</li> <li>A POPRIOXIMATE AVERAGE WATER ELEVATION AT GAVIO RAPIDS = 684.4" (MAV1080)</li> </ul>	X = approximate sediment sample location	SHEET NUMBER:

Edgewater resources Standares. Sue 200 Standares. Sue 200 Standares. (201) 92,240 F. (201) 92,242 www.rdp-saferesures.com		YDUTS YAWAJAA Couditious IDS, MicHicku 08+1031-00+5201-00	GRAND GRAND RAP SHEET TITLE:	No latre retriston secuencias resuencias FINAL	-7728	CATE: 5207 PROLINO: 5527 MIDNS PROLINO: VARIES DESIGNED BY: CH	1 285 2 N
	state uses then uses then then then then then then then then	00         01         02         03         04         05         06         07         08         09         01         02         03         04         05         06         07         08         09         01         02         03         04         05         05         06         07         08         09         09         010         011         012         012         013         014         014         014         014         014         014         014         014         014         014         014         014         014         014         014         014         014         014         014	STATION 1175+400 - 1177+00 Soue: 1° - 187 <b>X</b>			10141 the ties the ties the ties the ties of the ties ties the ties	

14 Prod Sectors San 200 518 Prod Sectors San 200 F, Ran 9 203 San 200 F, Ran 9 203 F, Ran 9 200 F, Ran 9 203 F, Ran 9 200 F, Ran 9 200 F, Ran 9 200 F, Ran 9 200	YER WATERWAY STUDY EXISTING CONDITIONS AND RAPIDS, MICHIGAN I VIEW 577 1261+00-1429+00	e e	SEAL:	Carlein 2007 PROLING: 5-27 MORE CARLE: 7-27 MORE CARLEIN 2-27 MORE CARLEIN 2-27 MORE CARLEIN 2-27 MORE CARLEIN 2-27 MORE MORE CARLEIN 2-27 MORE MORE CARLEIN 2-27 MORE MORE CARLEIN 2-27 MORE MORE CARLEIN 2-27 MORE STATES CARLEIN 2-27 MORE CARLEIN STATES CARLEIN 2-27 MORE CARLEIN 2-27 MORE CARLEIN 2-27 MORE CARLEIN STATES CARLEIN 2-27 MORE CARLEIN 2-27 MORE CARLEIN STATES CARLEIN 2-27 MORE CARLEIN 2-27 M
50         50         50         51         50         51         51         51         51         51         51         51         51         51         51         51         51         52         53         54         55         56         57         57         58         59         50         51         51         52         53         54         55         56         57         57         58         59         59         50         50         50         50         50         50         50         50         50         50         50         50         50         50         50         50	The plane take take take take take take take tak			<ul> <li>Molecular and using usi</li></ul>







#### Mooney, Anna (DNR)

From:	Petersen, Paul (DNR)
Sent:	Monday, August 27, 2018 11:12 AM
То:	Mooney, Anna (DNR)
Cc:	McGhee, Vicki (DNR)
Subject:	Grand River Waterway Dredge Sampling Permit Application
Attachments:	MDEQ-Corps Permit App Docs_dredge sampling_50ft wide_8-3-18.pdf; RE: Draft Grand
	River Waterway Soil Sampling Permit Application Review (Please)
Importance:	High

Good Morning Anna:

We need to keep the permit application moving...I think it is time to get the attached application signed and sent into the joint application process.

I have started the internal approval process to get DTMB working on the RFP process to get a design consultant working on this sediment sampling project.

Thank you!

Paul

Paul R. Petersen Waterways Grants Program Manager DNR – Parks and Recreation Division Phone: (517) 284-6122 Fax: (517) 373-4625 E-Mail: petersenp@michigan.gov

Support the Recreation Passport when you renew your license!

#### MiWATERS REQUEST FOR PAYMENT REFUND

firmation Number	Am	nount	Remitter Nar	ne 🔿	Address	View/Print F	Update Update S History Refund Reques City	st	
					0 0	ther Actions	5 History		
2018					St	atus			
PLETED BY THE ADI	MINISTRATIO	N SECTION							
gnature:					in by email.				
INDEX - 60000	PCA	AOBJ -							
			8933						
	e is \$30.00								
	e ic \$50.00								
OUNT:		4	50.00						
	BER:	1	809197667336	38					
TE:									
				/VS					
R NAME:									
	ERENCE NUMBER: E: TE: NFIRMATION NUME DUNT: REFUND: DOCESSED AS A GP. FOR FORMATION: MDNR 525 West AI NDEX - 60000 DUT SUPERVISOR SIGN DA NDEX - 60000 DUT SUPERVISOR SIGN DA NDEX - 60000	NAME: ERENCE NUMBER: E: TE: NFIRMATION NUMBER: DUNT: REFUND: Docessed as a GP. Fee is \$50.00 FORMATION: MDNR 525 West Allegan - 5th flow CODI NDEX - 60000 PCA MUT SUPERVISOR Sign below and send nature:	NAME: B ERENCE NUMBER: H E: C TE: 9 NFIRMATION NUMBER: 9 NFIRMATION NUMBER: 14 DUNT: 4 REFUND: cocessed as a GP. Fee is \$50.00 FORMATION: MDNR 525 West Allegan - 5th floor Lansing, MI 4 CODING NDEX - 60000 PCA AOBJ - rur supervisor sign below and send completed form nature: D LETED BY THE ADMINISTRATION SECTION BY:	NAME: Bonnie Broadwa ERENCE NUMBER: HNG-R3RS-62N E: Credit Card TE: 9/11/18 NFIRMATION NUMBER: 1809197667336 OUNT: 450.00 REFUND: Docessed as a GP. Fee is \$50.00 FORMATION: MDNR 525 West Allegan - 5th floor Lansing, MI 48933 CODING NDEX - 60000 PCA AOBJ - 42403 Pro- ur supervisor sign below and send completed form to the Admini nature: Date: 11/28/18 LETED BY THE ADMINISTRATION SECTION BY:	NAME: Bonnie Broadwater ERENCE NUMBER: HNG-R3RS-62YVS E: Credit Card TE: 9/11/18 NFIRMATION NUMBER: 18091976673368 DUNT: 450.00 REFUND: Docessed as a GP. Fee is \$50.00 FORMATION: MDNR 525 West Allegan - 5th floor Lansing, MI 48933 CODING NDEX - 60000 PCA AOBJ - 42403 Project/PH - 9038 Tur supervisor sign below and send completed form to the Administration Section nature: Date: 11/28/18 LETED BY THE ADMINISTRATION SECTION BY:	NAME: Bonnie Broadwater ERENCE NUMBER: HNG-R3RS-62YVS E: Credit Card TE: 9/11/18 NFIRMATION NUMBER: 18091976673368 DUNT: 450.00 REFUND: Docessed as a GP. Fee is \$50.00 FORMATION: MDNR 525 West Allegan - 5th floor Lansing, MI 48933 CODING NDEX - 60000 PCA AOBJ - 42403 Project/PH - 9039 ur supervisor sign below and send completed form to the Administration Section by email. nature: Date: 11/28/18 LETED BY THE ADMINISTRATION SECTION BY: Date State	NAME: Bonnie Broadwater ERENCE NUMBER: HNG-R3RS-62YVS E: Credit Card TE: 9/11/18 NFIRMATION NUMBER: 18091976673368 DUNT: 450.00 REFUND: coessed as a GP. Fee is \$50.00 FORMATION: MDNR 525 West Allegan - 5th floor Lansing, MI 48933 CODING NDEX - 60000 PCA AOBJ - 42403 Project/PH - 9039 ur supervisor sign below and send completed form to the Administration Section by email. nature: Date: 11/28/18 LETED BY THE ADMINISTRATION SECTION BY: Bate Status	NAME: Bonnie Broadwater ERENCE NUMBER: HNG-R3RS-62YVS E: Credit Card TE: 9/11/18 NFIRMATION NUMBER: 18091976673368 DUNT: 450.00 REFUND: COESSEG as a GP. Fee is \$50.00 FORMATION: MDNR 525 West Allegan - 5th floor Lansing, MI 48933 CODING NDEX - 60000 PCA AOB J - 42403 Project/PH - 9039 ur supervisor sign below and send completed form to the Administration Section by email. nature: Mathematical Section by email. Instruce: Date: 11/28/18 LETED BY THE ADMINISTRATION SECTION BY: Date Status	NAME: Bonnie Broadwater ERENCE NUMBER: HNG-R3RS-62YVS E: Credit Card TE: 9/11/18 NFIRMATION NUMBER: 18091976673368 DUNT: 450.00 REFUND: bocessed as a GP. Fee is \$50.00 FORMATION: MDNR 525 West Allegan - 5th floor Lansing, MI 48933 CODING NDEX - 60000 PCA AOB J - 42403 Project/PH - 9039 ur supervisor sign below and send completed form to the Administration Section by email. nature: Date: 11/28/18 LETED BY THE ADMINISTRATION SECTION BY: 1 Date Status

#### Refund Request Amount

450

Refund type

Credit Card

#### Reason

Project was processed as a GP. Fee is \$50.00

#### Remitter

Paul Petersen, MDNR 525 West Allegan - 5th floor Lansing, MI 48933

#### Additional Comments

#### Approver

Luis Saldivia

### 70-Grand River Waterway-Grand Rapids

McIntyre, Nicole (DEQ) <McIntyreN@michigan.gov> Thu 9/20/2018 8:46 AM

**To:** Anderson, Dean (MSHDA) <AndersonD15@michigan.gov> **Cc:** Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>

Intersections

**•** I

HAL Sections: Known Archaeological Site

CULT\_DESC : Known Archaeological Site GEO\_ID : 07N12W13SWNE GEO\_ID : 07N12W13SENE GEO\_ID : 07N12W13NWNE GEO\_ID : 07N12W13NENE

### **Application received within Section 10**

McIntyre, Nicole (DEQ) <McIntyreN@michigan.gov>

Thu 9/20/2018 8:49 AM

**To:** RegMDEQ@usace.army.mil <RegMDEQ@usace.army.mil>; Schulz, Nathan T CIV USARMY CELRE (US) <Nathan.T.Schulz@usace.army.mil>; Jeffry.J.Fritsma@usace.army.mil <Jeffry.J.Fritsma@usace.army.mil> **Cc:** Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>

1 attachments (2 MB) JPA and Plans.pdf;

Please see the attached Application and Plans that was sent to the Grand Rapids District Office

• Below you will find **1** site that is located in the Section 10:

Subject: Application received: 7/19/18

Submission Number: HNG-R3RS-62YVS - Ron Olson, DNR-PRD MiWaters Site Name: 70-Grand River Waterway-Grand Rapids Processor: Bonnie Broadwater

# **Nicole McIntyre**

District Secretary for the Water Resources Division 350 Ottawa Avenue, Unit #10 Grand Rapids, Michigan 49503 616-356-0286 I mcintyren@michigan.gov



### **Application received within Section 10**

McIntyre, Nicole (DEQ) <McIntyreN@michigan.gov>

Thu 9/20/2018 8:49 AM

**To:** RegMDEQ@usace.army.mil <RegMDEQ@usace.army.mil>; Schulz, Nathan T CIV USARMY CELRE (US) <Nathan.T.Schulz@usace.army.mil>; Jeffry.J.Fritsma@usace.army.mil <Jeffry.J.Fritsma@usace.army.mil> **Cc:** Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>

1 attachments (2 MB) JPA and Plans.pdf;

Please see the attached Application and Plans that was sent to the Grand Rapids District Office

• Below you will find **1** site that is located in the Section 10:

Subject: Application received: 7/19/18

Submission Number: HNG-R3RS-62YVS - Ron Olson, DNR-PRD MiWaters Site Name: 70-Grand River Waterway-Grand Rapids Processor: Bonnie Broadwater

# **Nicole McIntyre**

District Secretary for the Water Resources Division 350 Ottawa Avenue, Unit #10 Grand Rapids, Michigan 49503 616-356-0286 I mcintyren@michigan.gov



#### Parts 31, 301, 303, and 325 APPLICATION ADMINISTRATIVE COMPLETENESS REVIEW CHECKLIST

Review Date:October 8, 2018Site Name:70-Grand River Waterway-Grand RapidsSubmittal Number:HNG-R3RS-62YVSProcessor:Bonnie BroadwaterProject Name:Grand River Waterway

**Purpose:** The information requested in Sections I, II, and III is required to determine administrative completeness for General Permit (GP) and Minor Project (MP) categories or to publish a Public Notice for projects not meeting the GP or MP criteria. The department must provide notification of deficiencies in new applications within 30 days of receipt. Additional information may be required to make a permit decision.

**Directions:** Compare each item in this list with the corresponding section of the submitted application. For each item, indicate Yes (Y), No (N), or Not Applicable (N/A).

Applicatio n Section	Authority	Y, N, or N/A	Notes
3	Part 31: Is the project in a regulated floodplain?	⊠ Yes	
3	Part 301: Is the project impacting an inland lake, stream, or within 500 feet of an inland lake or stream?	⊠ Yes  □ No □ N/A	
3	Part 303: Is the project in a regulated wetland?	☐ Yes ⊠ No ☐ N/A	
3	Part 325: Is the project in a Great Lake (including Lake St. Clair) or Section 10 waters?	⊠ Yes  □ No □ N/A	
3	Is the project also regulated by any of the following? If yes, complete the appropriate review checklist.	□ Yes ⊠ No □ N/A	
	Part 307 (Inland Lake Levels)	□ Yes ⊠ No □ N/A	
	Part 315 (Dam Safety)	☐ Yes ⊠ No ☐ N/A	
	Part 323 (Shorelands)	□ Yes ⊠ No □ N/A	
	Part 326 (Great Lakes Submerged Logs Recovery)	□ Yes ⊠ No □ N/A	
	Part 353 (Sand Dunes)	□ Yes ⊠ No □ N/A	

#### SECTION I

### **SECTION II**

Application Section	General Information	Y, N, or N/A	Notes
------------------------	---------------------	--------------	-------

Appendix C	Is the application accompanied by the required application fee?	⊠ Yes □ No □ N/A	Applicant paid \$500, project meets GP criteria, refund \$450
1 5 Plans	Are the project location and legible location map provided? Needed in order to review site and notify local unit of government. (R 281.832(3), 324.3104)	⊠ Yes □ No □ N/A	
12 in gray box plans	Part 303: Is the location of the wetland provided?	□ Yes □ No ⊠ N/A	
2	Is the applicant, agent, wetland owner, and/or property owner name and contact information provided? Title 40 of the Code of Federal Regulations (CFR)	⊠ Yes	
2	Is the applicant the sole owner of the property? Proposed impacts may be on multiple properties.	□ Yes ⊠ No □ N/A	AG opinion referenced in applicaton for sediment testing. Email from Scott Hughes regarding this authorization has been uploaded.
2	Have letter(s) of authorization been provided if the application is not signed by the <i>property owner</i> or the project impacts areas not owned by the applicant?	□ Yes □ No ⊠ N/A	Application signed by MDNR
6	Part 325: Has a Great Lakes public trust bottomlands conveyance application been submitted?	□ Yes □ No ⊠ N/A	
8	Public Notice Projects: Are the mailing addresses of the adjacent property owners provided? Upstream and downstream property owners or adjacent shoreline, both sides. Part 303: Property owners adjoining the impact area.	□ Yes □ No ⊠ N/A	
9	Has the applicant or their agent signed and dated the certification block?	⊠ Yes  □ No □ N/A	

### **SECTION III**

Application Section	Regulated Activity	Yes, No, or N/A	Notes
3 10-19	Has a summary of all proposed activities been provided?	⊠ Yes  □ No □ N/A	
4	Has a summary statement of the project's purpose been provided?	⊠ Yes	
4	Part 301 and Part 303: Has a description of the alternatives considered been provided?	⊠ Yes  □ No □ N/A	

4	Part 31, Part 301, and Part 303: Has a description of the project's intended use been provided?	⊠ Yes  □ No □ N/A	
7	Has a schedule of the activity been submitted?	⊠ Yes   No □ N/A	
10A-M	For applications proposing fill, has the applicant provided the type of structure, quantity, method, and plans?	□ Yes □ No ⊠ N/A	
10B	For applications proposing dredging, has the applicant provided type, quantity, method of spoils disposal, and/or the location of the disposal site? For example, volume of dredge material may determine the fee. (See Appendix C of application.)	⊠ Yes □ No □ N/A	
3 11	Will an existing lake be augmented by pumping water from another surface water source or by extracting groundwater via a well(s) for the purpose of increasing a water level of maintaining a water level higher than would typically result under natural circumstances (i.e., will the lake be enlarged)?	□ Yes □ No ⊠ N/A	
12*	Part 303: Has a description of the wetland on which the use or development is to be made been provided?	□ Yes □ No ⊠ N/A	
10E Plans Cross- Sections Other	Have complete plans and specifications describing the proposed work been provided? Does the plan and elevation drawings show the general and specific site location and character of all proposed activities, including the size relationship of the proposed structures to the size and depth of the impacted area been submitted? For Part 301, do the plans provide locations and dimensions of adjacent structures? For Part 325, has a map or diagram showing the proposal on an adequate scale with contours and cross-sections of the waterway to be constructed been provided?	⊠ Yes  □ No □ N/A	Additional Barge detail and sampling location detail provided
19	Does the application for a new or existing marina include documentation of a sanitary pump out?	□ Yes □ No ⊠ N/A	
5 14 Drawings	Part 31: Has a site development plan showing both existing and proposed conditions on a topographic map or showing existing and proposed contours	□ Yes □ No ⊠ N/A	

	including the following information been submitted?		
Plans	A. Existing and proposed contours at sufficient intervals to adequately describe the existing features and the proposed alterations.	□ Yes □ No ⊠ N/A	
10J, 14 Drawings 14, 22	B. Proposed bridges, culverts, and storm water outfalls. Plans or sketches shall be included to provide sufficient information for evaluation.	□ Yes □ No ⊠ N/A	
15 Plans	C. Proposed channel relocations and the limits of improvements and alterations.	□ Yes □ No ⊠ N/A	
Plans	D. Delineation of proposed cut and fill limits.	□ Yes □ No ⊠ N/A	
Cross- Sections Photos	Part 31: Proposed Floodway Encroachment - River or stream valley cross-sections at locations where the proposed alteration or occupation is most significant. The cross-section shall show both existing conditions and the proposed occupation or alteration and shall specify cut and fill side slopes. Representative photographs of the natural channel and overbank areas will assist with timely application review.	□ Yes □ No ⊠ N/A	

\*Staff has identified a regulatory need for this information as part of the administrative review process and is reviewing the application to modify the pertinent section to ensure that it is requested.

Part 2. A table of information that may be needed to make a permit decision but does not have to be submitted initially to deem an application administratively complete. As each project is unique, the following list is not all inclusive.

Application Section	Item	Y, No, or N/A	Notes
Appendix C	Part 31: Proposed Floodway Encroachment - For projects requiring a hydraulic model, an additional \$1,500 hydraulic review fee is needed (for total Part 31 review fee of \$2,000).	□ Yes □ No ⊠ N/A	
12	Part 303: Has a wetland conceptual mitigation plan including wetland data forms been submitted?	☐ Yes	
11	Part 301 and Part 303: Is a hydrogeological study necessary? Has a hydrogeological study been provided?	☐ Yes	
10B	Part 301 and Part 325: If the project is in	🖾 Yes 🗌 No	Project purpose is to review

	an Area of Concern (AOC) or in an area of suspected contamination, has a sediment analysis or other option for spoils disposal been submitted?	] N/A		sediment borings for potential contaminants.
13	Part 31: Has volume of cut and fill been provided?	☐ Yes ⊠ N/A	🗌 No	
13*	Part 31: Has proposed elevations of roads and buildings, including elevations of first floor and basement openings into buildings been provided?	🗌 Yes	🗌 No	
14 Gray box in 13	Part 31: Is a hydraulic model necessary? Has a hydraulic model been provided?	□ Yes ⊠ N/A	🗌 No	
12	Part 303: Has mitigation information been provided?	☐ Yes ⊠ N/A	🗌 No	
1* 19	Part 325: Is the Legal Description of lands included in the project provided?	☐ Yes ⊠ N/A	🗌 No	
	Has an environmental assessment of the proposed project been provided if requested by the department?	☐ Yes ⊠ N/A	🗌 No	
	Have photographs for expedited processing been provided?	☐ Yes ⊠ N/A	🗌 No	
	Part 301 Marinas: Has the department required a riparian interest area estimate survey, or has an easement from the affected adjacent riparian owner been provided?	□ Yes ⊠ N/A	🗌 No	

\*Staff has identified a regulatory need for this information in order to make a permitting decision and is reviewing the application to modify the pertinent section to ensure that it is requested.

Table 3: Is the project also regulated by Part 307 (Inland Lake Levels), Part 315 (Dam Safety),<br/>Part 323 (Shorelands), Part 326 (Great Lakes Submerged Logs Recovery), or Part 353<br/>(Sand Dunes)? If yes, complete the appropriate review checklist. For Part 326,<br/>complete the proper application

Part #		When Applies		
307 Inland Lake Levels	🗌 Yes	🗌 No	🛛 N/A	
315 Dam Safety	🗌 Yes	🗌 No	🖾 N/A	
323 Shorelands Protection and Management (High Risk Erosion Areas)	🗌 Yes	🗌 No	🛛 N/A	
326 Great Lakes Submerged Logs Recovery	🗌 Yes	🗌 No	🛛 N/A	
353 Sand Dunes Protection and Management (Critical Dune Areas)	🗌 Yes	🗌 No	🛛 N/A	



GOVERNOR

## STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY





C. HEIDI GRETHER DIRECTOR

October 9, 2018

Mr. Ron Olson Department of Natural Resources 525 West Allegan, Lansing, MI 30257

Dear Mr. Olson:

SUBJECT: Correction Request Submission Number: HNG-R3RS-62YVS County: Kent and Ottawa Site Name: 70-Grand River Waterway-Grand Rapids Project Name: Grand River Waterway

The Department of Environmental Quality (DEQ), Water Resources Division (WRD), has received and reviewed your application. Based on the review, the application has been determined to be incomplete as received and cannot be further processed until the information requested below has been submitted.

The application requires revision

- Please provide the Lat/Long and Township, Range, and Section for each of the proposed sampling locations in Section 1 of the JPA.
- Please complete the question in Section 2 of the JPA regarding sole ownership of the property and provide any applicable supporting documentation

Provide a plan view and cross section detail for the proposed soil boring barge and the associated anchoring system. Clearly quantify the proposed bottomland area impacted by the anchoring system both by site and in total and note the auger dimensions on the plan detail.

Provide the proposed sampling plan which identifies the parameters proposed for analysis. If sampling parameters vary by site, or by reach, please specify which parameters are being tested at each site or reach respectively.

Provide a copy of the mussel survey report.

Additional information and/or filing fees may be required upon further review of your application. Should we not receive the requested information from you within 30 days of this letter, we will consider your application as withdrawn and will close your application. Fees are not refundable on applications once a decision has been made or if an action has been taken, such as closing an application due to no or incomplete response to a correction request letter, posting a public notice, or conducting a site visit. A new application may be submitted, but fees are not transferable.

If you have any questions regarding this letter or your application, please contact me at

Correction Request Mr. Olson Page 2 October 9, 2018

616-591-8163 or BroadwaterB@michigan.gov. Send the requested information to me at DEQ, WRD, Grand Rapids District Office, State Office Building, Fifth Floor, 350 Ottawa Avenue, NW, Unit 10, Grand Rapids, Michigan 49503-2341. Please include Submission Number: HNG-R3RS-62YVS in your response. The status of your application can be tracked online at https://miwaters.deq.state.mi.us/miwaters/.

Sincerely,

B. Broadwaker

Bonnie Broadwater Grand Rapids District Office Water Resources Division

cc: USACE Matt MacGregor, King & MacGregor, Agent Michelle Crook, DNR

### **RE: Call from Jerod on GR Waterway**

Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>

Tue 10/9/2018 12:42 PM

To: Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>

I just talked to Diana. I told her that the applicant (DNR) needs to submit a complete application for purposes of the electronic permit system (MiWaters). This will be shared with the USACE as well as USFWS and DNR-Fisheries for their review.

I also went over the CR with her and I told her that we need all the info (from DNR) to be able to have a complete application. The drawings they submitted are for the dredging of the channel and not for the soil sampling project. I also told her that we will be sending today the CR to the DNR as written. So please re-send Nicole a task.

Thanks.

From: Broadwater, Bonnie (DEQ) Sent: Tuesday, October 09, 2018 12:08 PM To: Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov> Subject: RE: Call from Jerod on GR Waterway

File Number HNG-R3RS-62YVS Site: <u>https://miwaters.deq.state.mi.us/miwaters/#/site/edit/detail?siteId=-7710927233994198202</u>

Bonnie Broadwater | Environmental Quality Analyst | Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 | 616-591-8163



From: Saldivia, Luis (DEQ) Sent: Tuesday, October 9, 2018 11:37 AM To: Broadwater, Bonnie (DEQ) <<u>BroadwaterB@michigan.gov</u>> Subject: RE: Call from Jerod on GR Waterway

I also have a Voicemail to return from Dian Klemans (DEQ-WRD-Lansing) regarding the same project.

Is the CR going out today? What's the file number for future refence.

Thanks.

From: Broadwater, Bonnie (DEQ) Sent: Tuesday, October 09, 2018 11:12 AM To: Saldivia, Luis (DEQ) <<u>SALDIVIAL@michigan.gov</u>> Subject: Call from Jerod on GR Waterway

Luis,

FYI Jerrod Sanders called just now with Michelle Crook (DNR) on if the Grand River Waterway application meets the GP. I told them the CR is going out shortly and that we need to see the mussel survey and report before we can determine that. Just wanted to keep you in the loop.

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163



### **RE: Grand River Waterway Sediment Testing Joint Application**

McGhee, Vicki (DNR) <McGheeV1@michigan.gov> Tue 10/9/2018 3:07 PM

To: Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>
 Cc: Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>; Klemans, Diana (DEQ) <KLEMANSD@michigan.gov>; Petersen, Paul (DNR) <PetersenP@michigan.gov>

Got it! Thank you, Bonnie.

Attitude is a little thing that makes a big difference. - Sir Winston Churchill

### Vicki McGhee

Chief, Planning and Infrastructure Section

Michigan Department of Natural Resources Parks and Recreation Division Constitution Hall, 5<sup>th</sup> Floor, North Tower 525 W. Allegan Street P.O. Box 30257 Lansing, MI 48909-7757

Office: 517-284-6081 Cell: 517-388-5341 Fax: 517-373-4625 <u>mcgheev1@michigan.gov</u>

From: Broadwater, Bonnie (DEQ)
Sent: Tuesday, October 09, 2018 2:57 PM
To: McGhee, Vicki (DNR) <McGheeV1@michigan.gov>
Cc: Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>; Klemans, Diana (DEQ)
<KLEMANSD@michigan.gov>; Petersen, Paul (DNR) <PetersenP@michigan.gov>
Subject: RE: Grand River Waterway Sediment Testing Joint Application

Good Afternoon Vicki,

The correction request referenced by Dina below was sent out earlier this afternoon and is attached for your convenience. Paul was copied on the original.

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163



From: Klemans, Diana (DEQ)
Sent: Tuesday, October 9, 2018 2:24 PM
To: McGhee, Vicki (DNR) <<u>McGheeV1@michigan.gov</u>>
Cc: Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>>; Broadwater, Bonnie (DEQ)
<<u>BroadwaterB@michigan.gov</u>>; Saldivia, Luis (DEQ) <<u>SALDIVIAL@michigan.gov</u>>
Subject: RE: Grand River Waterway Sediment Testing Joint Application

Hi Vicki,

In follow up to our phone conversation this afternoon, I wanted to pass on the contact information for the staff who are working on your permit application. The application review is assigned to Bonnie Broadwater (<u>BroadwaterB@michigan.gov</u>; 616-591-8163) who is in our Grand Rapids District

Office. The District Office Supervisor, Luis Saldivia (<u>SaldiviaL@michigan.gov</u>; 616-710-2136) is knowledgeable about the project overall and your permit application.

As I mentioned on the phone, our staff are required to process permit applications in the order received. The review of your application is progressing and the first step is nearly complete. My understanding is that a letter will be sent very soon to Ron Olson identifying a few additional things needed to complete your permit application, which we discussed briefly. By copy of this note, I am asking Bonnie to copy you and Paul Petersen on that letter.

I am still available to answer questions and serve as a point of contact for you and Paul as needed. That said, now that the permit application has been submitted and is under review, your best contact for this application specifically would be Bonnie.

Dina Klemans Section Manager Surface Water Assessment Section Water Resources Division Michigan Department of Environmental Quality 517-284-5510 <u>klemansd@michigan.gov</u>

From: McGhee, Vicki (DNR)
Sent: Monday, October 1, 2018 4:27 PM
To: Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>>
Cc: Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>>
Subject: FW: Grand River Waterway Sediment Testing Joint Application
Importance: High

Hello Diana. Please see the message below from Paul. Anything you can do to help the permit navigate through the approval process would be appreciated!

Attitude is a little thing that makes a big difference. - Sir Winston Churchill

Vicki McGhee Chief, Planning and Infrastructure Section

Michigan Department of Natural Resources Parks and Recreation Division Constitution Hall, 5<sup>th</sup> Floor, North Tower 525 W. Allegan Street P.O. Box 30257 Lansing, MI 48909-7757

Office: 517-284-6081 Cell: 517-388-5341 Fax: 517-373-4625 <u>mcgheev1@michigan.gov</u> Morning Vicki:

So the GR Waterway Sediment Testing joint application has been submitted to DEQ. The work order to get DTMB and a consultant on board is with DTMB now.

I have a favor to ask if you would consider it...since Diana Klemans, <u>klemansd@michigan.gov</u> & 517-284-5510, mentioned to you at the Meekoff meeting to let her know if there was anything she could do...could you call/email her to let her know we have submitted the application and if

there were anything she could do to move if along faster we would really appreciate it!

I am asking this not without doing the same efforts on my end:

- I have asked Anna Mooney to do the same with her legislative equal in DEQ.
- I have called Tim Hall at DTMB to let him know the urgency of keeping this project moving.

Thank you for considering this request!

63

Paul R. Petersen Waterways Grants Program Manager DNR – Parks and Recreation Division Phone: (517) 284-6122 Fax: (517) 373-4625 E-Mail: <u>petersenp@michigan.gov</u>

Support the Recreation Passport when you renew your license!

#### FW: Draft Grand River Waterway Soil Sampling Permit Application Review (Please)

#### Broadwater, Bonnie (DEQ) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=979DC5A49E2A47DC8A7ACF3D155740CE-BROADWATER>

Mon 10/29/2018 11:29 AM

To: Crook, Michelle (DNR) <CrookM@michigan.gov>

**Cc:** Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>; Olson, Ron (DNR) <OLSONR@michigan.gov>; Petersen, Paul (DNR) <PetersenP@michigan.gov>; mmacgregor@king-macgregor.com <mmacgregor@king-macgregor.com>; Bandlow, David (DEQ) <BandlowD@michigan.gov>

🔰 1 attachments (16 KB)

Potential sites discharging to Grand River.xlsx;

Good Morning Michelle,

Please see David's email below regarding the sites I referenced this morning during our discussion. The list is attached.

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163 http://inside.michigan.gov/deq/wr/deqforms/DEQ%20Forms/DEQ%20logo.png

From: Bandlow, David (DEQ)
Sent: Tuesday, October 16, 2018 2:49 PM
To: Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>; Alexander, Michael (DEQ)
<ALEXANDERM2@michigan.gov>; Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>
Cc: Hendershott, Abigail (DEQ) <HENDERSHOTTA@michigan.gov>
Subject: RE: Draft Grand River Waterway Soil Sampling Permit Application Review (Please)

Hello,

The RRD-Grand Rapids District has developed the attached list of locations where biased sediment sampling may be appropriate due to the presence of sites with known groundwater contamination that has potential to discharge to the Grand River. This list was developed based on the sediment sampling plan sent by Bonnie which identifies the project limits as approximately Fulton Street to the Bass River outlet.

Please let us know if you have any questions. Thanks,

#### **David Bandlow**

Assistant District Supervisor Remediation and Redevelopment Division – Grand Rapids District Michigan Department of Environmental Quality Phone: (616) 745-5337

## FW: Draft Grand River Waterway Soil Sampling Permit Application Review (Please)

#### Broadwater, Bonnie (DEQ) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=979DC5A49E2A47DC8A7ACF3D155740CE-BROADWATER>

Mon 10/29/2018 11:29 AM

To: Crook, Michelle (DNR) <CrookM@michigan.gov>

**Cc:** Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>; Olson, Ron (DNR) <OLSONR@michigan.gov>; Petersen, Paul (DNR) <PetersenP@michigan.gov>; mmacgregor@king-macgregor.com <mmacgregor@king-macgregor.com>; Bandlow, David (DEQ) <BandlowD@michigan.gov>

1 attachments (16 KB)

Potential sites discharging to Grand River.xlsx;

Good Morning Michelle,

Please see David's email below regarding the sites I referenced this morning during our discussion. The list is attached.

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163



From: Bandlow, David (DEQ)
Sent: Tuesday, October 16, 2018 2:49 PM
To: Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>; Alexander, Michael (DEQ)
<ALEXANDERM2@michigan.gov>; Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>
Cc: Hendershott, Abigail (DEQ) <HENDERSHOTTA@michigan.gov>
Subject: RE: Draft Grand River Waterway Soil Sampling Permit Application Review (Please)

Hello,

The RRD-Grand Rapids District has developed the attached list of locations where biased sediment sampling may be appropriate due to the presence of sites with known groundwater contamination that has potential to discharge to the Grand River. This list was developed based on the sediment sampling plan sent by Bonnie which identifies the project limits as approximately Fulton Street to the Bass River outlet.

Please let us know if you have any questions. Thanks,

#### **David Bandlow**

Assistant District Supervisor Remediation and Redevelopment Division – Grand Rapids District Michigan Department of Environmental Quality Phone: (616) 745-5337

#### 2018-10-29 Potential sites discharging to Grand River

Site name	Address	City	County	Potential discharge location	Chemicals of concern	Comments
Former Wealthy Street MGP	440 Wealthy Street SE	Grand Rapids	Kent County	Adjacent to 509 Wealthy St.	VOCs, PNAs, metals, ammonia, cyanide	Former Manufactured Gas Plant
449 Market Avenue SW	449 Market Avenue SW	Grand Rapids	Kent	Adjacent to 449 Market Ave	Aluminum	Former Aluminum Foundry
Former Koch Materials Company	566 & 570 Market Ave SW	Grand Rapids	Kent	Adjacent to 566/570 Market Ave	VOCs, PNAs, arsenic	Former manufacturing with underground storage tanks
851 Freeman Avenue SW and 1040						Former plaster/gypsum quarry, landfill, construction company with underground tanks, and industrial waste
Market Avenue SW	851 Freeman Ave SW	Grand Rapids	Kent	Adjacent to 1040 Market Ave	VOCs, PNAs, metals, PFAS	transport facility
					VOCs, PNAs, metals, ammonia, 4-4'-DDT,	
Former Butterworth Landfill #2	1500 Butterworth SW	Grand Rapids	Kent	Adjacent to 1500 Butterworth	PFAS	Former waste disposal area
Former Grandville Dump	4050 Indian Mounds Dr SW	Grand Rapids	Kent	Adjacent to 4050 Indian Mounds Dr	VOCs, PNAs, metals, PFAS	Former waste disposal area
Former Fenske Landfill	2646 Kenowa Ave SW	Tallmadge Twp	Ottawa	Adjacent to 2646 Kenowa Ave	VOCs, PNAs, metals, PFAS	Former waste disposal area
Plaster Creek Outlet		Grand Rapids	Kent	Plaster Creek Outlet	VOCs, PNAs, metals, PFAS	Multiple sources contributing to Plaster Creek

## FW: Draft Grand River Waterway Soil Sampling Permit Application Review

## Broadwater, Bonnie (DEQ) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=979DC5A49E2A47DC8A7ACF3D155740CE-BROADWATER>

#### Wed 10/31/2018 2:06 PM

**To:** 'Matt MacGregor' <mmacgregor@king-macgregor.com> **Cc:** Crook, Michelle (DNR) <CrookM@michigan.gov>

#### 1 attachments (40 KB)

FW: Draft Grand River Waterway Soil Sampling Permit Application Review (Please);

#### Good Afternoon Matt,

Thank you for taking the time to discuss the Grand River Waterway Sediment Sampling Project and your correction request response from Monday. As requested, the email from Mike Alexander detailing the sampling parameters is provided below. During our call, we discussed the following items:

- The updated Joint Permit Application (JPA) project description (Section 3) does not include the PFAS or pesticide sampling parameters identified Mike Alexander's email below.
- The updated JPA project description (Section 3) identifies that only 10 samples would be required per the WRD-048 policy and inquires about a reduction in the number of samples. We discussed the need to circle back with Mike Alexander if reductions or changes to the sampling protocol are proposed as this was discussed at length prior to application submittal.
- The correction request response included a single Lat/Long for each proposed sampling reach on a table uploaded with the revised JPA. The plan view sheets uploaded do not identify the proposed sampling locations or the limits of the proposed dredging reaches in which randomized samples are proposed to be collected. Only the cross sections, identify sampling locations with an x relative to station numbers. This simply does not provide sufficient detail for the necessary Threatened & Endangered Species (T&E) review. The T&E review is critical to determine if the project, as proposed, will meet the criteria for General Permit Category. We discussed two potential options to resolve this:
  - 1) Include a Lat/ Long for each proposed sampling location

2) If randomized sampling locations are proposed within each reach, clearly indicate the limits of each proposed sampling area along with the number of samples within that reach on the plans and cross sections.

• The RRD-Grand Rapids District developed the attached list of locations where biased sediment sampling may be appropriate due to the presence of sites with known groundwater contamination that has potential to discharge to the Grand River. This list was developed based on the sediment sampling plan submitted with the original application. Please review these locations and update the sampling plan with any additional locations as applicable.

Thanks,

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163



From: Alexander, Michael (DEQ)
Sent: Friday, August 31, 2018 3:37 PM
To: Petersen, Paul (DNR) ; Klemans, Diana (DEQ)
Cc: McGhee, Vicki (DNR) ; Mooney, Anna (DNR) ; Saldivia, Luis (DEQ) ; Howes, Sarah (DEQ) ; DEQ-Legislative-Contact ; Fish, Kim (DEQ) ; Seidel, Teresa (DEQ) ; Smith, Laura (DEQ)
Subject: RE: Draft Grand River Waterway Soil Sampling Permit Application Review (Please)

Hi Paul,

We have reviewed the draft sediment sampling permit application and while the proposed sample locations and quantity should be adequate in allowing us to evaluate potential impact acts to aquatic life, we would like to request PFAS and pesticide samples be added to the analyte list within some reaches. For PFAS we would like to see approximately 20% of the samples collected between station reach 910 + 00 to 9640 + 00 to station reach 1450 + 00 to 1478 + 00 analyzed for PFAS. Within those reaches you are proposing to collect 33 sample so please randomly select 7 of those samples for PFAS analysis. For pesticides we would like to see approximately 10% of the samples between station reach 424 + 00 478 + 00 to station reach 1018 + 00 to 1072 + 00 analyzed for pesticides. Within those reaches you are proposing to collect 62 sample so please randomly select 6 of those samples for pesticide analysis.

If you have any questions about this request, laboratory analysis or sediment collection standard operating procedures for these or other parameters please feel free to contact me and I will glad to answer your questions. We are also willing to review any draft sampling plans developed by your contractor prior to sample collection.

Thanks

Mike

Michael Alexander, Supervisor Lakes Erie, Huron and Superior Unit Surface Water Assessment Section Water Resources Division Department of Environmental Quality Phone 517-449-7971 <u>alexanderm2@michigan.gov</u>

#### **Grand River Waterway Correction Request**

#### Broadwater, Bonnie (DEQ) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=979DC5A49E2A47DC8A7ACF3D155740CE-BROADWATER>

Wed 10/31/2018 2:19 PM

To: Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>; Seidel, Teresa (DEQ) <SEIDELT@michigan.gov>
 Cc: Fish, Kim (DEQ) <FISHK@michigan.gov>; Alexander, Michael (DEQ) <ALEXANDERM2@michigan.gov>; Klemans, Diana (DEQ) <KLEMANSD@michigan.gov>

1 attachments (62 KB)

FW: Draft Grand River Waterway Soil Sampling Permit Application Review ;

Teresa & Luis,

Just a quick note to follow-up, I spoke with both Michelle Crook (DNR) and Matthew MacGregor (Agent) this morning regarding the Grand River Waterway application, the correction request response, and the detail still needed. Specifically:

- 1. The parameters proposed to be collected at each site, which deviated from what was discussed with Mike in advance.
- 2. The specific sampling locations proposed which we need for T&E review

My summary email is attached.

Thanks,

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163



From: Klemans, Diana (DEQ)
Sent: Wednesday, October 31, 2018 9:04 AM
To: Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>
Cc: Seidel, Teresa (DEQ) <SEIDELT@michigan.gov>; Fish, Kim (DEQ) <FISHK@michigan.gov>;
Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>; Alexander, Michael (DEQ)
<ALEXANDERM2@michigan.gov>
Subject: Re: Correction Request

Looping Mike in as a heads up in case you need to talk to him. His "recommendations" were specific to the samples needed to evaluate the proposed dredging project as it is currently proposed,

Sent from my iPad

On Oct 31, 2018, at 8:54 AM, Saldivia, Luis (DEQ) <<u>SALDIVIAL@michigan.gov</u>> wrote:

Bonnie is going to reach out today to Michelle Crook and/or Matt MacGregor so we can get what we need in order for us to complete the screening that we need to do.

The revised submittal uploaded by MacGregor indicated they wanted to reduce the number of samples they initially agreed to take and they are also dropping several of the parameters that Mike Alexander had recommended. So we need to square this so we can provide them the authorization they need.

Luis.

From: Seidel, Teresa (DEQ) Sent: Tuesday, October 30, 2018 8:27 PM To: Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>>; Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>>; Saldivia, Luis (DEQ) <<u>SALDIVIAL@michigan.gov</u>> Subject: FW: Correction Request

See below.

From: Crook, Michelle (DNR) Sent: Tuesday, October 30, 2018 8:25 PM To: Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>> Subject: Re: Correction Request

Matt said it has been uploaded into MIWaters. Hopefully it has everything needed.

Sent from my iPhone

On Oct 30, 2018, at 7:59 PM, Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>> wrote:

Sounds good.

From: Crook, Michelle (DNR) Sent: Tuesday, October 30, 2018 7:58 PM To: Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>> Subject: Re: Correction Request

I don't think Matt McGregor (consultant) has resubmitted yet. RRD also weighed in and had some suggestions on sampling locations where they had concerns. We may need to modify the locations slightly to include those.

I've reached out to Matt to get an idea on timeframe.

Sent from my iPhone

On Oct 30, 2018, at 7:45 PM, Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>> wrote:

Are you guys all set? Has the application been updated to include the missing information?

From: Howes, Sarah (DEQ) Sent: Tuesday, October 30, 2018 5:15 PM To: Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>> Cc: Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>>; Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>>; Smith, Laura (DEQ) <<u>SMITHL16@michigan.gov</u>> Subject: RE: Correction Request

Senator Meekhof's office reached out to me today regarding the status of this. I informed them that I knew we'd sent a correction request but wasn't sure if DNR had responded yet.

Can you provide an update of where we're at with this? I know they're wanting to get the sediment samples pulled yet this year.

I told Meekhof's staff I'd provide an update back once I had additional information to pass along.

Thanks, Sarah

Sarah M. Howes Director, Policy & Legislative Affairs Department of Environmental Quality C 517.282.9204

From: Howes, Sarah (DEQ) Sent: Tuesday, October 23, 2018 1:17 PM To: Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>> Cc: Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>>; Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>>; Smith, Laura (DEQ) <<u>SMITHL16@michigan.gov</u>> Subject: RE: Correction Request

Thanks - I noticed that Vicki wasn't on the original email sent by DEQ so I just wanted to make sure that the message was getting to the appropriate person at DNR.

Sarah

Sarah M. Howes Director, Policy & Legislative Affairs Department of Environmental Quality C 517.282.9204

From: Fish, Kim (DEQ) Sent: Tuesday, October 23, 2018 1:07 PM To: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>> Cc: Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>>; Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>>; Smith, Laura (DEQ) <<u>SMITHL16@michigan.gov</u>> Subject: Re: Correction Request

It was explained. You have a follow up email from Dina. She called Vicki McGhee and explained we just need something filled out in the box so we have a complete application. Might be a DNR communication issue.

Kimberly D. Fish MDEQ, Water Resources Div. 517-599-9040

On Oct 23, 2018, at 12:52 PM, Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>> wrote:

Do you know that was explained to the correct person at DNR? From the emails, it looks like there is confusion around what is being asked. Could that please be clarified?

Thanks, Sarah

Sarah M. Howes Director, Policy & Legislative Affairs Department of Environmental Quality C 517.282.9204 From: Klemans, Diana (DEQ) Sent: Monday, October 22, 2018 3:22 PM To: Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>>; Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Smith, Laura (DEQ) <<u>SMITHL16@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>> Subject: RE: Correction Request

Yes, there were other things in the correction return including identification of sample locations, analytes and description of the sampling barge with respect to potential impact on river bottom. There may have been more. I spoke to Bonnie and Luis about the permissions around October 9. They would like DNR to fill out the line on the application with a short explanation of why permissions aren't needed since it came in blank. If DNR has something in writing to support the explanation from the DAG they would like that also to complete the application. I sent the email we have from the DAG to Luis on October 9.

Dina Klemans Section Manager Surface Water Assessment Section Water Resources Division Michigan Department of Environmental Quality 517-284-5510 <u>klemansd@michigan.gov</u>

From: Seidel, Teresa (DEQ) Sent: Monday, October 22, 2018 2:42 PM To: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Smith, Laura (DEQ) <<u>SMITHL16@michigan.gov</u>>; Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>> Subject: RE: Correction Request

We can address the ownership issue. Are there other items in the correction request?

T.

From: Howes, Sarah (DEQ) Sent: Monday, October 22, 2018 2:38 PM To: Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>>; Smith, Laura (DEQ) <<u>SMITHL16@michigan.gov</u>>; Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>> Subject: FW: Correction Request

Teresa and Dina,

I don't have the attachment but it looks like DEQ staff were requesting ownership information related to the

GR to GH dredge sampling. Can you please make sure that staff are up to speed on the ownership discussions related to this project?

Does the correction request need to be amended? Again, don't have the attachment so unclear what it actually says. Thanks, Sarah

Sarah M. Howes Director, Policy & Legislative Affairs Department of Environmental Quality C 517.282.9204

From: Mooney, Anna (DNR) Sent: Monday, October 22, 2018 2:22 PM To: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>> Cc: Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>> Subject: Fwd: Correction Request

Can you assist with this question regarding grand river sediment sampling?

Sent from my iPhone

Begin forwarded message:

From: "Crook, Michelle (DNR)" <<u>CrookM@michigan.gov</u>> Date: October 22, 2018 at 2:13:12 PM EDT To: "Mooney, Anna (DNR)" <<u>MooneyA@michigan.gov</u>> Subject: Re: Correction Request

Yes. DEQ is asking for the ownership info and will need some level of documentation. Otherwise they are likely to want sign offs from all the landowners.

Sent from my iPhone

On Oct 22, 2018, at 2:01 PM, Mooney, Anna (DNR) <<u>MooneyA@michigan.gov</u>> wrote:

> I do not have this type of information. Do you mean our ownership of bottomlands, in general? My conversation with AG's office were surrounding the fact that we wouldn't be required to obtain riparian permission of all of the landowners.

From: Crook, Michelle (DNR) Sent: Friday, October 19, 2018 2:02 PM **To:** Mooney, Anna (DNR) <<u>MooneyA@michigan.gov</u>> **Subject:** Re: Correction Request

Anna,

One of the items DEQ is requesting is documentation showing sol ownership of the bottomlands in the river. Do we have in the form of an AG opinion?

Thanks! Michelle

Sent from my iPhone

On Oct 9, 2018, at 3:00 PM, Mooney, Anna (DNR) <<u>MooneyA@michigan.gov</u>> wrote:

> Including Michelle Crook on here from DNR Executive Division as she was also in contact with ACOE and Matt MacGregor, I believe.

From: Dan Hibma <<u>dhibma@land-</u> co.com> Sent: Tuesday, October 9, 2018 3:02 PM To: Petersen, Paul (DNR) <PetersenP@mic higan.gov> Cc: Olson, Ron (DNR) <<u>OLSONR@michi</u> gan.gov>; Mooney, Anna (DNR) <<u>MooneyA@michi</u> <u>gan.gov</u>>; McGhee, Vicki (DNR) <<u>McGheeV1@mic</u> higan.gov>; Watkins, Bruce (DTMB) <WatkinsB1@mic

<u>higan.gov</u>>

Subject: Re: FW: Correction Request

Paul, Yes, Matt will start work on this ASAP.

Thanks. Dan

On Oct 9, 2018 2:25 PM, "Petersen, Paul (DNR)" <<u>PetersenP@mic</u> <u>higan.gov</u>> wrote: Hello Dan:

Is it possible Dan for Matt MacGregor to assist with the requested additional information for the Grand River Waterway Sediment Testing Joint Permit application... please.

Thank you Dan!

Paul

From: McIntyre, Nicole (DEQ) Sent: Tuesday, October 9, 2018 1:55 PM To: Crook, Michelle (DNR) <<u>CrookM@michig</u> <u>an.gov</u>>; mmacgregor@kin g-macgregor.com; Petersen, Paul (DNR) <<u>PetersenP@mic</u> higan.gov>; Olson, Ron (DNR) <<u>OLSONR@michi</u> gan.gov> Cc: Broadwater, Bonnie (DEQ)

<<u>BroadwaterB@</u> michigan.gov>; Saldivia, Luis (DEQ) <<u>SALDIVIAL@mi</u> chigan.gov> **Subject:** Correction Request

Good afternoon, Attached you will find a copy of the Correction **Request Letter** regarding a project located at 70-Grand **River Waterway-**Grand Rapids. Please use this letter to provide Bonnie Broadwater with the information she will need, to move forward in the process. The account will be placed on hold until all the information is provided. Please feel free to contact Bonnie at 616-591-8163 with any questions you may have.

#### Kind Regards,

#### **Nicole McIntyre**

District Secretary for the Water Resources Division 350 Ottawa Avenue, Unit #10 Grand Rapids, Michigan 49503 616-356-0286 I <u>mcintyren@mich</u> <u>igan.gov</u>

#### **RE: Correction Request**

Seidel, Teresa (DEQ) <SEIDELT@michigan.gov>

Wed 10/31/2018 9:16 AM

To: Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov> Cc: Fish, Kim (DEQ) <FISHK@michigan.gov>; Klemans, Diana (DEQ) <KLEMANSD@michigan.gov>; Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>

Thanks Luis that's helpful.

From: Saldivia, Luis (DEQ)
Sent: Wednesday, October 31, 2018 8:55 AM
To: Seidel, Teresa (DEQ) <SEIDELT@michigan.gov>
Cc: Fish, Kim (DEQ) <FISHK@michigan.gov>; Klemans, Diana (DEQ) <KLEMANSD@michigan.gov>; Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>
Subject: RE: Correction Request

Bonnie is going to reach out today to Michelle Crook and/or Matt MacGregor so we can get what we need in order for us to complete the screening that we need to do.

The revised submittal uploaded by MacGregor indicated they wanted to reduce the number of samples they initially agreed to take and they are also dropping several of the parameters that Mike Alexander had recommended. So we need to square this so we can provide them the authorization they need.

Luis.

From: Seidel, Teresa (DEQ)
Sent: Tuesday, October 30, 2018 8:27 PM
To: Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>>; Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>>; Saldivia, Luis (DEQ) <<u>SALDIVIAL@michigan.gov</u>>
Subject: FW: Correction Request

See below.

From: Crook, Michelle (DNR) Sent: Tuesday, October 30, 2018 8:25 PM To: Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>> Subject: Re: Correction Request

Matt said it has been uploaded into MIWaters. Hopefully it has everything needed.

Sent from my iPhone

On Oct 30, 2018, at 7:59 PM, Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>> wrote:

Sounds good.

From: Crook, Michelle (DNR) Sent: Tuesday, October 30, 2018 7:58 PM To: Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>> Subject: Re: Correction Request

I don't think Matt McGregor (consultant) has resubmitted yet. RRD also weighed in and had some suggestions on sampling locations where they had concerns. We may need to modify the locations slightly to include those.

I've reached out to Matt to get an idea on timeframe.

Sent from my iPhone

On Oct 30, 2018, at 7:45 PM, Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>> wrote:

Are you guys all set? Has the application been updated to include the missing information?

From: Howes, Sarah (DEQ) Sent: Tuesday, October 30, 2018 5:15 PM To: Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>> Cc: Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>>; Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>>; Smith, Laura (DEQ) <<u>SMITHL16@michigan.gov</u>> Subject: RE: Correction Request

Senator Meekhof's office reached out to me today regarding the status of this. I informed them that I knew we'd sent a correction request but wasn't sure if DNR had responded yet.

Can you provide an update of where we're at with this? I know they're wanting to get the sediment samples pulled yet this year.

I told Meekhof's staff I'd provide an update back once I had additional information to pass along.

Thanks, Sarah

Sarah M. Howes Director, Policy & Legislative Affairs Department of Environmental Quality C 517.282.9204

From: Howes, Sarah (DEQ) Sent: Tuesday, October 23, 2018 1:17 PM To: Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>> Cc: Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>>; Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>>; Smith, Laura (DEQ) <<u>SMITHL16@michigan.gov</u>> Subject: RE: Correction Request

Thanks - I noticed that Vicki wasn't on the original email sent by DEQ so I just wanted to make sure that the message was getting to the appropriate person at DNR.

Sarah

Sarah M. Howes Director, Policy & Legislative Affairs Department of Environmental Quality C 517.282.9204 (DEQ) <<u>SEIDELT@michigan.gov</u>>; Smith, Laura (DEQ) <<u>SMITHL16@michigan.gov</u>> **Subject:** Re: Correction Request

It was explained. You have a follow up email from Dina. She called Vicki McGhee and explained we just need something filled out in the box so we have a complete application. Might be a DNR communication issue.

Kimberly D. Fish MDEQ, Water Resources Div. 517-599-9040

On Oct 23, 2018, at 12:52 PM, Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>> wrote:

Do you know that was explained to the correct person at DNR? From the emails, it looks like there is confusion around what is being asked. Could that please be clarified?

Thanks, Sarah

Sarah M. Howes Director, Policy & Legislative Affairs Department of Environmental Quality C 517.282.9204

From: Klemans, Diana (DEQ) Sent: Monday, October 22, 2018 3:22 PM To: Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>>; Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Smith, Laura (DEQ) <<u>SMITHL16@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>> Subject: RE: Correction Request

Yes, there were other things in the correction return including identification of sample locations, analytes and description of the sampling barge with respect to potential impact on river bottom. There may have been more. I spoke to Bonnie and Luis about the permissions around October 9. They would like DNR to fill out the line on the application with a short explanation of why permissions aren't needed since it came in blank. If DNR has something in writing to support the explanation from the DAG they would like that also to complete the application. I sent the email we have from the DAG to Luis on October 9.

Dina Klemans Section Manager Surface Water Assessment Section Water Resources Division Michigan Department of Environmental Quality 517-284-5510 <u>klemansd@michigan.gov</u> From: Seidel, Teresa (DEQ) Sent: Monday, October 22, 2018 2:42 PM To: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Smith, Laura (DEQ) <<u>SMITHL16@michigan.gov</u>>; Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>> Subject: RE: Correction Request

We can address the ownership issue. Are there other items in the correction request?

Т.

From: Howes, Sarah (DEQ) Sent: Monday, October 22, 2018 2:38 PM To: Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>>; Smith, Laura (DEQ) <<u>SMITHL16@michigan.gov</u>>; Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>> Subject: FW: Correction Request

Teresa and Dina,

I don't have the attachment but it looks like DEQ staff were requesting ownership information related to the GR to GH dredge sampling. Can you please make sure that staff are up to speed on the ownership discussions related to this project?

Does the correction request need to be amended? Again, don't have the attachment so unclear what it actually says. Thanks, Sarah

Sarah M. Howes Director, Policy & Legislative Affairs Department of Environmental Quality C 517.282.9204

From: Mooney, Anna (DNR) Sent: Monday, October 22, 2018 2:22 PM To: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>> Cc: Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>> Subject: Fwd: Correction Request

Can you assist with this question regarding grand river sediment sampling?

Sent from my iPhone

Begin forwarded message:

From: "Crook, Michelle (DNR)" <<u>CrookM@michigan.gov</u>> Date: October 22, 2018 at 2:13:12 PM EDT To: "Mooney, Anna (DNR)" <<u>MooneyA@michigan.gov</u>> Subject: Re: Correction Request

Yes. DEQ is asking for the ownership info and will need some level of documentation. Otherwise they are likely to want sign offs from all the landowners. Sent from my iPhone

On Oct 22, 2018, at 2:01 PM, Mooney, Anna (DNR) <<u>MooneyA@michigan.gov</u>> wrote:

I do not have this type of information. Do you mean our ownership of bottomlands, in general? My conversation with AG's office were surrounding the fact that we wouldn't be required to obtain riparian permission of all of the landowners.

From: Crook, Michelle (DNR) Sent: Friday, October 19, 2018 2:02 PM To: Mooney, Anna (DNR) <<u>MooneyA@michigan.gov</u>> Subject: Re: Correction Request

Anna,

One of the items DEQ is requesting is documentation showing sol ownership of the bottomlands in the river. Do we have in the form of an AG opinion?

Thanks! Michelle

Sent from my iPhone

On Oct 9, 2018, at 3:00 PM, Mooney, Anna (DNR) <<u>MooneyA@michigan.gov</u>> wrote:

> Including Michelle Crook on here from DNR Executive Division as she was also in contact with ACOE and Matt MacGregor, I believe.

From: Dan Hibma

<<u>dhibma@land-co.com</u>> Sent: Tuesday, October 9, 2018 3:02 PM To: Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>> Cc: Olson, Ron (DNR) <<u>OLSONR@michigan.gov</u>>; Mooney, Anna (DNR) <<u>MooneyA@michigan.gov</u>>; McGhee, Vicki (DNR) <<u>McGheeV1@michigan.gov</u>>; Watkins, Bruce (DTMB) <<u>WatkinsB1@michigan.gov</u>> Subject: Re: FW: Correction Request

Paul, Yes, Matt will start work on this ASAP.

Thanks. Dan

On Oct 9, 2018 2:25 PM, "Petersen, Paul (DNR)" <<u>PetersenP@michigan.gov</u>> wrote: Hello Dan:

Is it possible Dan for Matt MacGregor to assist with the requested additional information for the Grand River Waterway Sediment Testing Joint Permit application...please.

Thank you Dan!

Paul

From: McIntyre, Nicole (DEQ) Sent: Tuesday, October 9, 2018 1:55 PM To: Crook, Michelle (DNR) <<u>CrookM@michigan.gov</u>>; mmacgregor@kingmacgregor.com; Petersen, Paul (DNR) <PetersenP@michigan.gov>; Olson, Ron (DNR) <<u>OLSONR@michigan.gov></u> Cc: Broadwater, Bonnie (DEQ) <<u>BroadwaterB@michigan.gov</u> >; Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov> Subject: Correction Request

Good afternoon,

Attached you will find a copy of the Correction Request Letter regarding a project located at 70-Grand **River Waterway-Grand** Rapids. Please use this letter to provide Bonnie Broadwater with the information she will need, to move forward in the process. The account will be placed on hold until all the information is provided. Please feel free to contact Bonnie at 616-591-8163 with any questions you may have.

Kind Regards,

#### Nicole McIntyre

District Secretary for the Water Resources Division 350 Ottawa Avenue, Unit #10 Grand Rapids, Michigan 49503 616-356-0286 I mcintyren@michigan.gov

## **GR** project

Crook, Michelle (DNR) <CrookM@michigan.gov>

Tue 11/6/2018 2:23 PM

To: Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>

Ignore my message from yesterday. Just talked to MacGregor. They have not submitted yet. It should be today or tomorrow.

Sent from my iPhone

## 70-Grand River Waterway- Grand Rapids T&E Review for Sediment Sampling Plan

## Broadwater, Bonnie (DEQ) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=979DC5A49E2A47DC8A7ACF3D155740CE-BROADWATER>

Thu 11/8/2018 3:38 PM

To: Gyekis, Keto (DEQ) <GyekisK@michigan.gov>Cc: Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>

#### 4 attachments (11 MB)

GR Waterway-dredge sampling plan 11-8-18.pdf; GR\_Waterway Dredge Area Plans (AWL-7)\_11-8-18.pdf; 17-058 Draft Unionid Report 12-2017.pdf; GR Waterway MDEQ-Corps Permit App\_revised 11-8-18.pdf;

Hi Keto,

I am currently reviewing the application for the proposed Grand River Dredge sediment sampling. I am requesting your input on potential T&E issues for the project as proposed, specifically, with mussels to determine if the project can be processed as a GP. The intersection in MiWaters indicates the potential for presence of several state listed mussels in addition to Snuffbox. I have attached the application, plans, and sampling protocol for the proposed collection of (up to) 87 sediment samples from the Grand River. The Unionid report prepared by the applicant is also attached for reference. MiWaters Site: <a href="https://miwaters.deg.state.mi.us/miwaters/#/site/edit/detail?siteld=8181154850806237027">https://miwaters/#/site/edit/detail?siteld=8181154850806237027</a>

The project reach overall is from the confluence of the Bass River, upstream to Ann Street in Grand Rapids. The samples will be collected from 34 total reaches, with the specific sampling locations for each reach to be randomized within the reach.

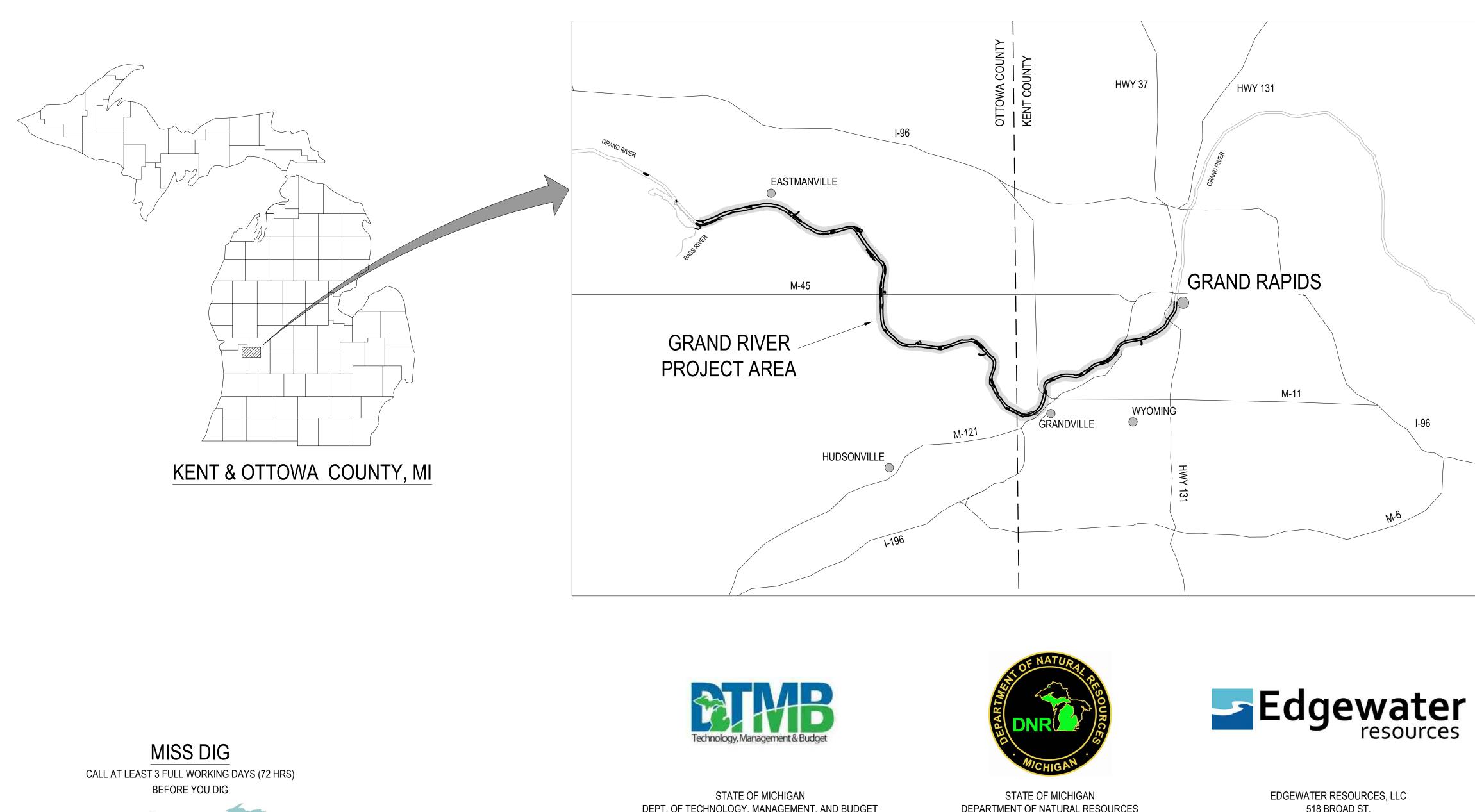
With regard to the impact from the actual sampling process, the JPA specifies the following: The sample collection will be conducted during times of normal water elevations from a barge. A GPSguided propulsion/autopilot will be used (Minn Kota-Spot-Lock) that will apply virtual anchor functions; therefore, no anchoring/disturbance to river bottom is proposed. Boreholes will have an outside diameter of less than 8 inches.

#### Thanks,

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163







DEPT. OF TECHNOLOGY, MANAGEMENT, AND BUDGET FACILITIES AND BUSINESS ADMINISTRATION DESIGN AND CONSTRUCTION DIVISION DAVID B. BEHEN, DIRECTOR

# STATE OF MICHIGAN DEPARTMENT OF NATURAL RESOURCES GRAND RIVER WATERWAY STUDY FINAL SURVEY DRAWINGS

FILE #: 751/16038 BDW INDEX #: 50900

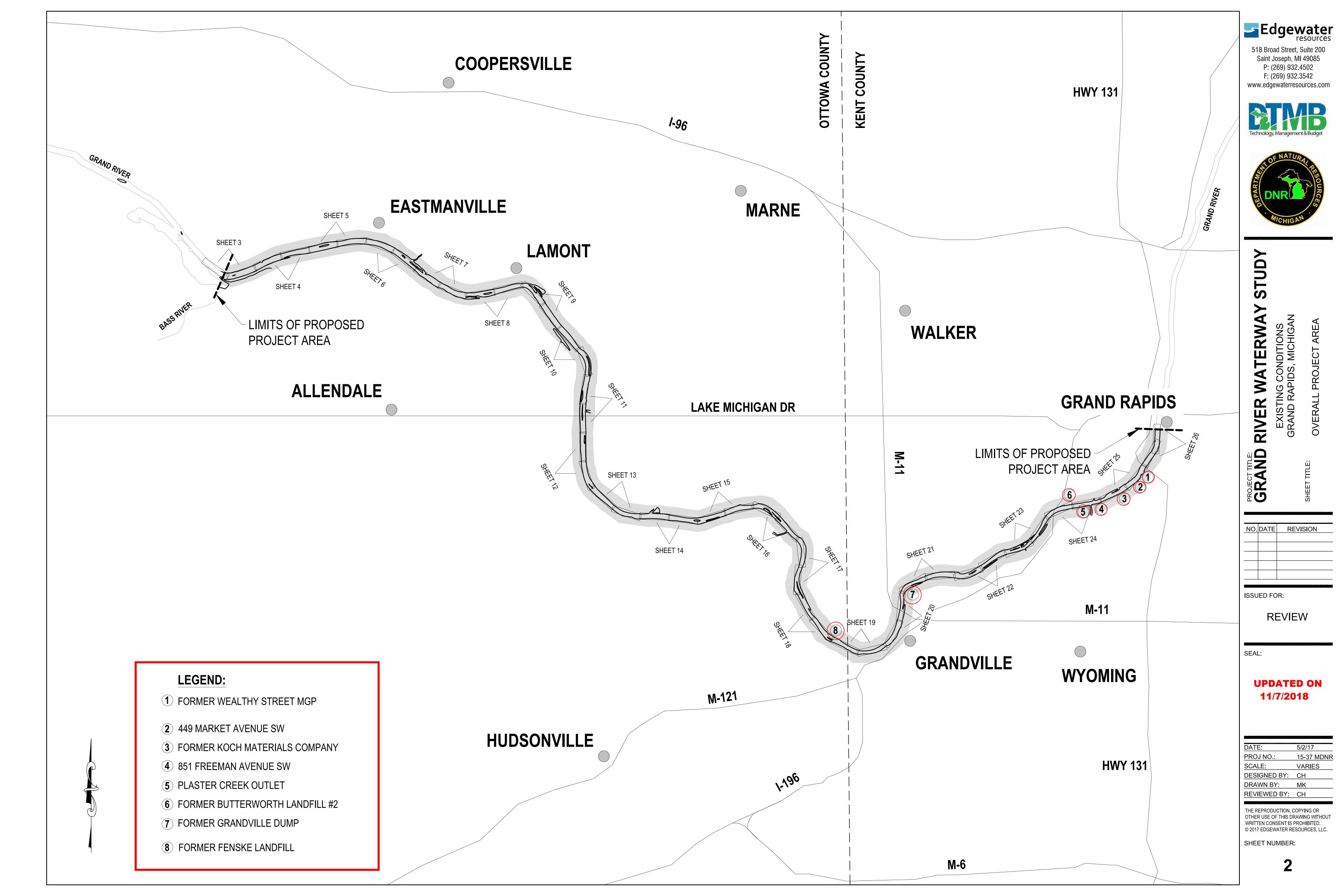
> DEPARTMENT OF NATURAL RESOURCES KEITH CREAGH, DIRECTOR

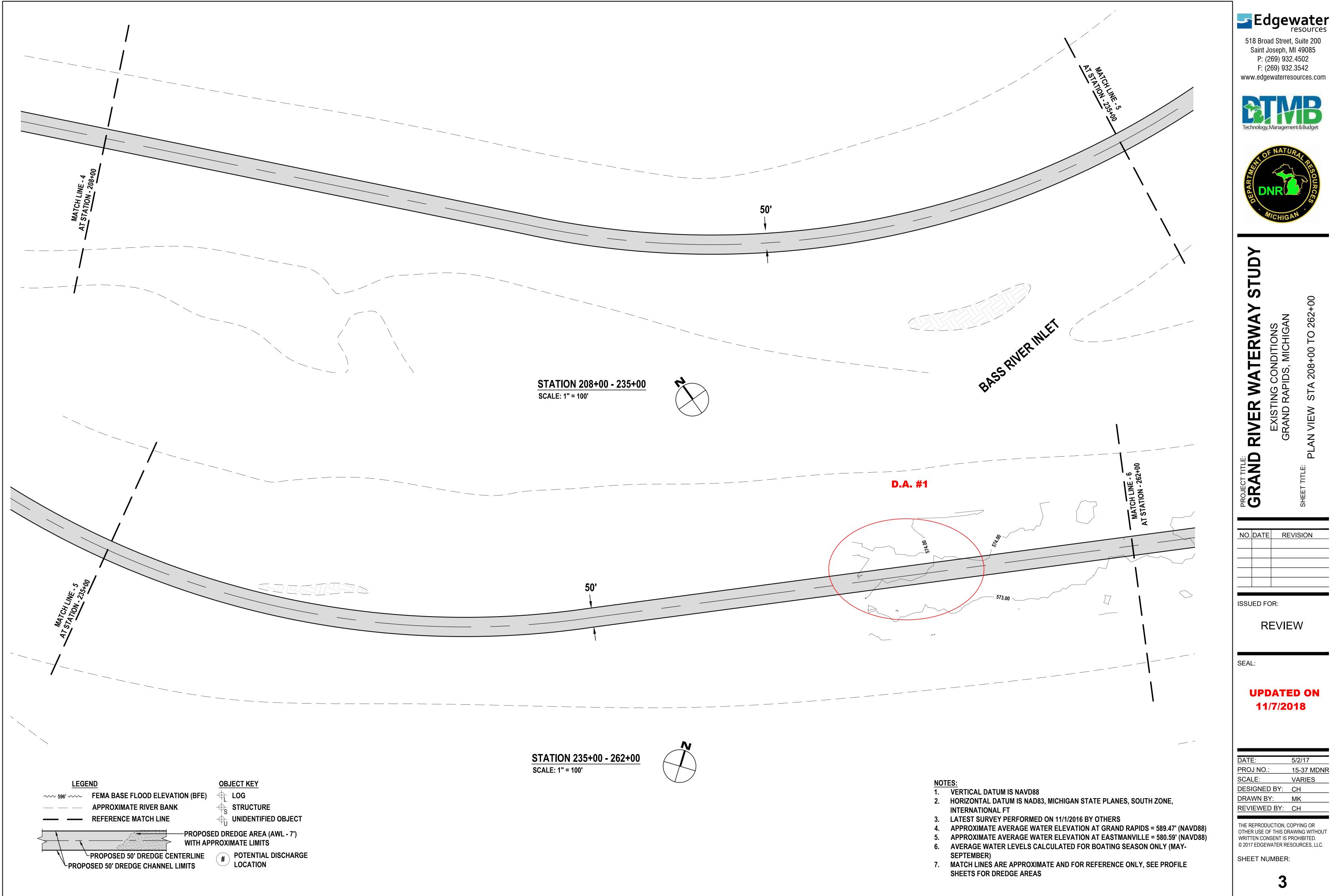
518 BROAD ST. ST. JOSEPH, MI 49085

# **UPDATED ON 11/7/18**

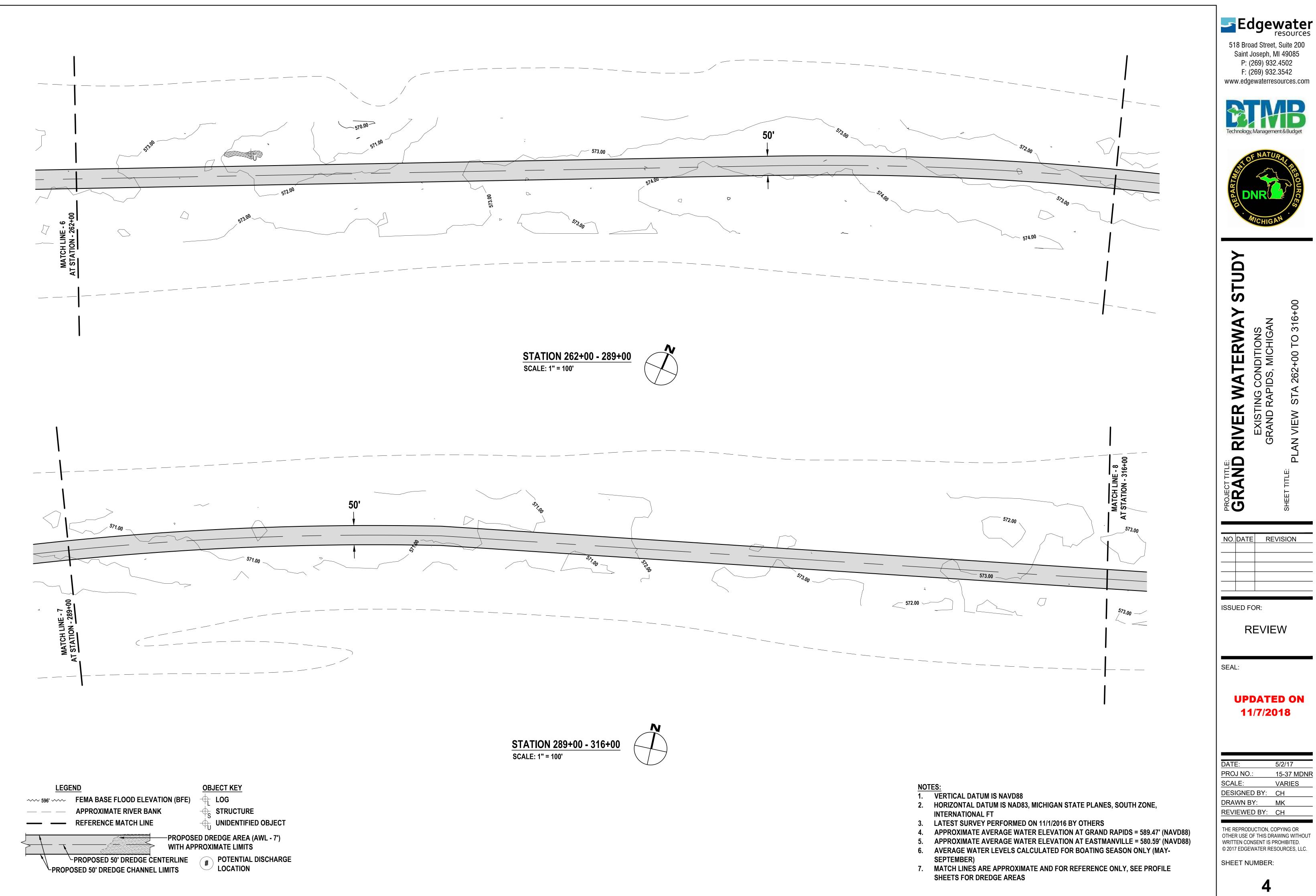
# **PROPOSED DREDGE AREAS SHOWN IN RED (D.A. #)**

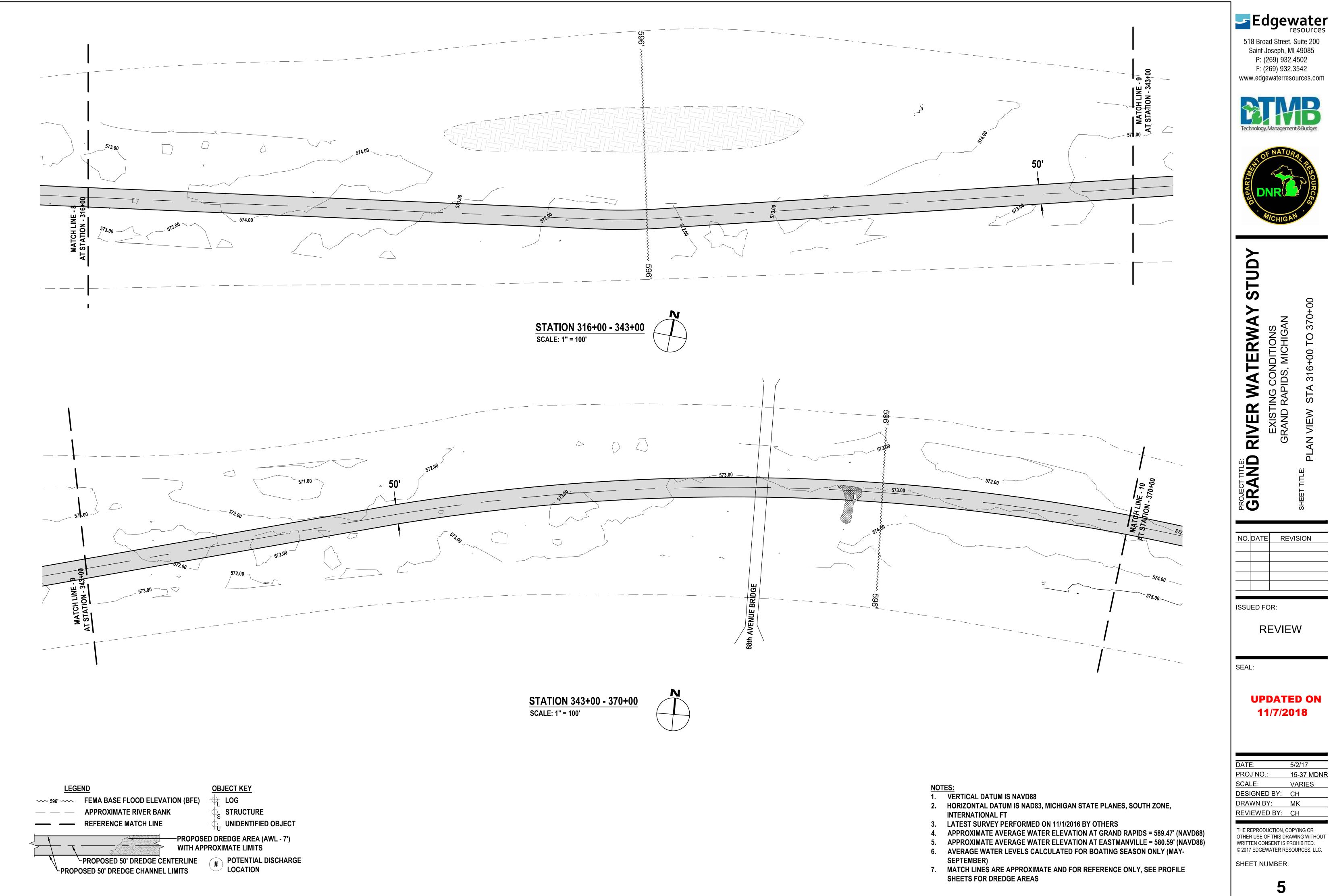
	Sheet List Table				
Sheet Number	Sheet Title				
1	COVER SHEET				
2	PROJECT AREA				
3	PLAN VIEW STA 208+00 TO 262+00				
4	PLAN VIEW STA 262+00 TO 316+00				
5	PLAN VIEW STA 316+00 TO 370+00				
6	PLAN VIEW STA 370+00 TO 424+00				
7	PLAN VIEW STA 424+00 TO 478+00				
8	PLAN VIEW STA 478+00 TO 532+00				
9	PLAN VIEW STA 532+00 TO 586+00				
10	PLAN VIEW STA 586+00 TO 640+00				
11	PLAN VIEW STA 640+00 TO 694+00				
12	PLAN VIEW STA 694+00 TO 748+00				
13	PLAN VIEW STA 748+00 TO 802+00				
14	PLAN VIEW STA 802+00 TO 856+00				
15	PLAN VIEW STA 856+00 TO 910+00				
16	PLAN VIEW STA 910+00 TO 964+00				
17	PLAN VIEW STA 964+00 TO 1018+00				
18	PLAN VIEW STA 1018+00 TO 1072+00				
19	PLAN VIEW STA 1072+00 TO 1126+00				
20	PLAN VIEW STA 1126+00 TO 1180+00				
21	PLAN VIEW STA 1180+00 TO 1234+00				
22	PLAN VIEW STA 1234+00 TO 1288+00				
23	PLAN VIEW STA 1288+00 TO 1342+00				
24	PLAN VIEW STA 1342+00 TO 1396+00				
25	PLAN VIEW STA 1396+00 TO 1450+00				
26	PLAN VIEW STA 1450+00 TO 1478+80				
27	PROFILE VIEW STA 254 - 421				
28	PROFILE VIEW STA 421 - 589				
29	PROFILE VIEW STA 589 - 757				
30	PROFILE VIEW STA 757 - 925				
31	PROFILE VIEW STA 925 - 1093				
32	PROFILE VIEW STA 1093 - 1261				
33	PROFILE VIEW STA 1261 - 1429				
34	PROFILE VIEW STA 1429 - 1472				
35	CROSS SECTION SAMPLE AWL- 6'				
36	GAUGE STATION DATA				

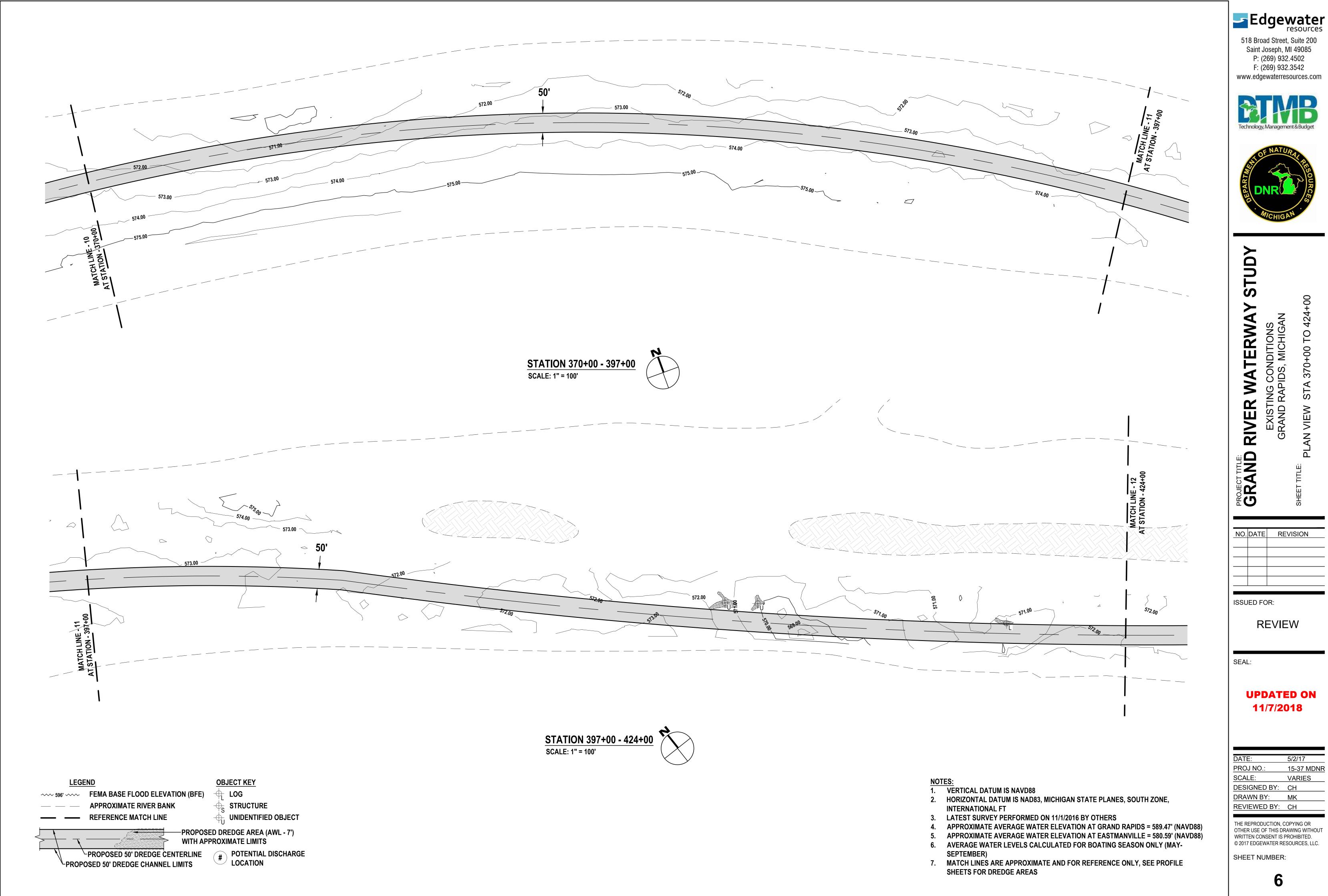




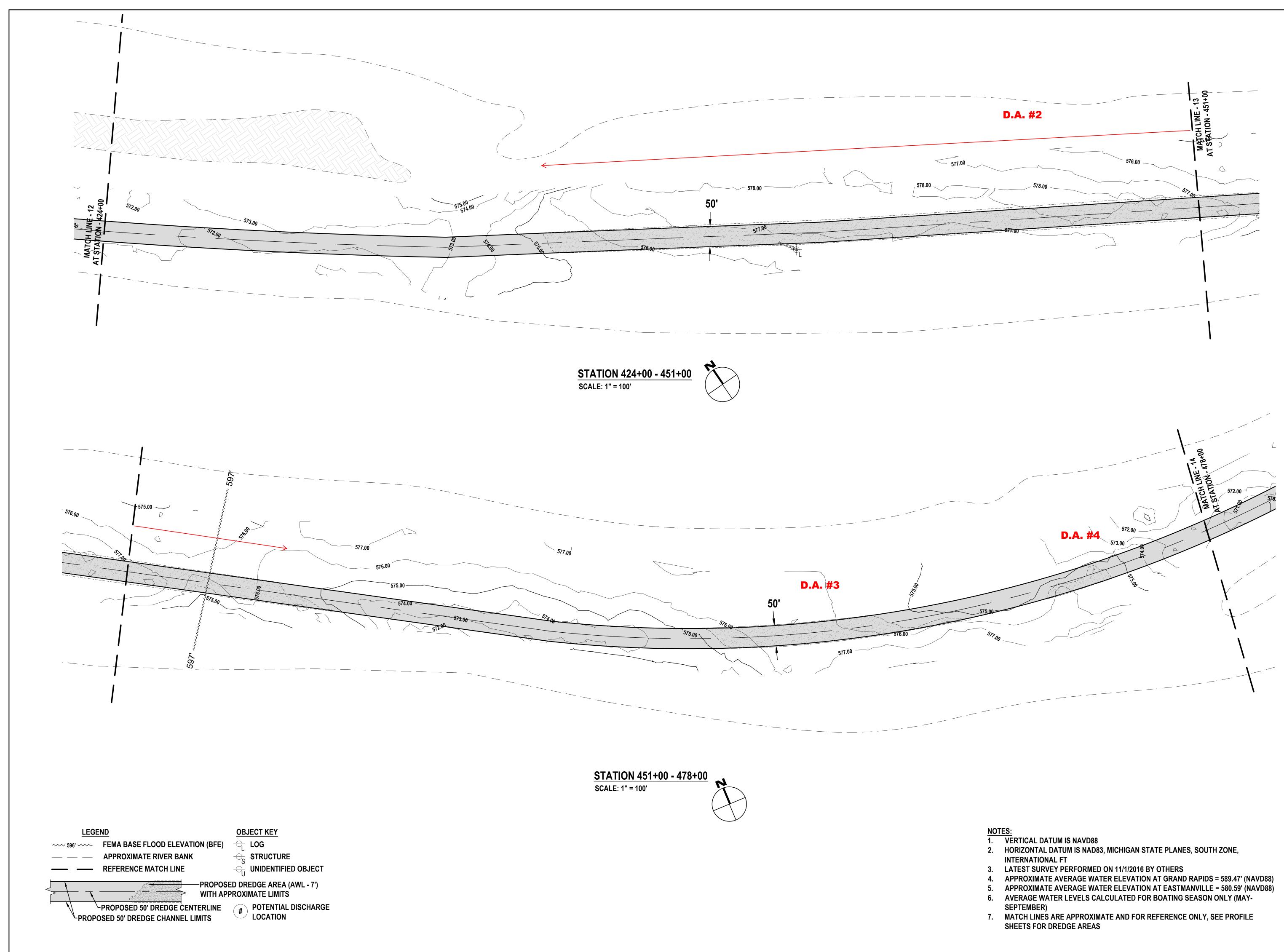
DATE:	5/2/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	MK
REVIEWED BY:	СН







DATE:	5/2/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	MK
<b>REVIEWED BY:</b>	СН



**Edgewater** resources 518 Broad Street, Suite 200 Saint Joseph, MI 49085 P: (269) 932.4502 F: (269) 932.3542 www.edgewaterresources.com D STUDY 8 ND RIVER WATERWAY 424+00 TO 478 EXISTING CONDITIONS RAND RAPIDS, MICHIGAN STA N VIEW **GRAI** NO. DATE REVISION

ISSUED FOR:

REVIEW

SEAL:

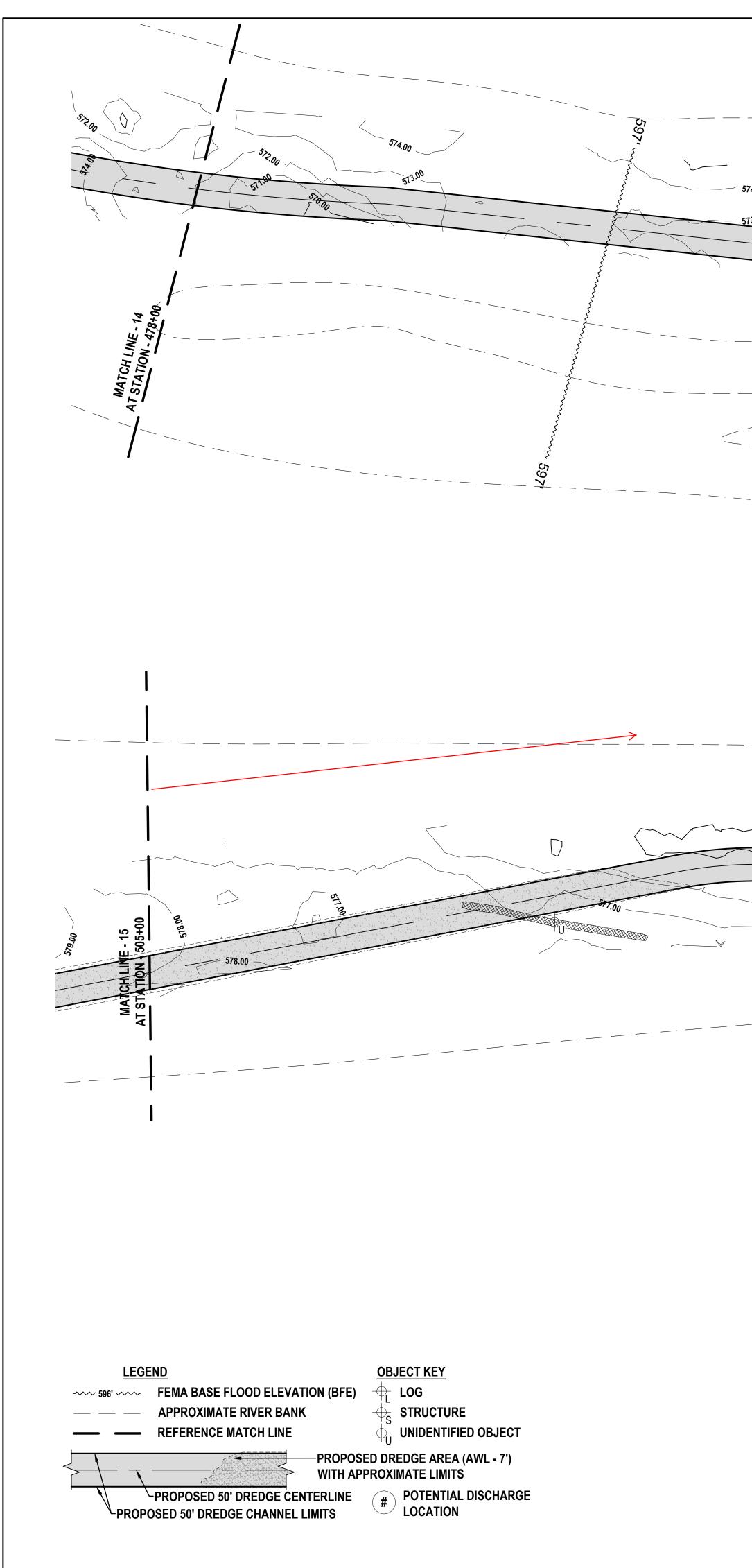
## **UPDATED ON** 11/7/2018

DATE:	9/7/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	MK
REVIEWED BY:	СН

THE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED. © 2017 EDGEWATER RESOURCES, LLC.

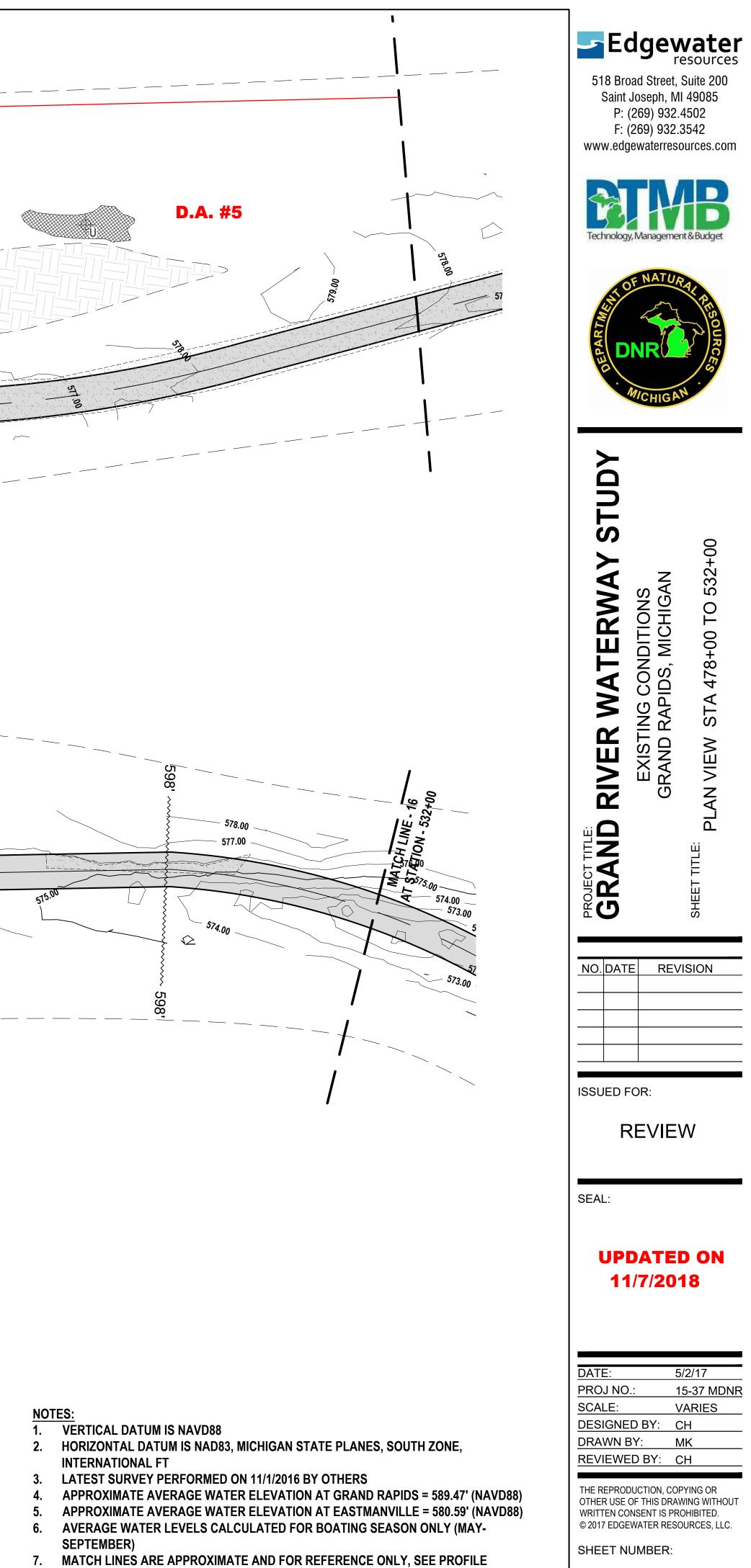
SHEET NUMBER:



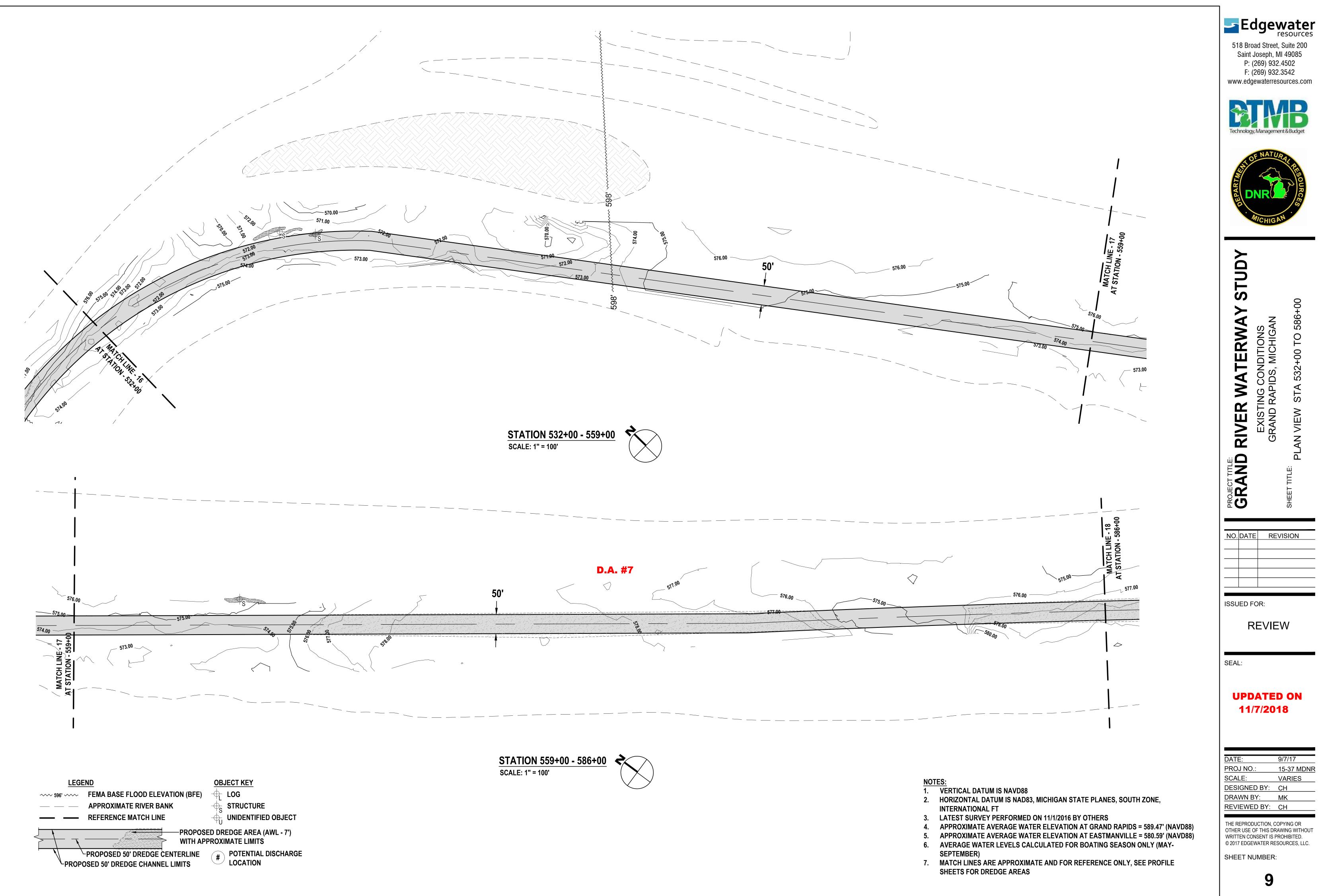


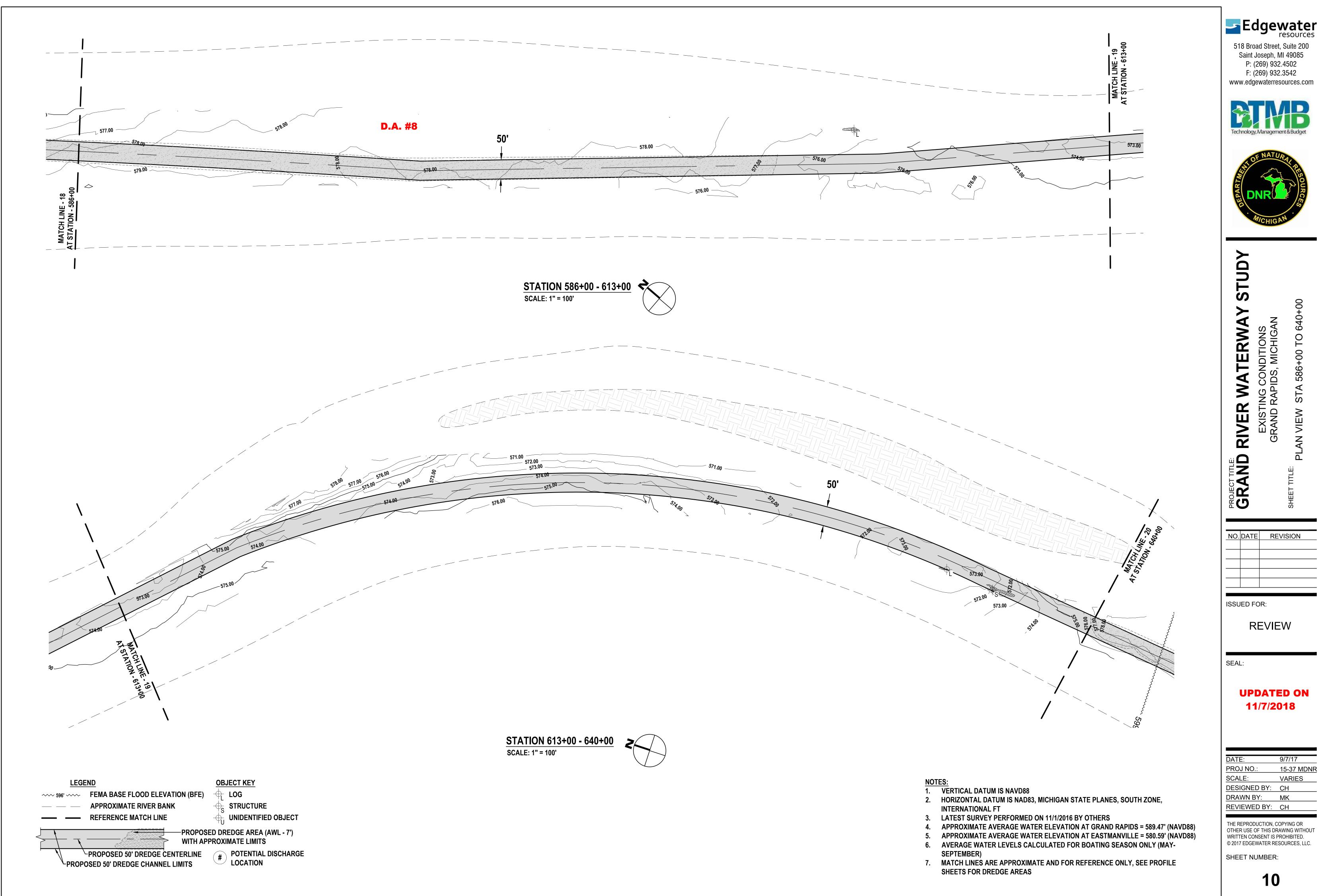
578.00  $\sum$ STATION 478+00 - 505+00 SCALE: 1" = 100' **D.A. #6** <sup>-</sup> 576.00 

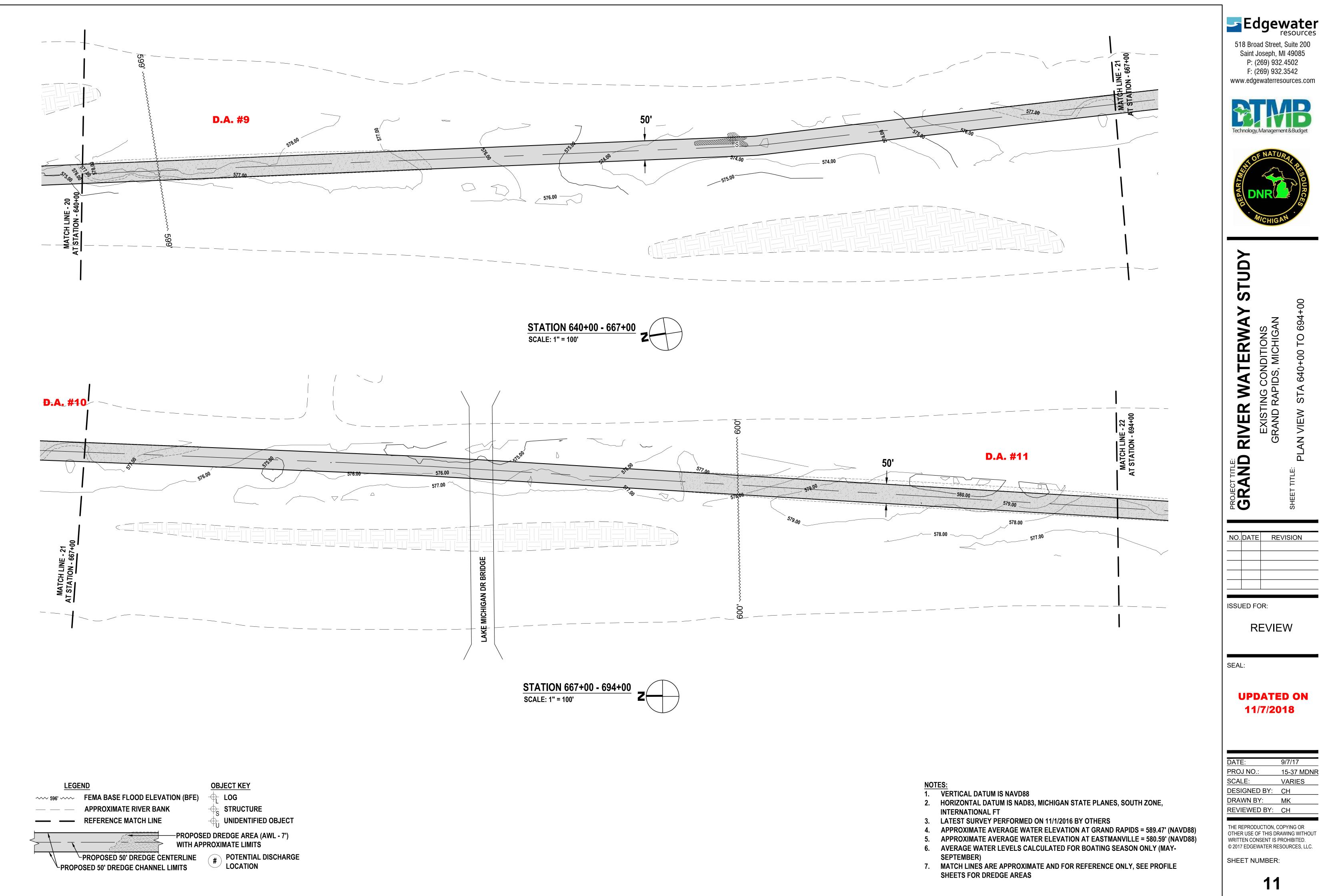
STATION 505+00 - 532+00	$\langle$
SCALE: 1" = 100'	$\left( \right)$

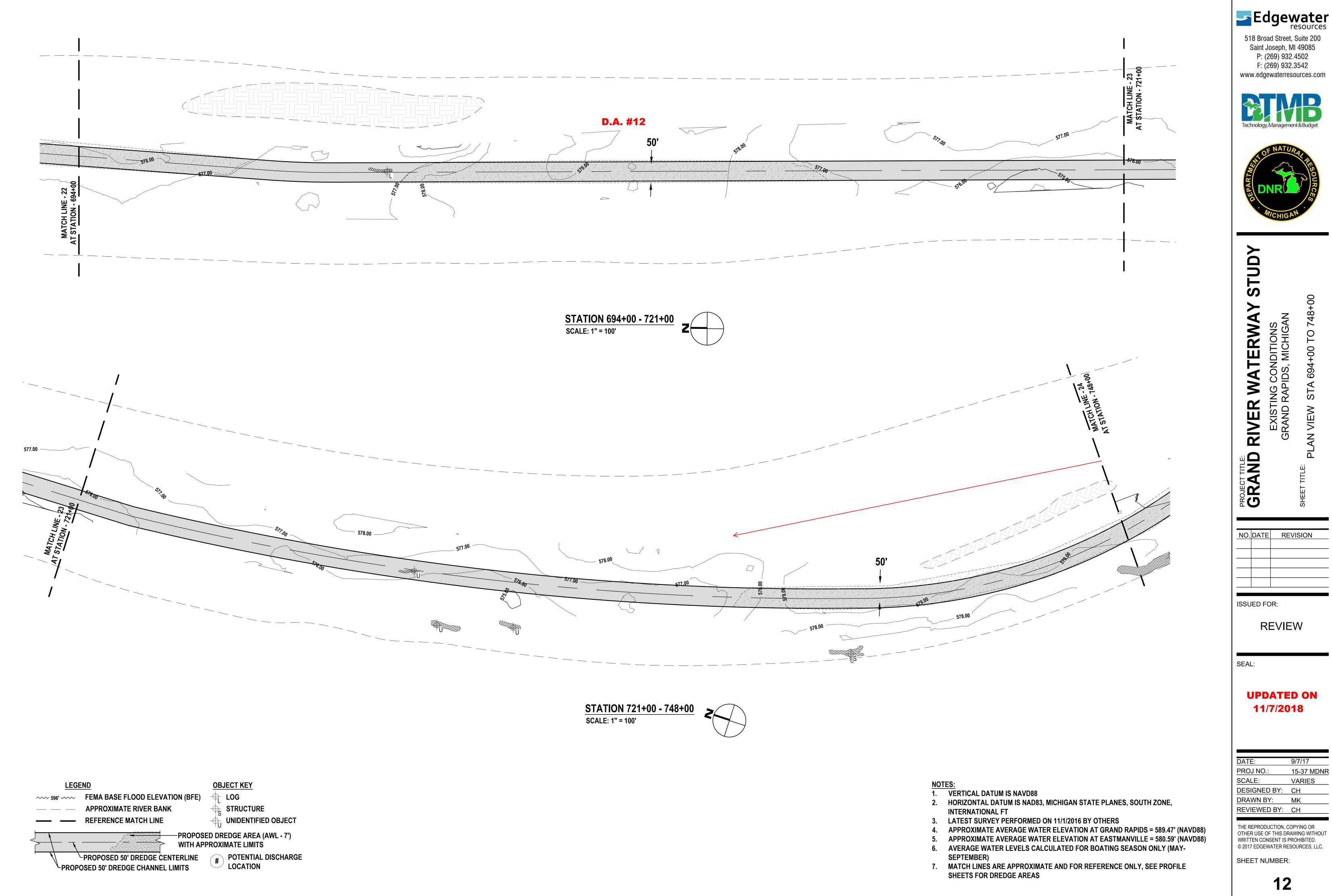


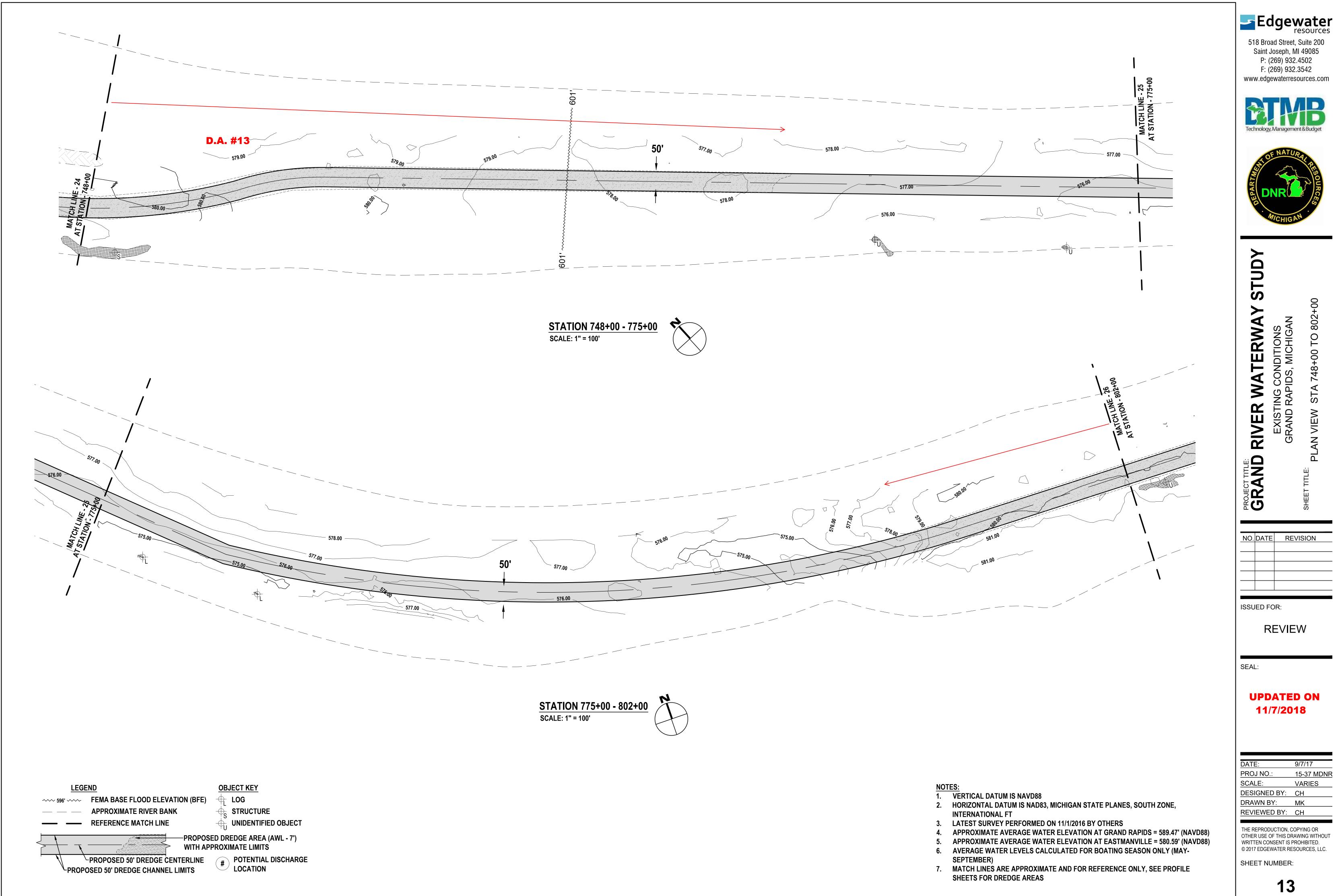
MATCH LINES ARE APPROXIMATE AND FOR REFERENCE ONLY, SEE PROFIL SHEETS FOR DREDGE AREAS







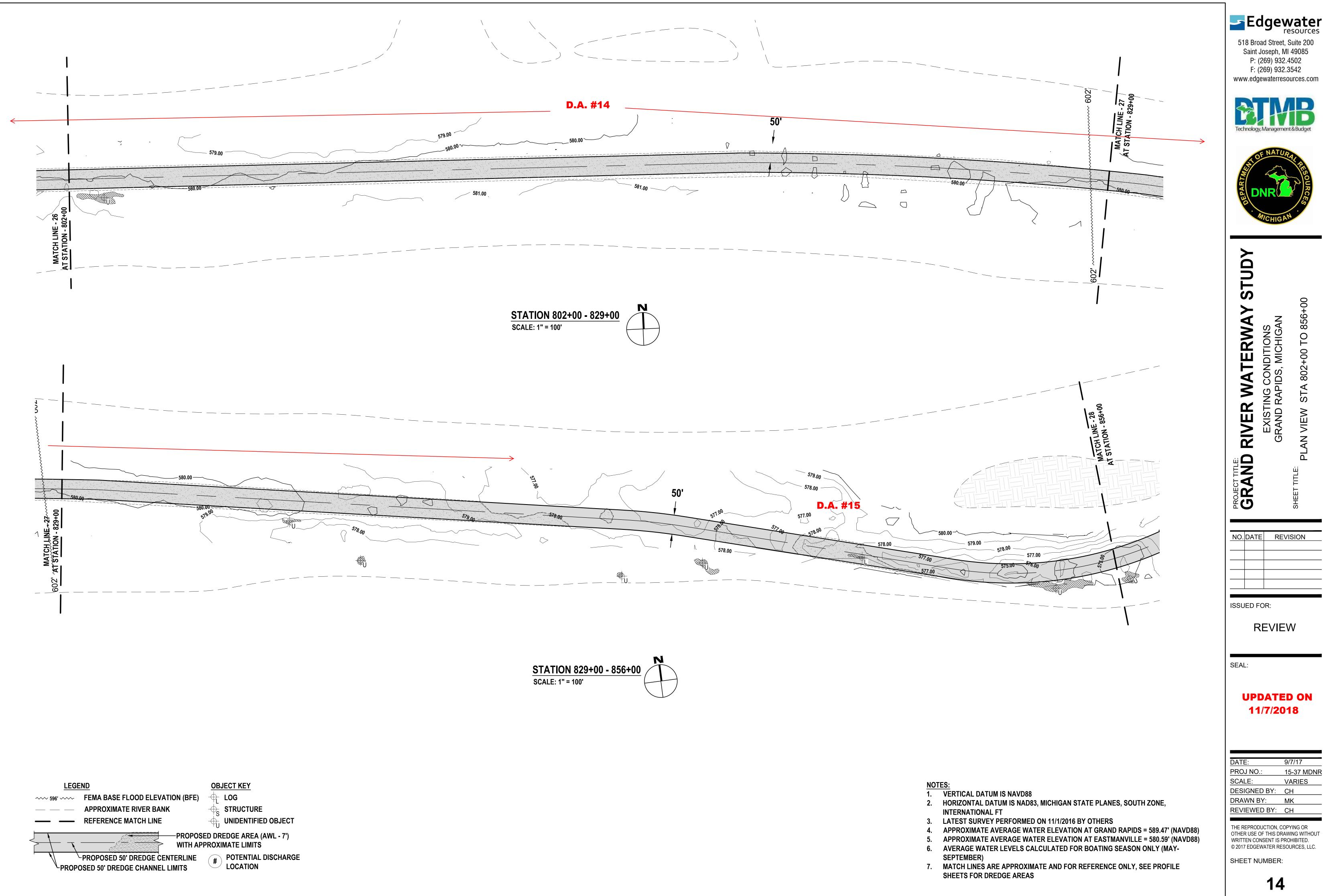




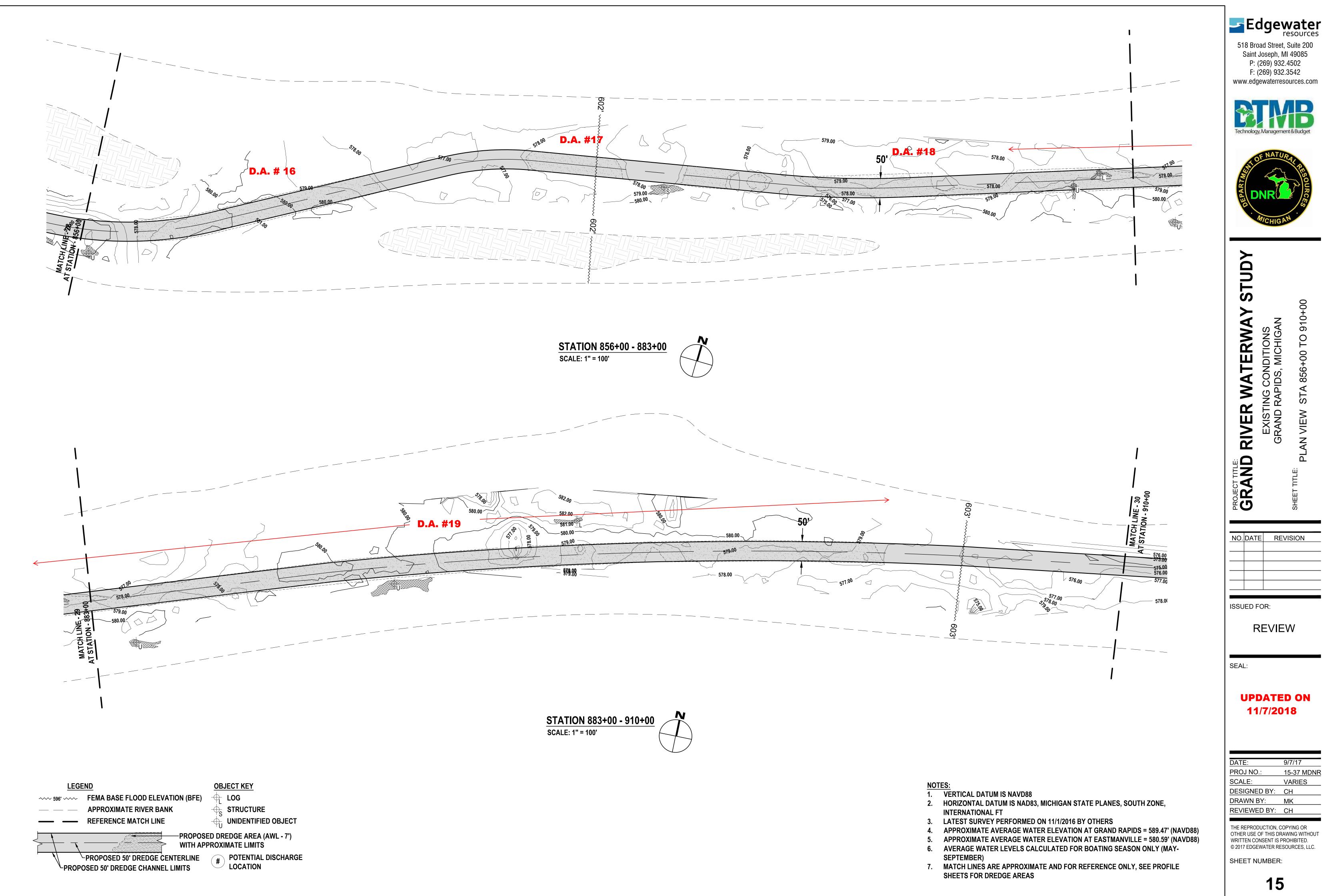
8

STA 748+00 TO 802

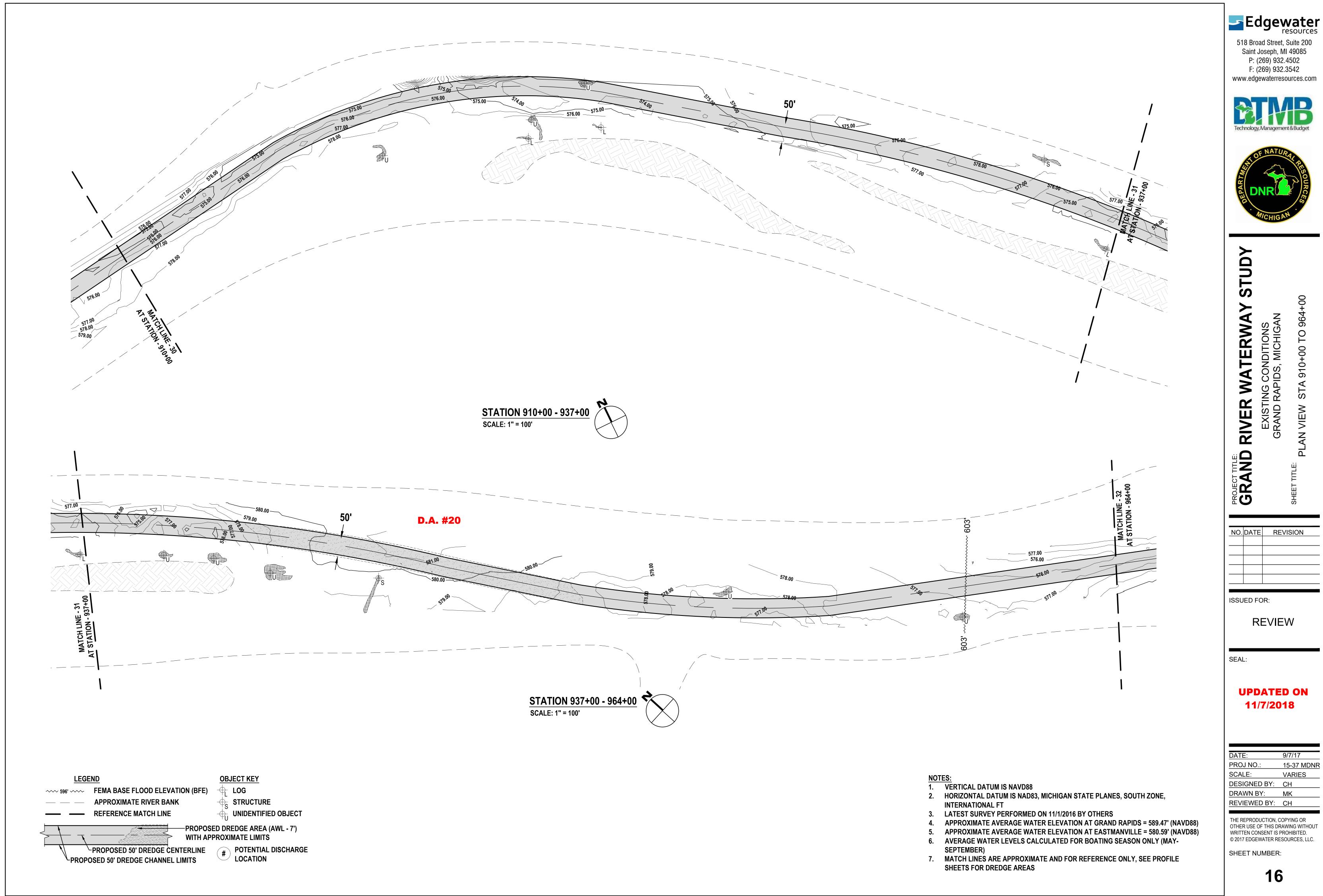
N VIEW

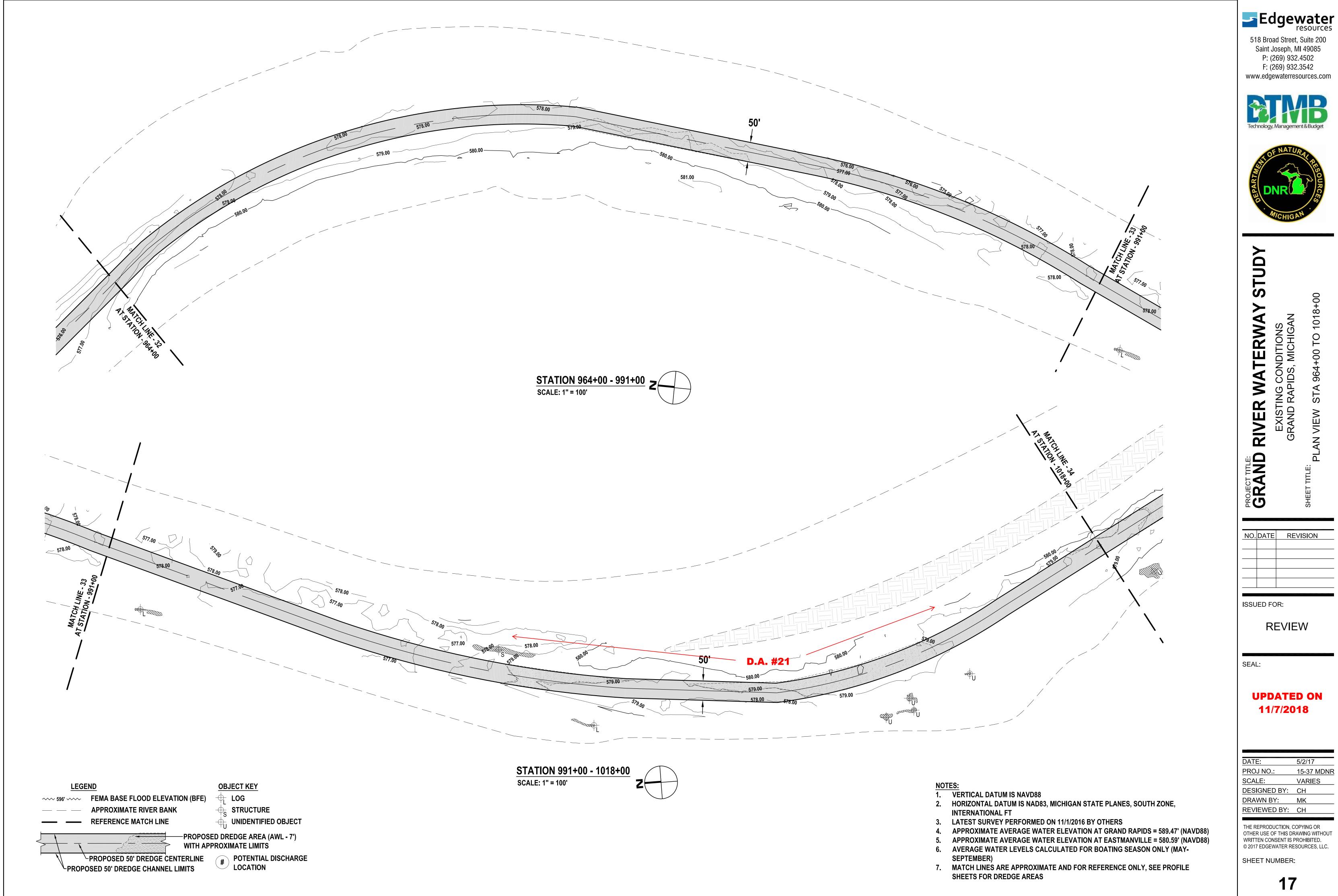


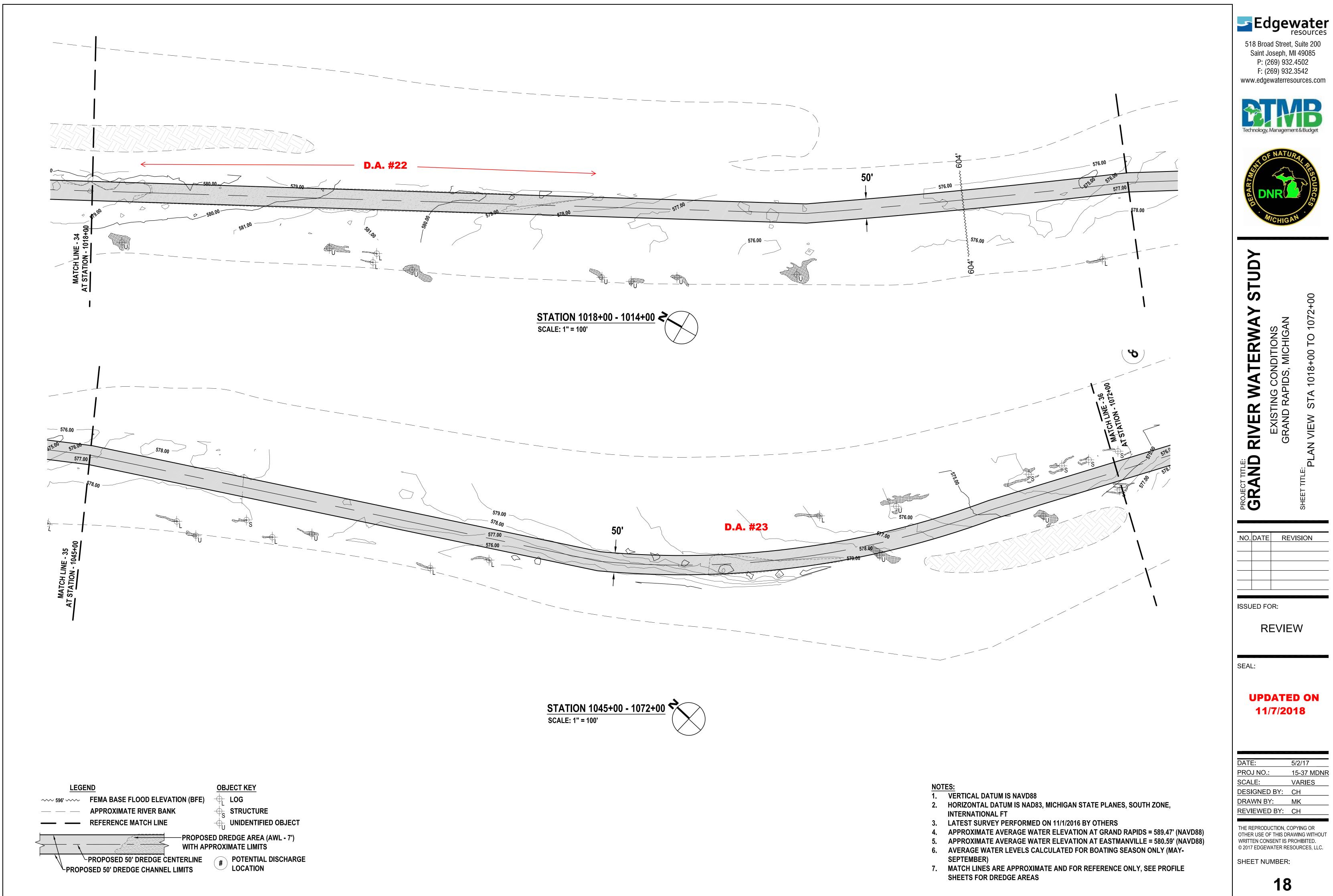
DATE:	9/7/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	MK
REVIEWED BY:	СН



STATION 883+00 - 910+00	N
SCALE: 1" = 100'	()

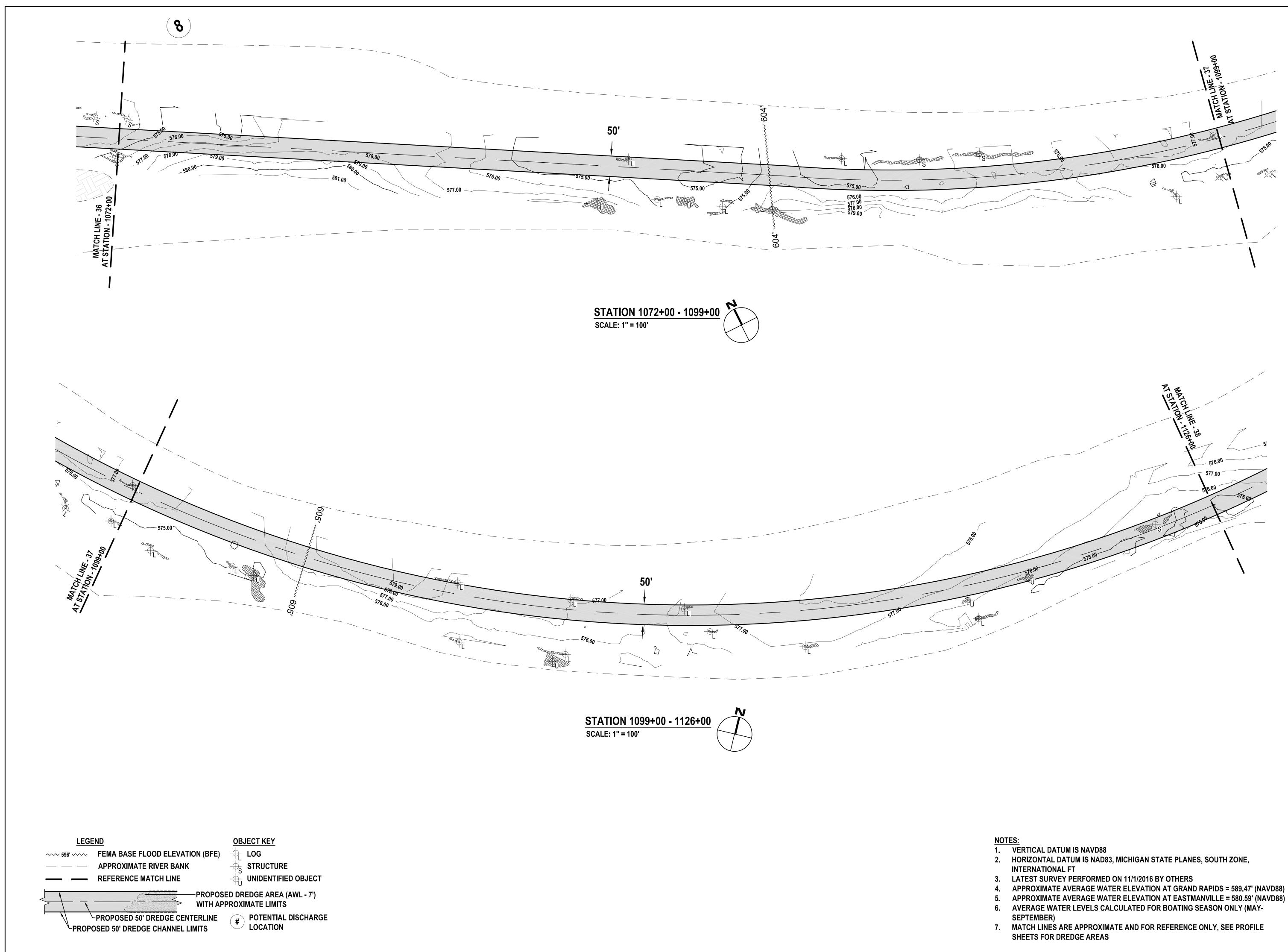






STA 1018+00 TO 107

VIEW



D Technology, Management & Budget STUDY 8 ND RIVER WATERWAY VIEW STA 1072+00 TO 1126 EXISTING CONDITIONS GRAND RAPIDS, MICHIGAN

**Edgewater** resources

518 Broad Street, Suite 200

Saint Joseph, MI 49085 P: (269) 932.4502 F: (269) 932.3542

www.edgewaterresources.com

NO. DATE REVISION

ISSUED FOR:

**GRA** 

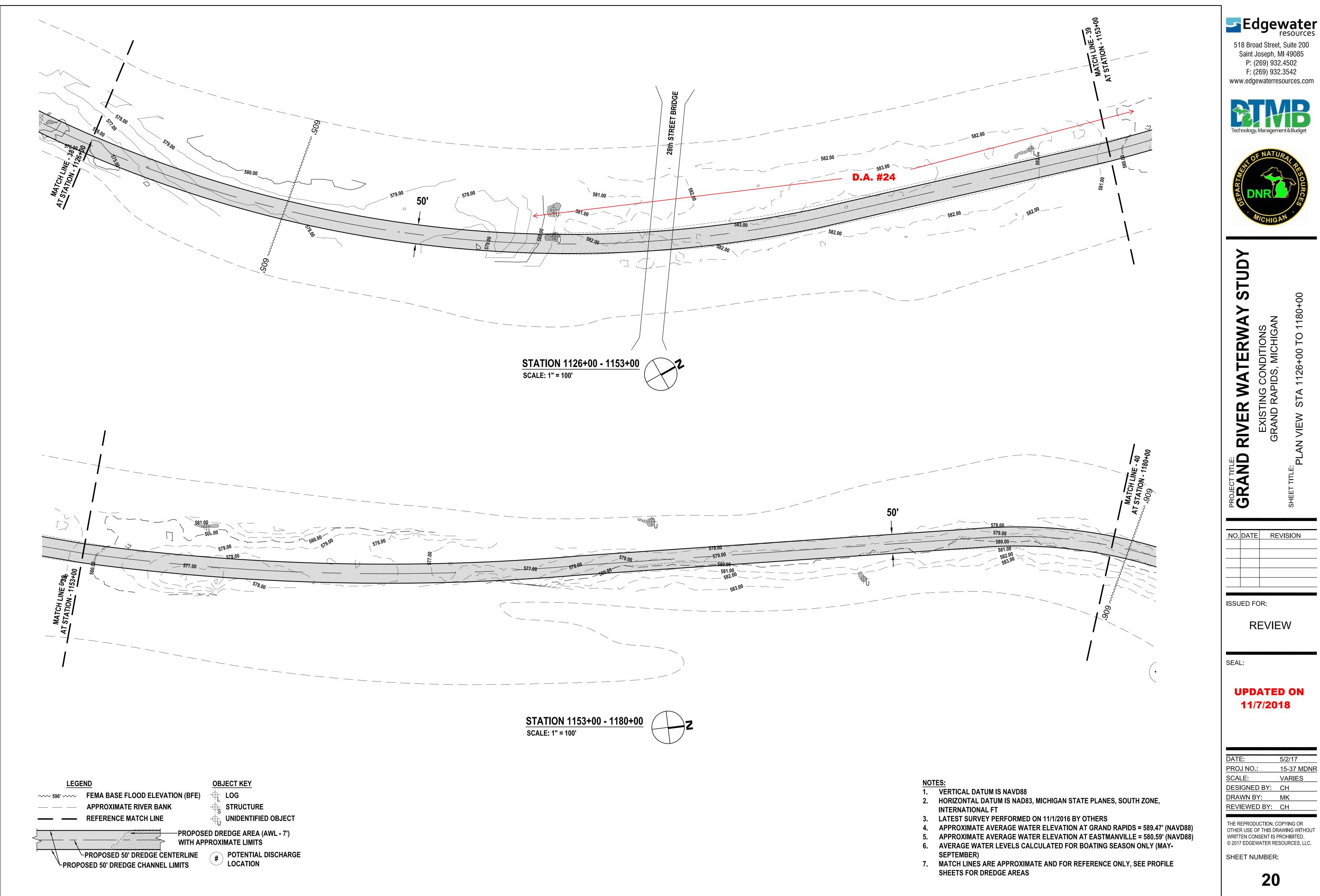
REVIEW

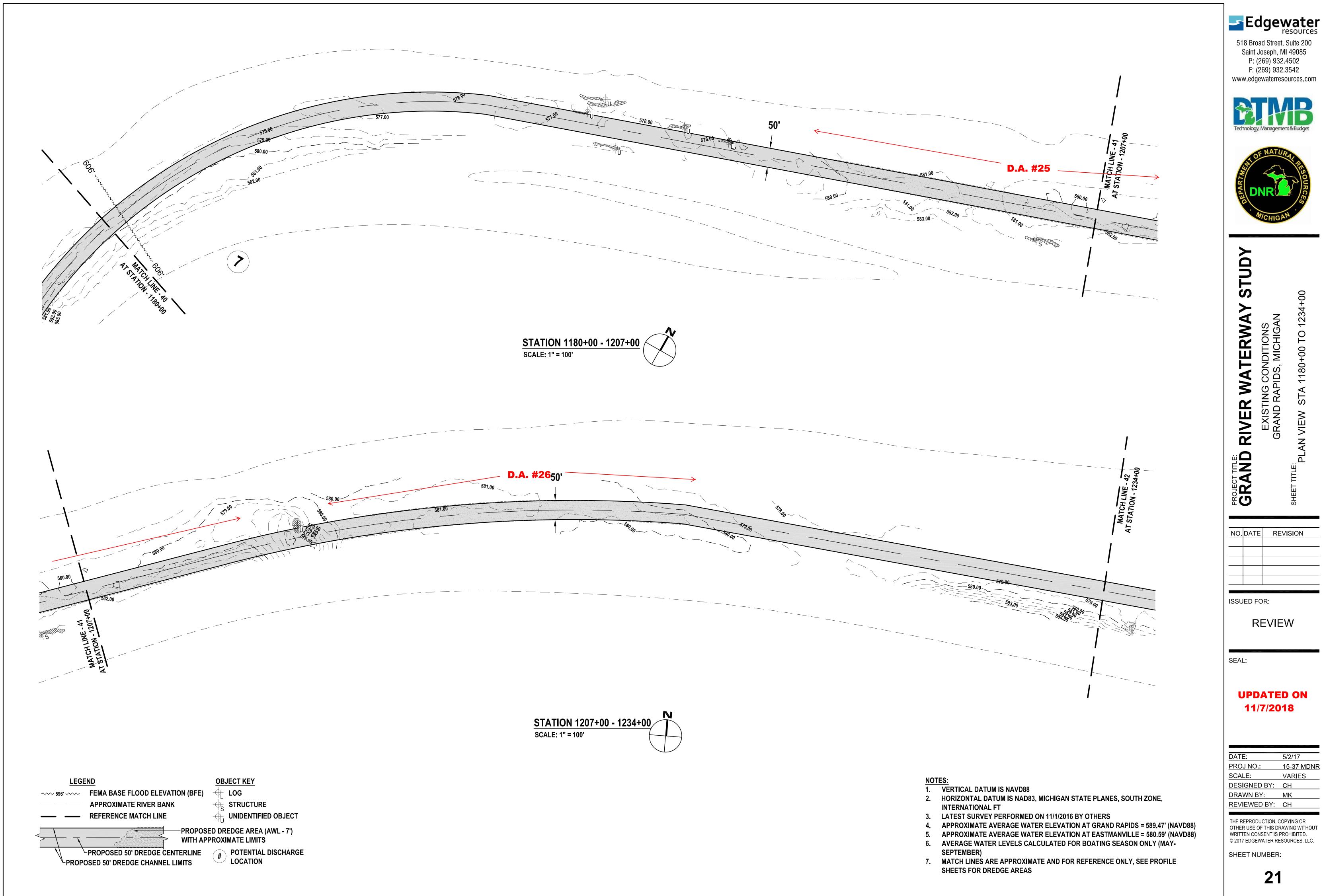
SEAL:

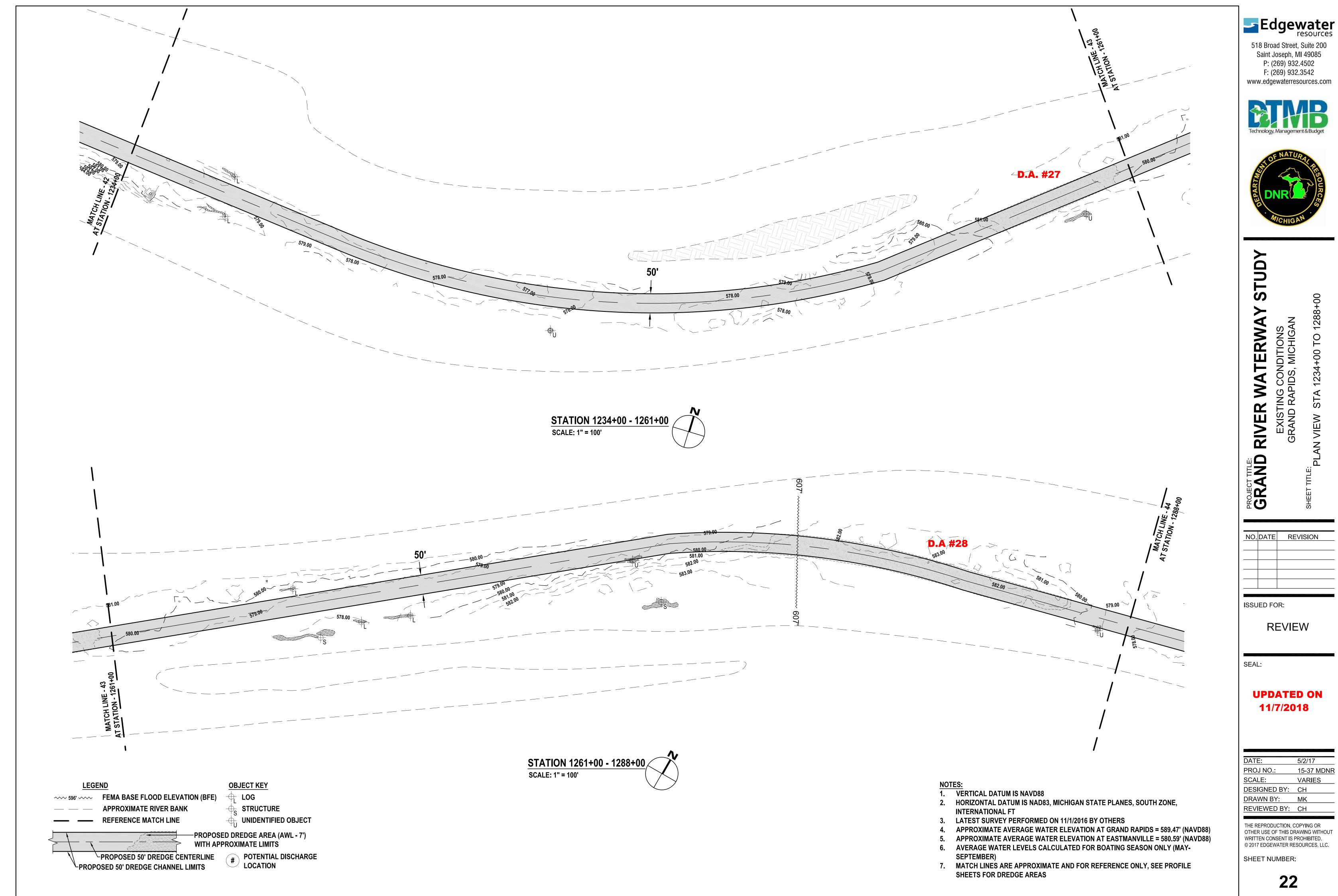
## **UPDATED ON** 11/7/2018

DATE:	5/2/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	МК
REVIEWED BY:	СН

THE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED. © 2017 EDGEWATER RESOURCES, LLC.

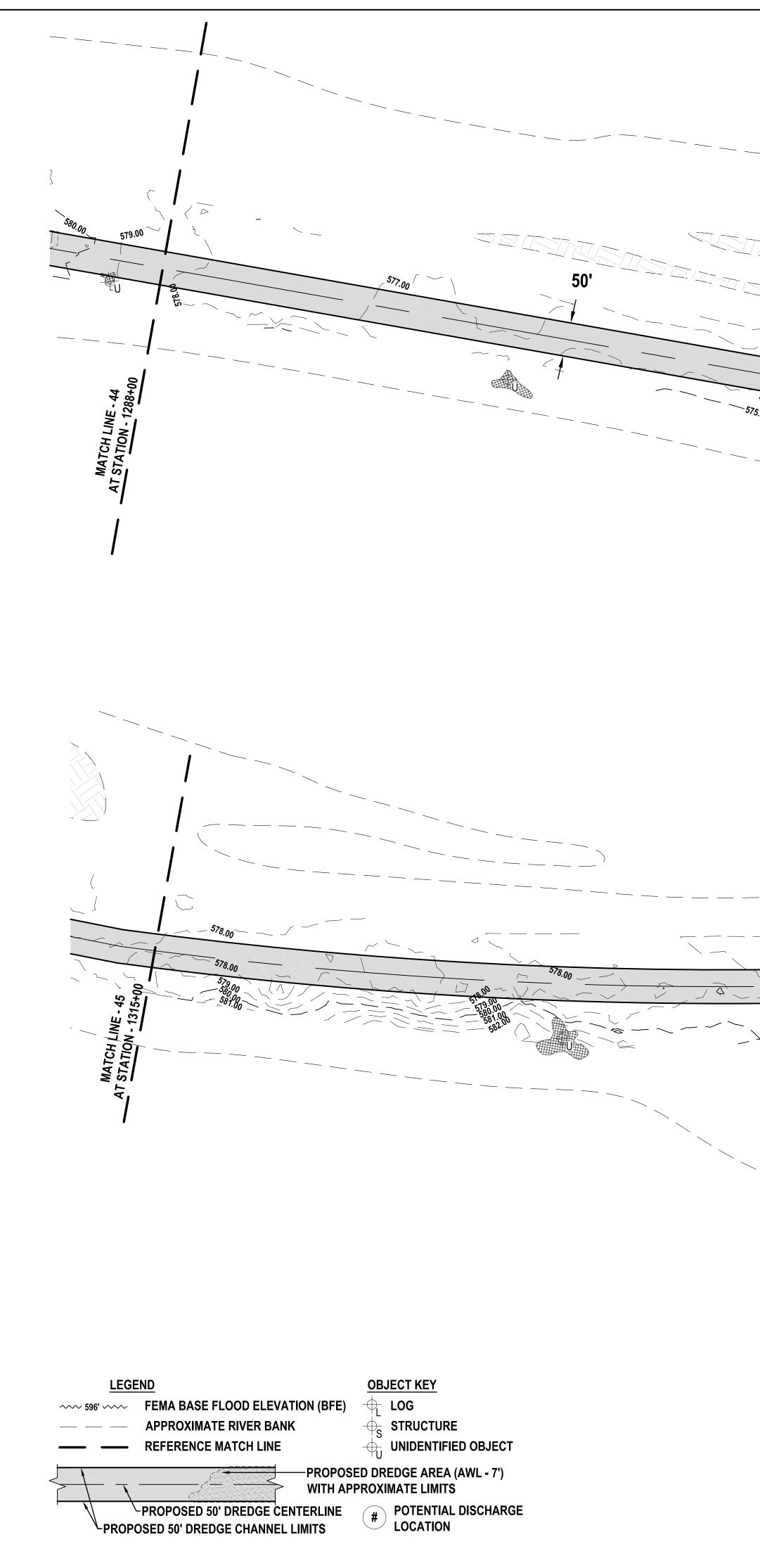




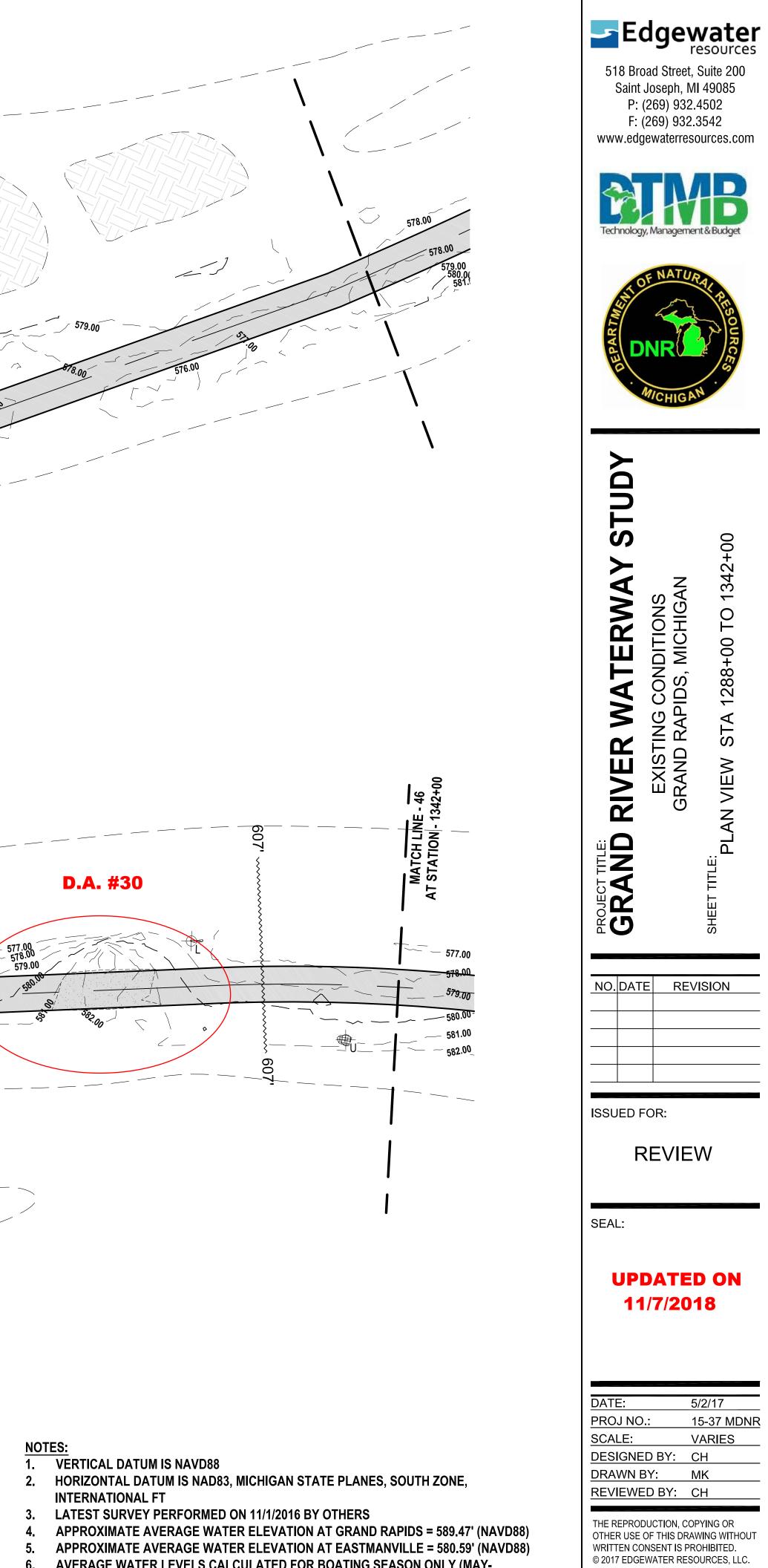


00

N VIEW STA 1234+00 TO 1288

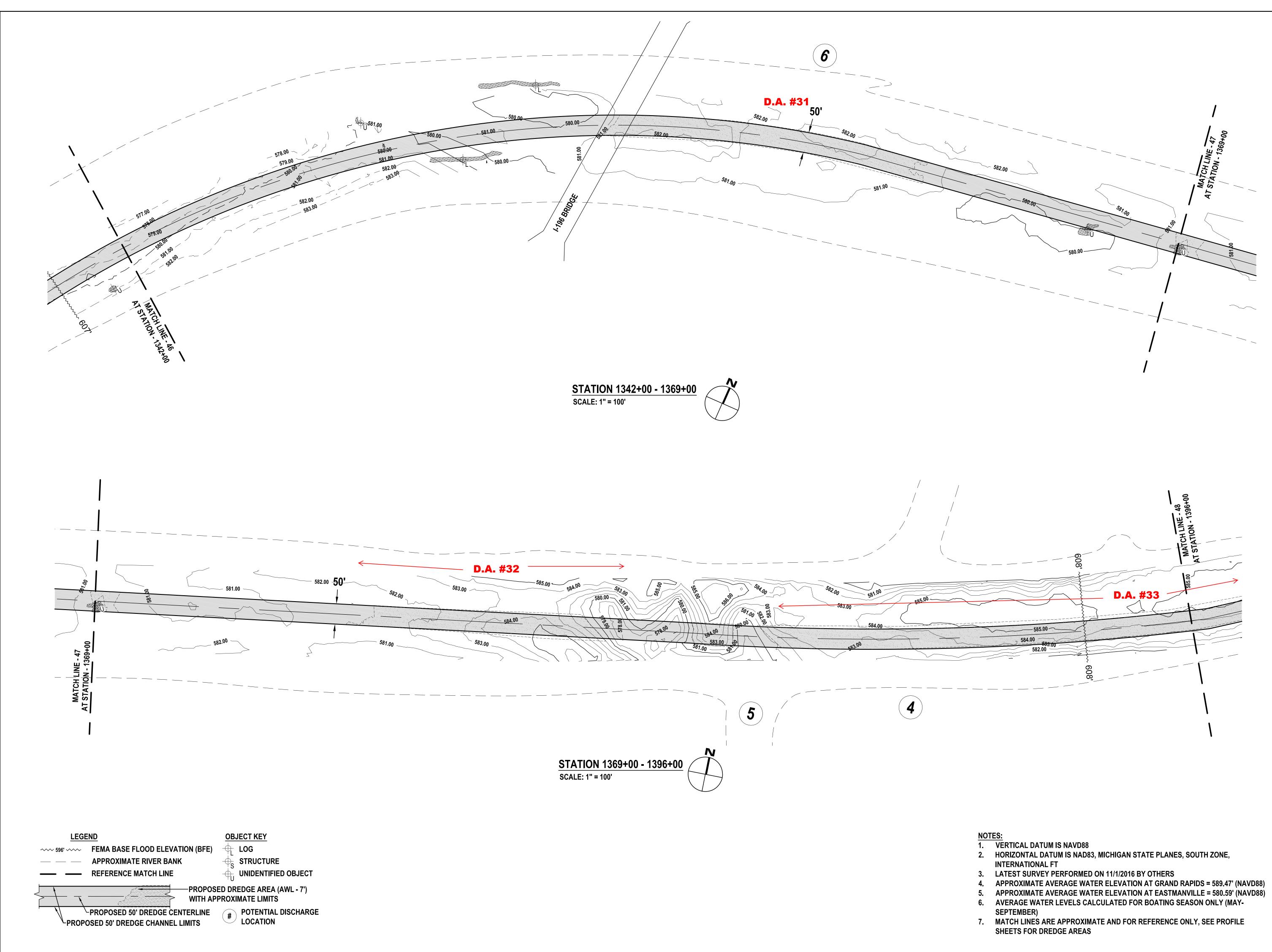


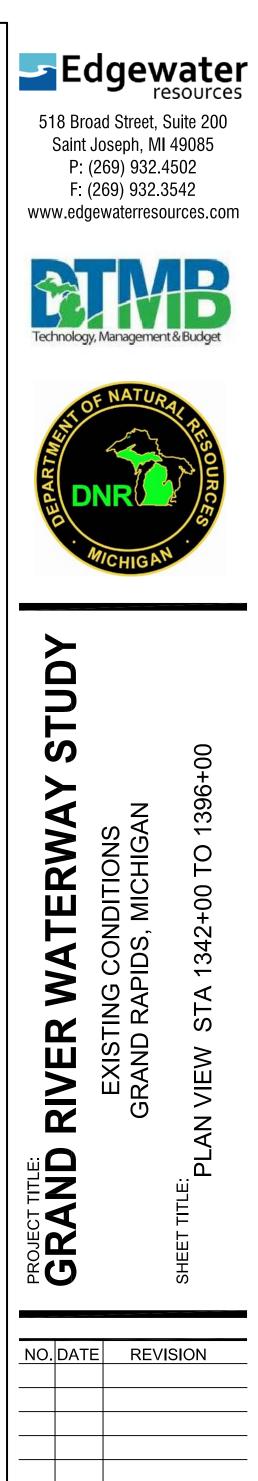
KENT <u>STATION 1288+00 - 1315+00</u> SCALE: 1" = 100' 50' 578.00 STATION 1315+00 - 1342+00 SCALE: 1" = 100'



- 6. AVERAGE WATER LEVELS CALCULATED FOR BOATING SEASON ONLY (MAY-SEPTEMBER)
- 7. MATCH LINES ARE APPROXIMATE AND FOR REFERENCE ONLY, SEE PROFILE SHEETS FOR DREDGE AREAS

23





**ISSUED FOR:** 

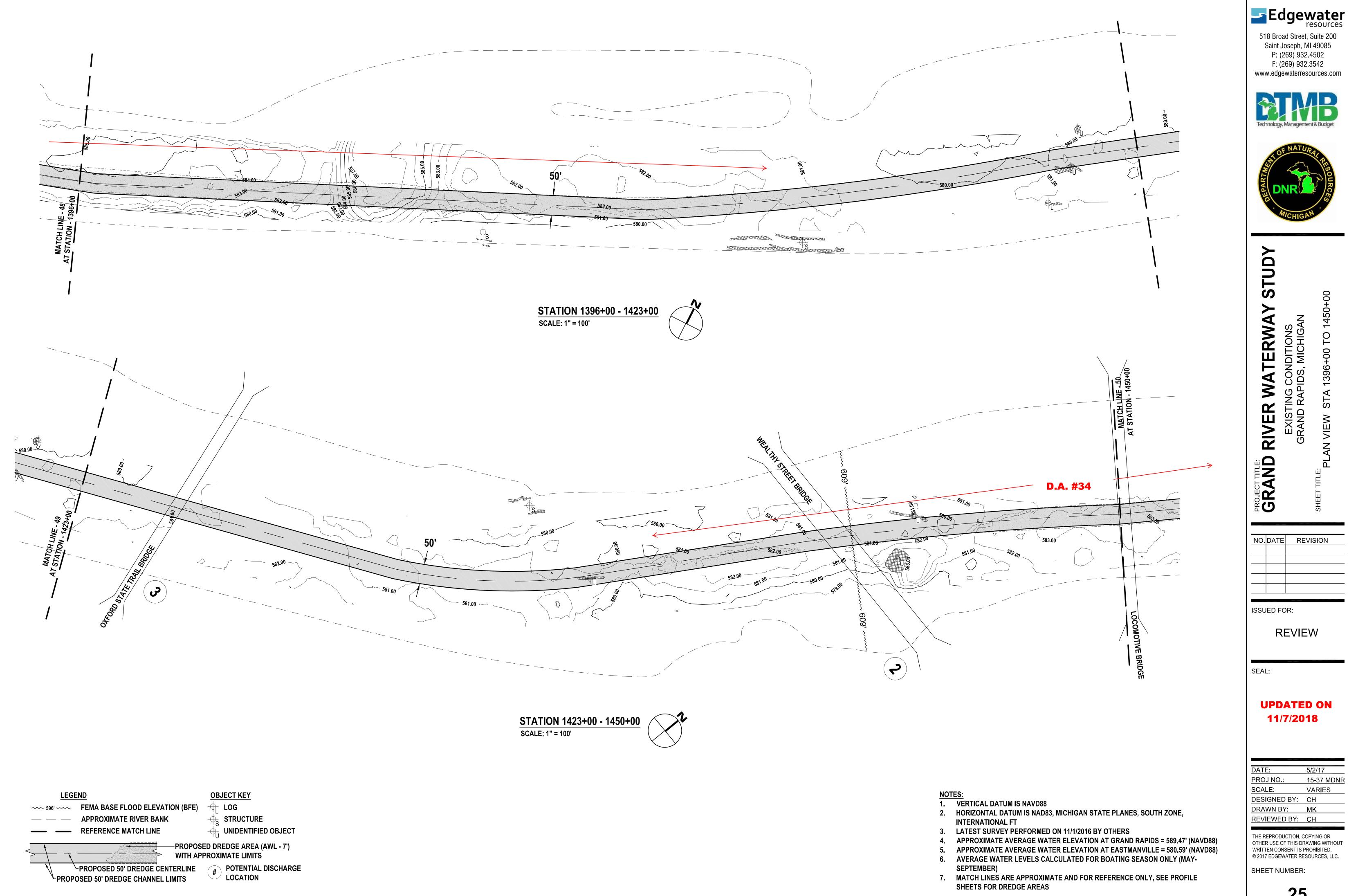
SEAL:

## **UPDATED ON** 11/7/2018

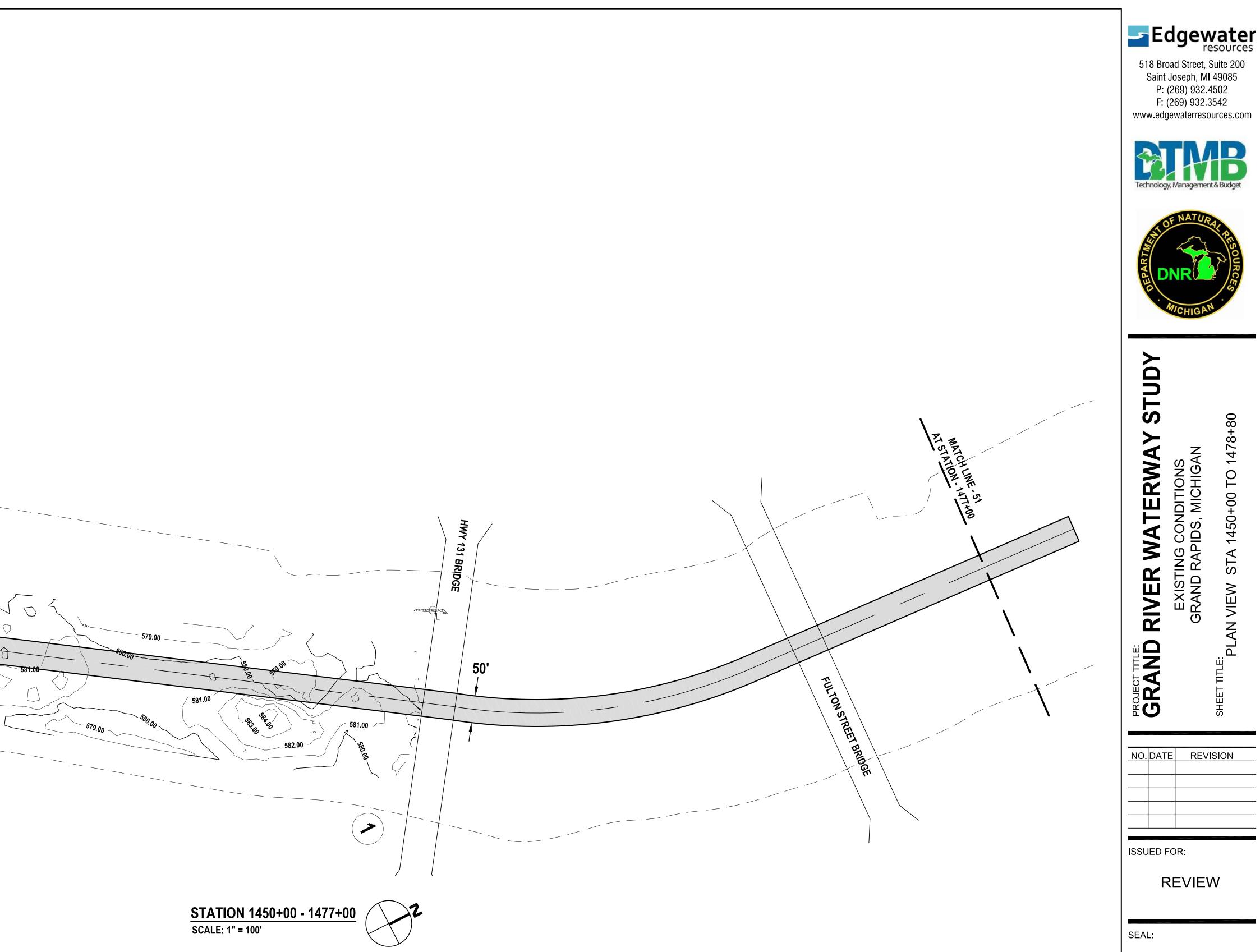
DATE:	5/2/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	MK
REVIEWED BY:	СН

THE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED. © 2017 EDGEWATER RESOURCES, LLC.





LOCOMOTIVE BRIDGE	
NH - 20	582.00 582.00 582.00 582.00 582.00 580.00
MATCH LINE - 50 AI STATION - 1450400	
LEGEND FEMA BASE FLOOD ELEVATION (BFE) APPROXIMATE RIVER BANK REFERENCE MATCH LINE PROPOSED 50' DREDGE CENTERLINE	$\begin{array}{c} OBJECT KEY \\ + \\ + \\ + \\ + \\ + \\ + \\ + \\ + \\ + \\ $
PROPOSED 50' DREDGE CHANNEL LIMITS	# POTENTIAL DISCHARGE LOCATION

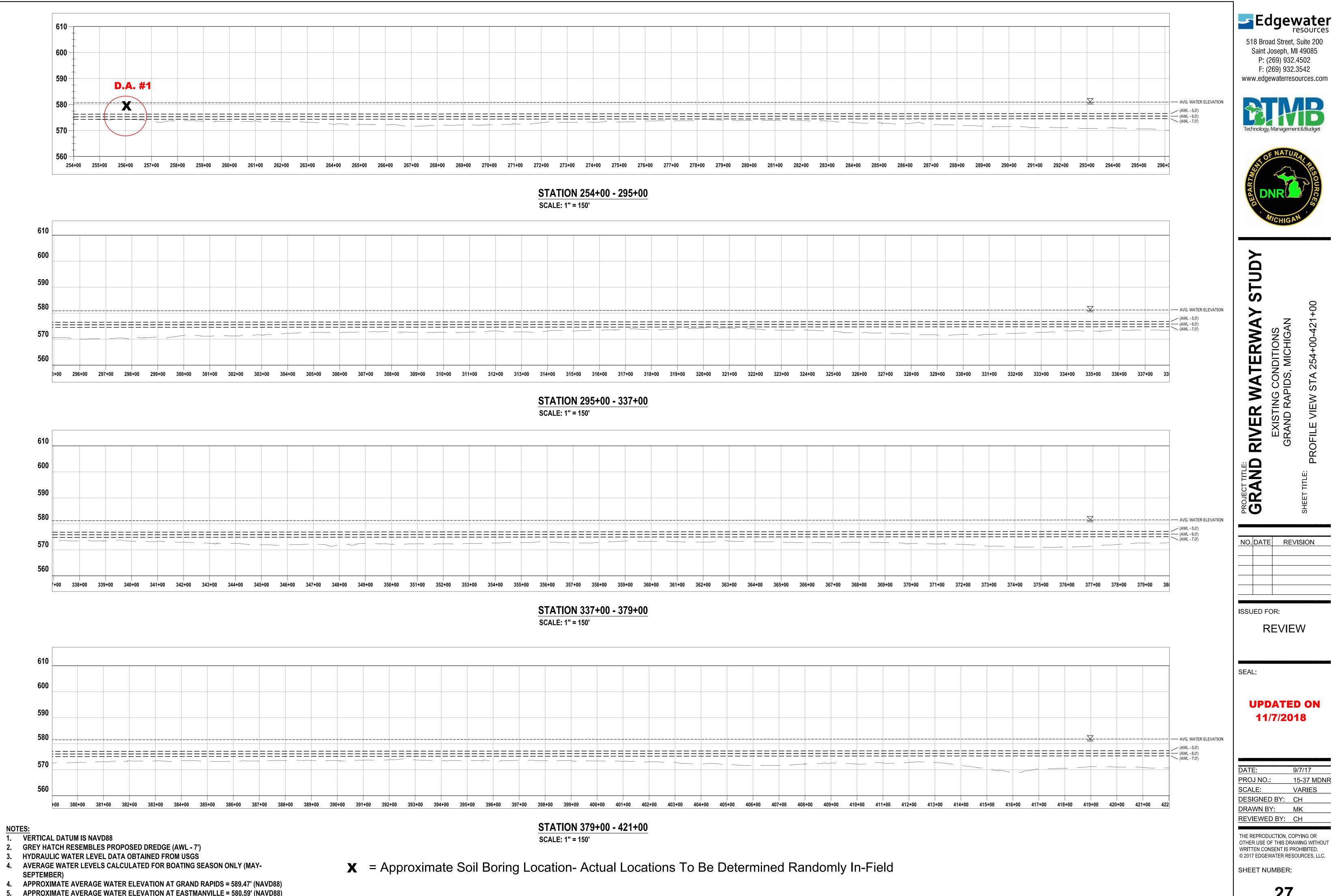


# UPDATED ON 11/7/2018

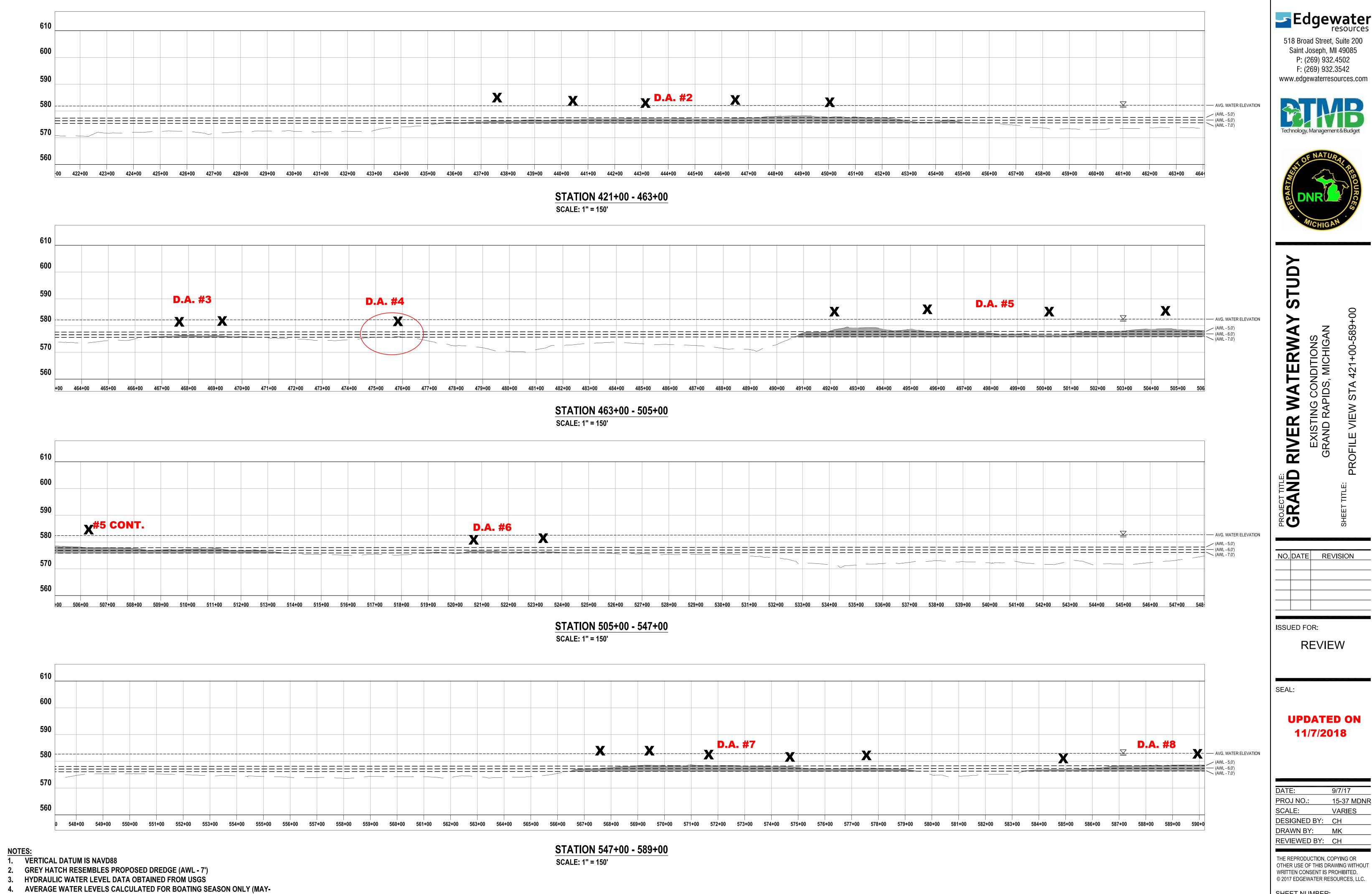
DATE:	5/2/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	MK
REVIEWED BY:	СН

THE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED. © 2017 EDGEWATER RESOURCES, LLC.

- NOTES: 1. VERTICAL DATUM IS NAVD88
- 2. HORIZONTAL DATUM IS NAD83, MICHIGAN STATE PLANES, SOUTH ZONE, INTERNATIONAL FT
- 3. LATEST SURVEY PERFORMED ON 11/1/2016 BY OTHERS
- 4. APPROXIMATE AVERAGE WATER ELEVATION AT GRAND RAPIDS = 589.47' (NAVD88)
- 5. APPROXIMATE AVERAGE WATER ELEVATION AT EASTMANVILLE = 580.59' (NAVD88) 6. AVERAGE WATER LEVELS CALCULATED FOR BOATING SEASON ONLY (MAY-SEPTEMBER)
- 7. MATCH LINES ARE APPROXIMATE AND FOR REFERENCE ONLY, SEE PROFILE SHEETS FOR DREDGE AREAS



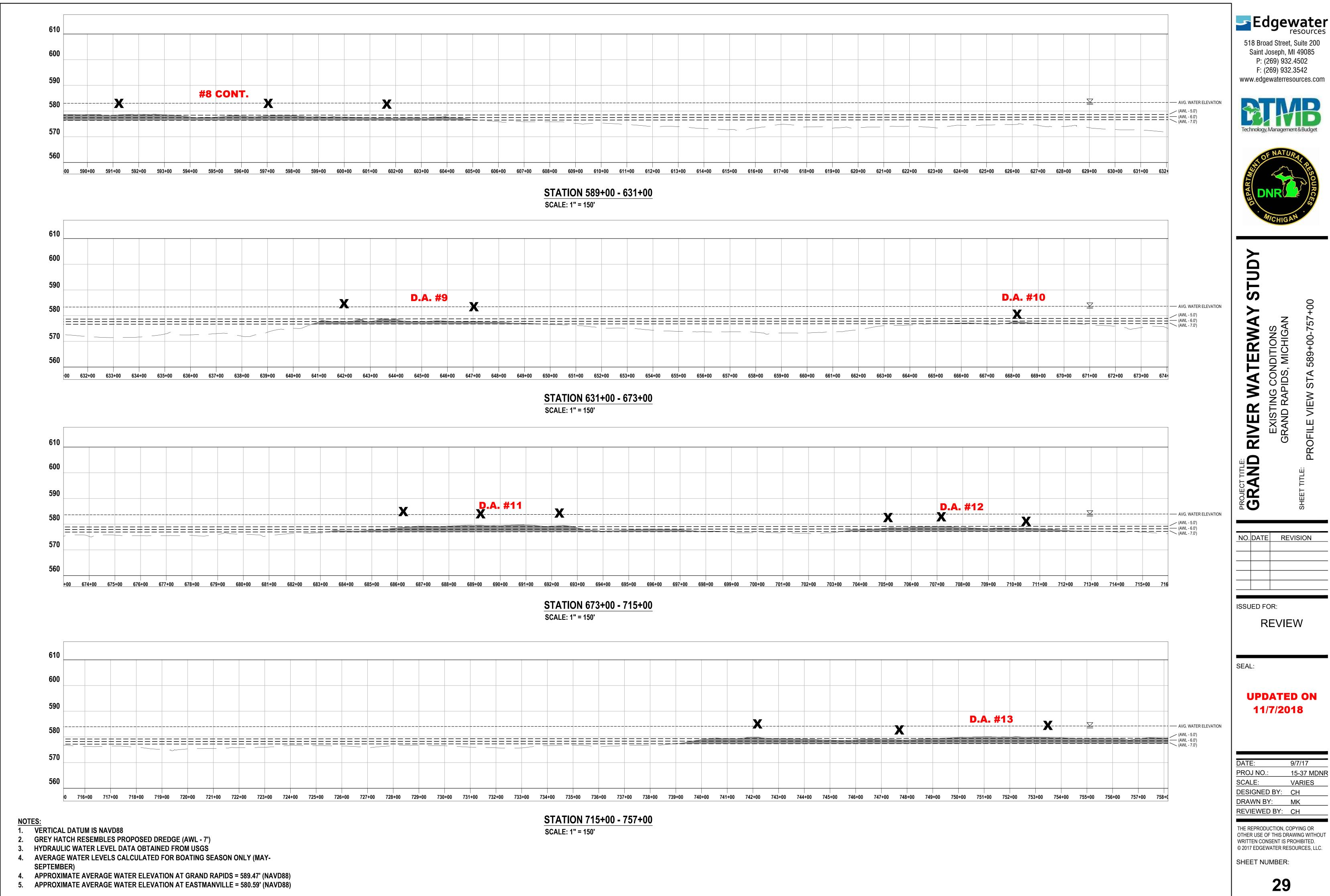
5. APPROXIMATE AVERAGE WATER ELEVATION AT EASTMANVILLE = 580.59' (NAVD88)

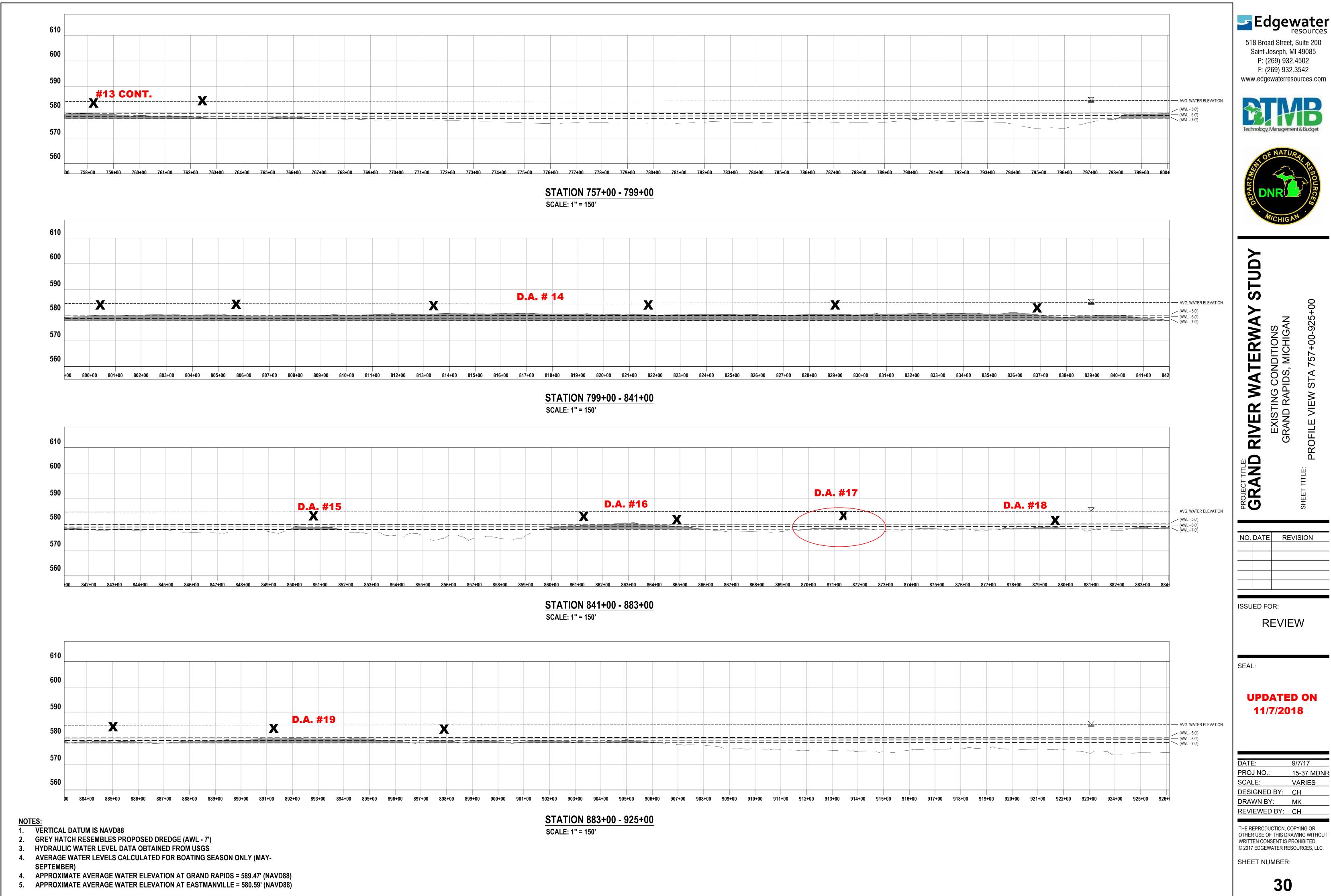


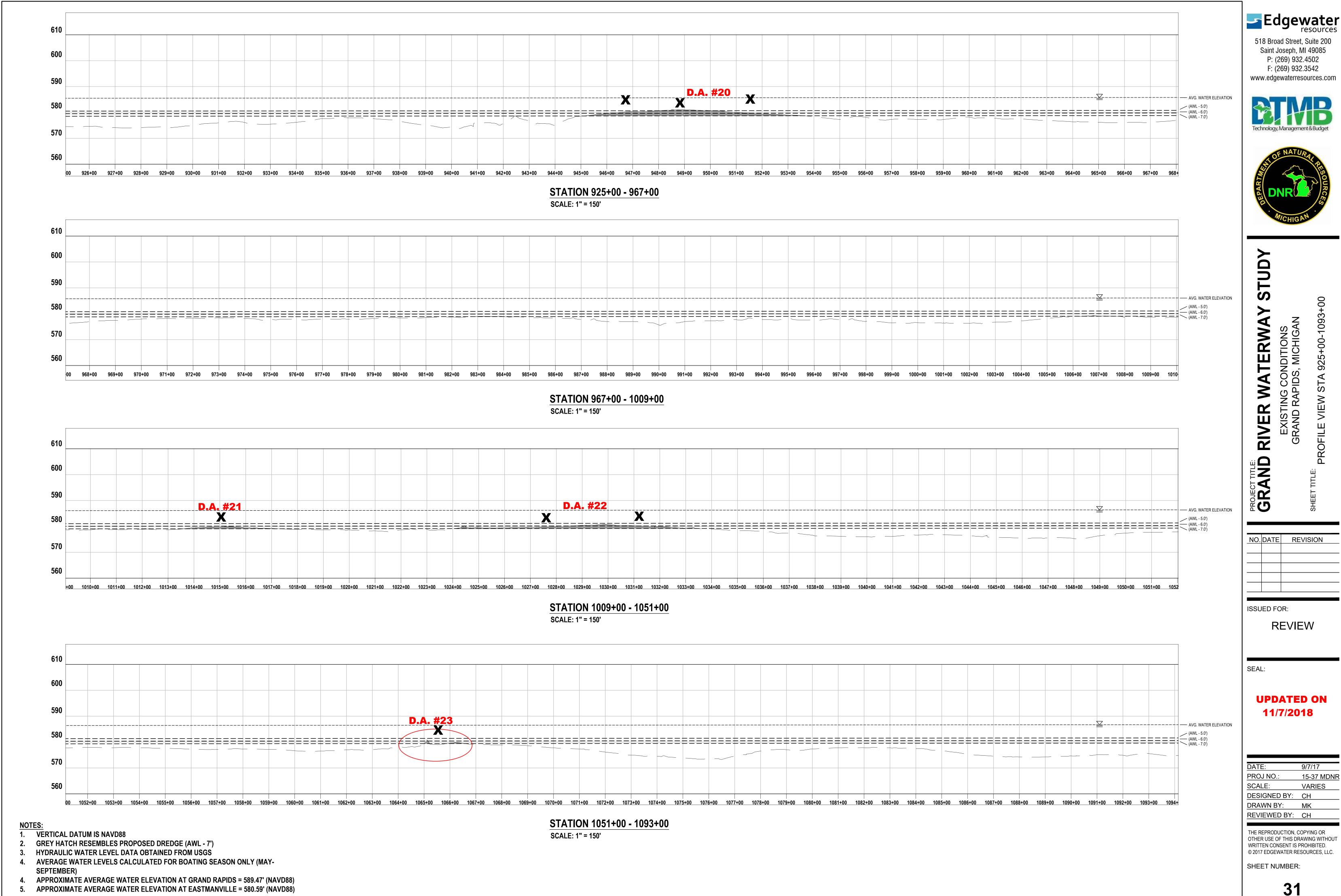
SEPTEMBER) 4. APPROXIMATE AVERAGE WATER ELEVATION AT GRAND RAPIDS = 589.47' (NAVD88)

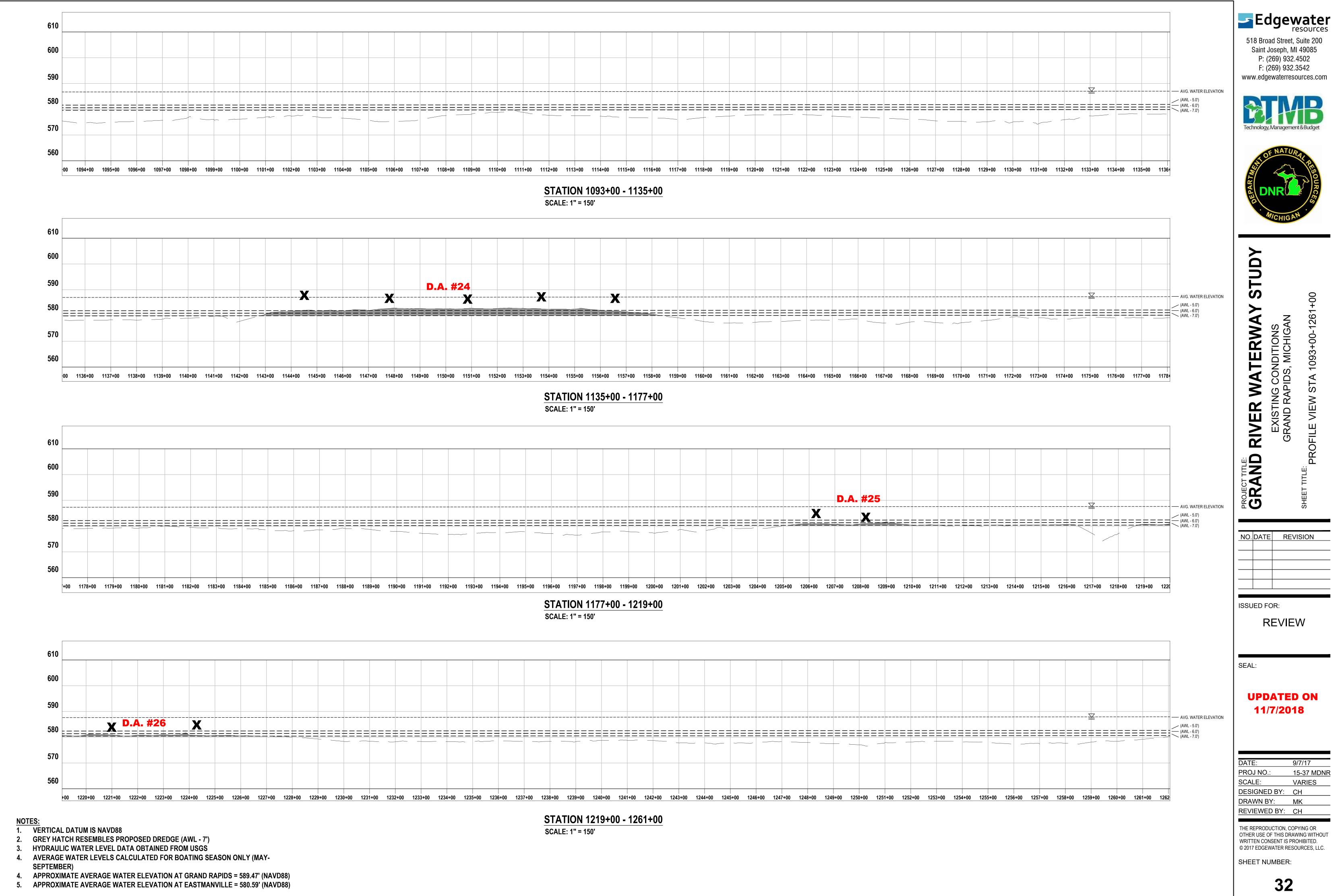
5. APPROXIMATE AVERAGE WATER ELEVATION AT EASTMANVILLE = 580.59' (NAVD88)

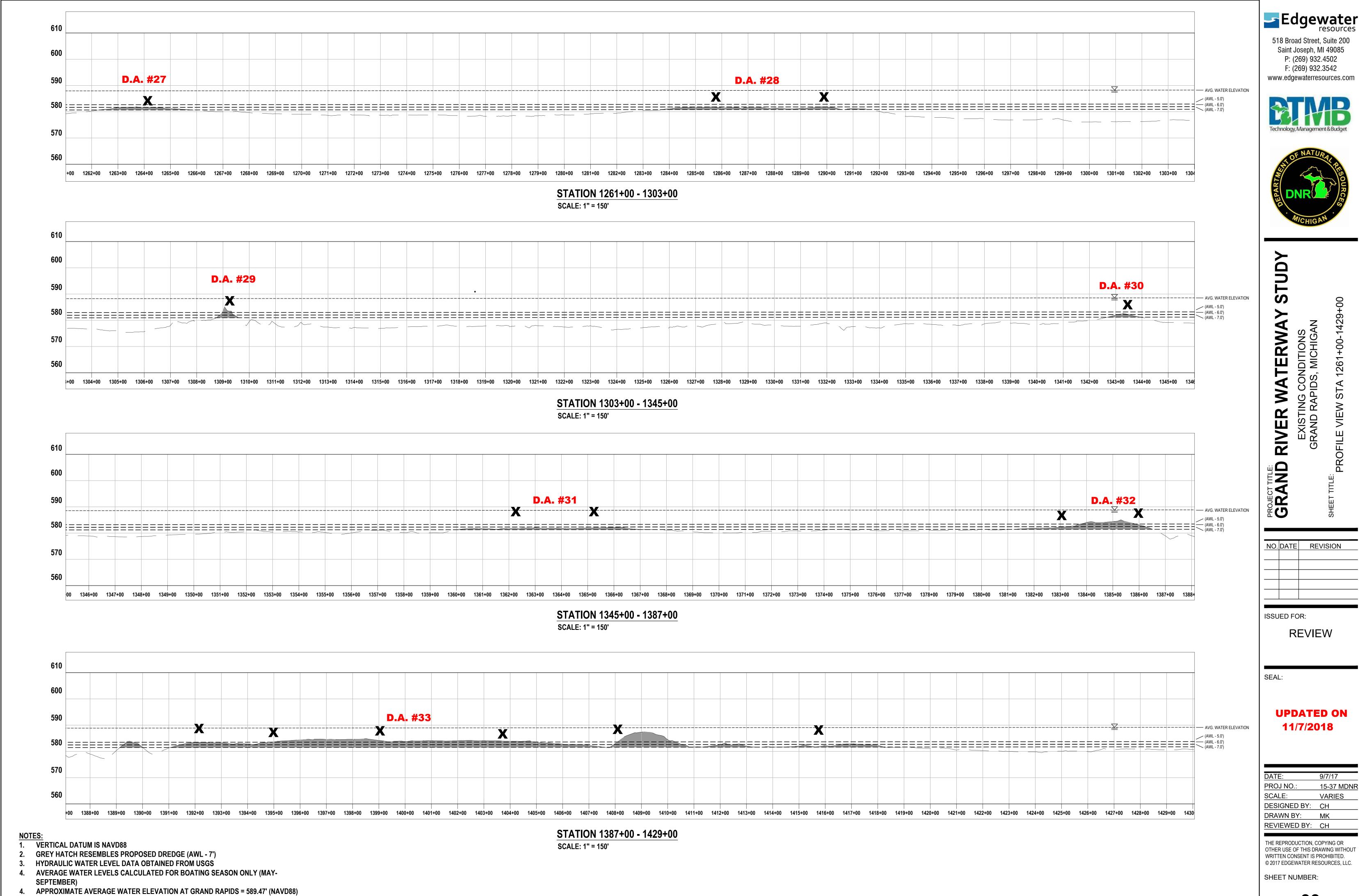






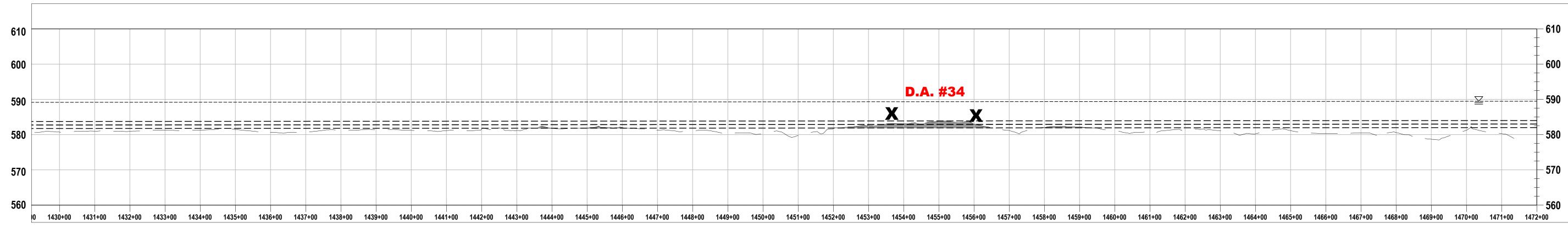






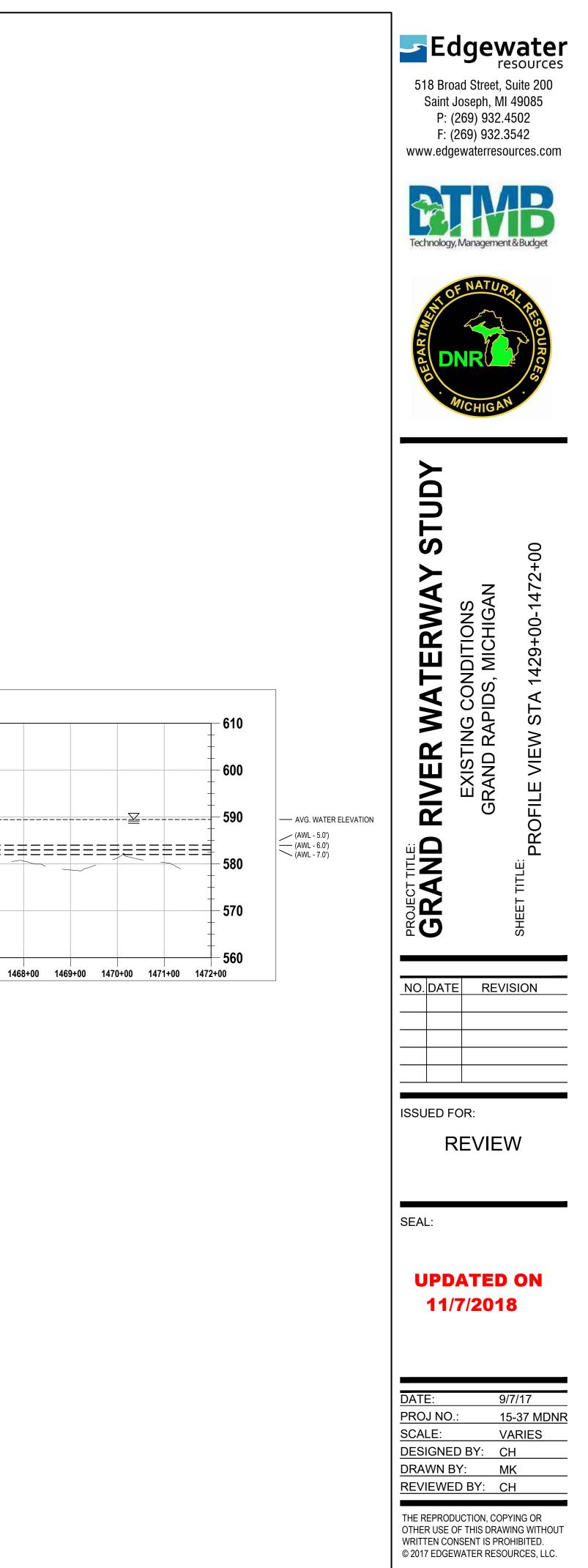
5. APPROXIMATE AVERAGE WATER ELEVATION AT EASTMANVILLE = 580.59' (NAVD88)



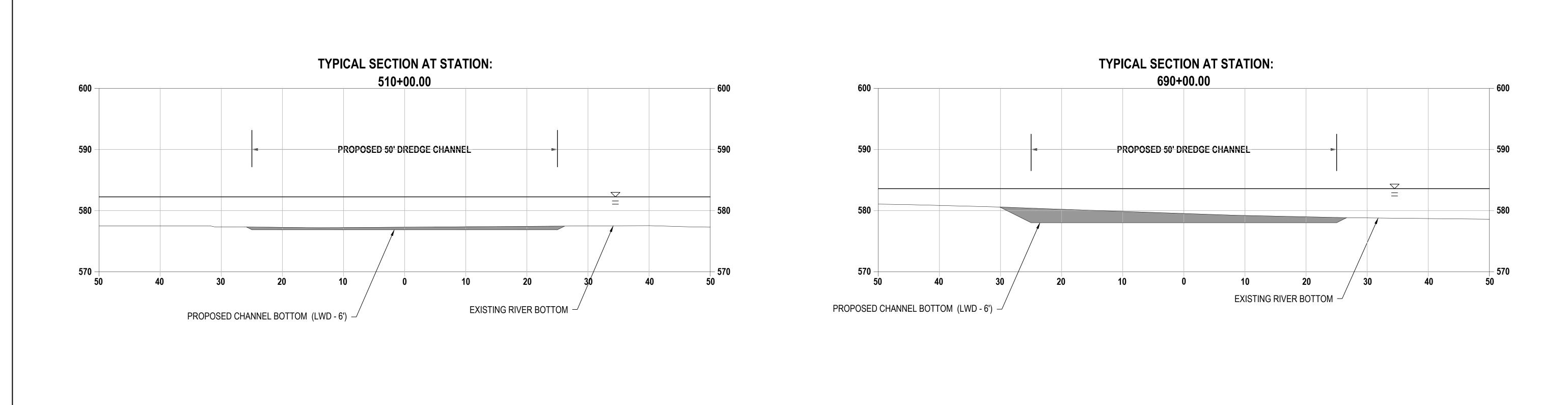


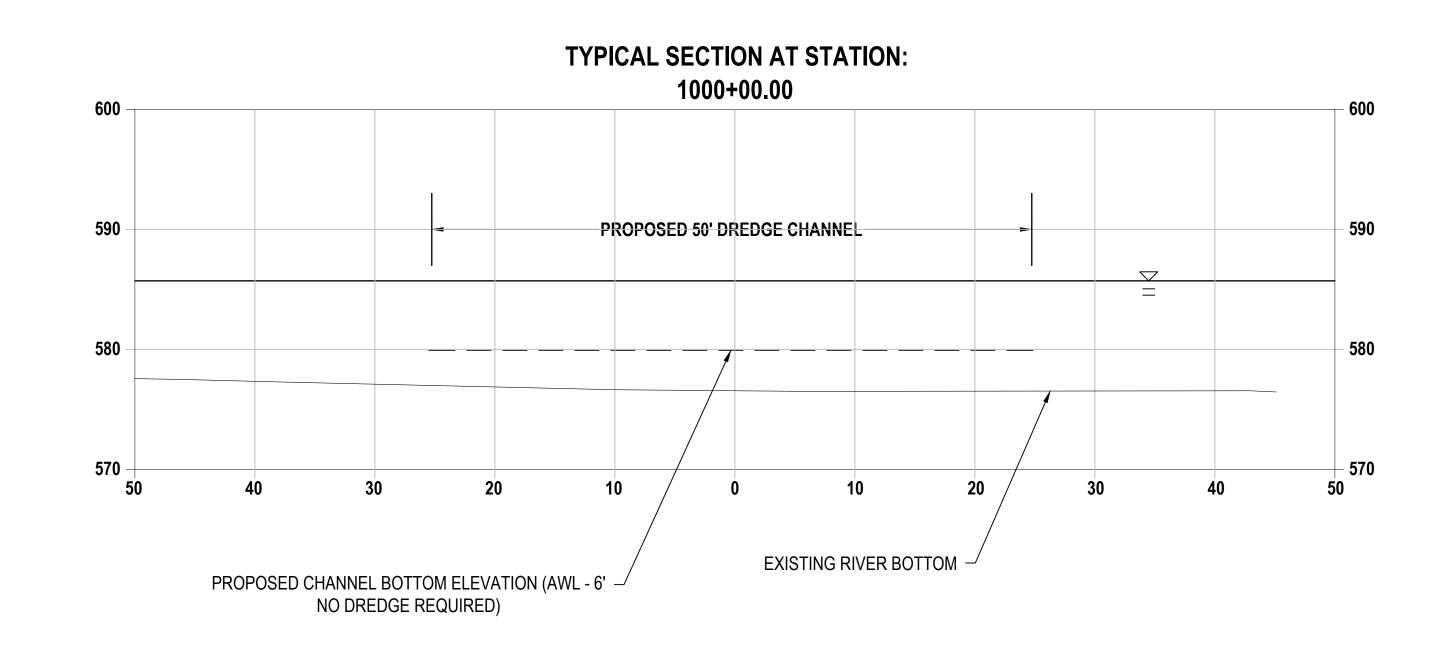
### STATION 1429+00 - 1472+00

SCALE: 1" = 150'



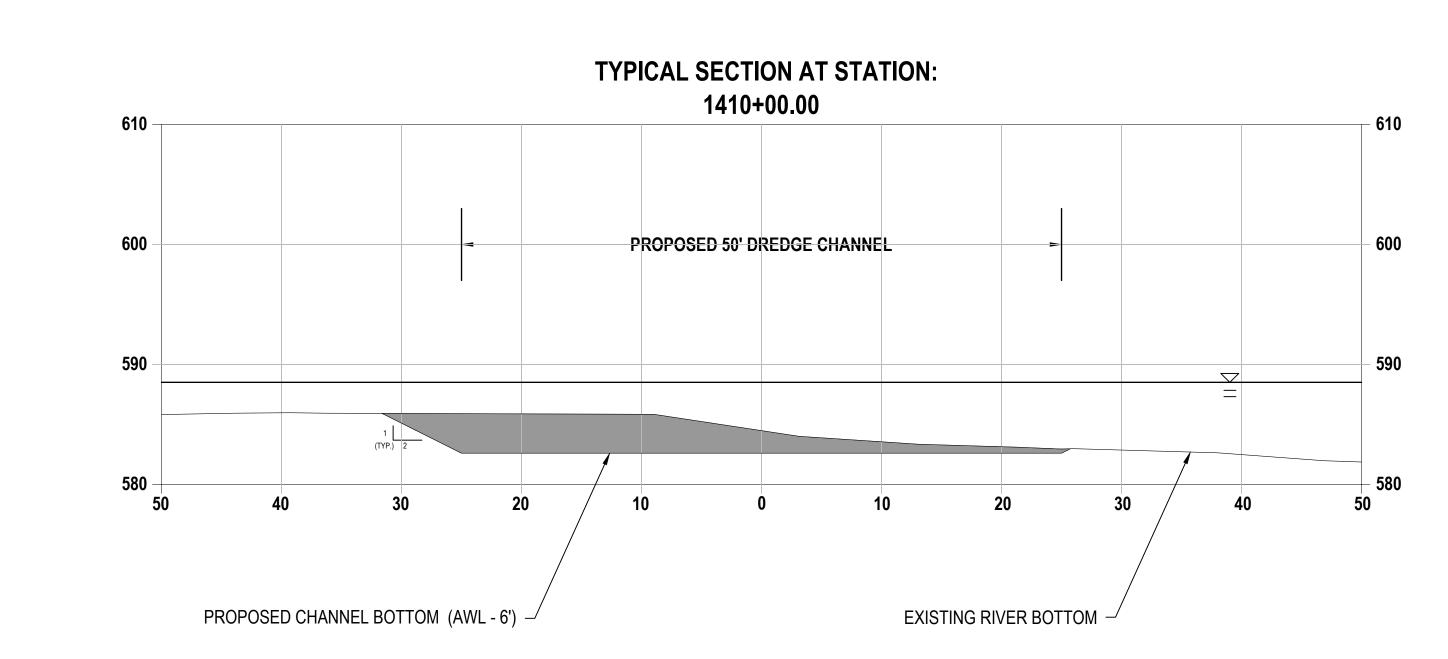






#### NOTES:

- 1. VERTICAL DATUM IS NAVD88
- 2. GREY HATCH RESEMBLES PROPOSED DREDGE (AWL 7')
- 3. HYDRAULIC WATER LEVEL DATA OBTAINED FROM USGS
- 4. AVERAGE WATER LEVELS CALCULATED FOR BOATING SEASON ONLY (MAY-SEPTEMBER)
- 4. APPROXIMATE AVERAGE WATER ELEVATION AT GRAND RAPIDS = 589.47' (NAVD88)
- 5. APPROXIMATE AVERAGE WATER ELEVATION AT EASTMANVILLE = 580.59' (NAVD88)





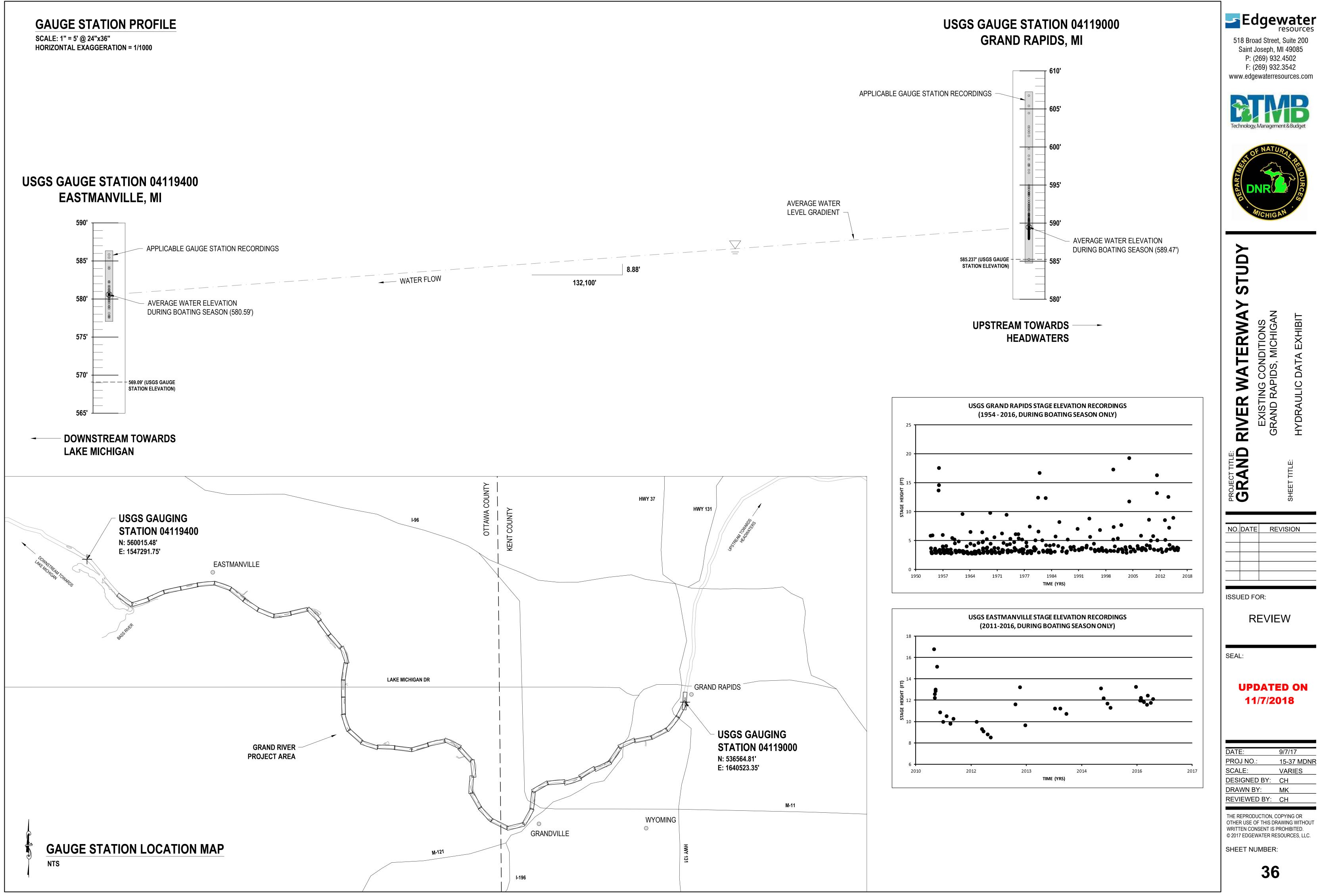
518 Broad Street, Suite 200

THE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED. © 2017 EDGEWATER RESOURCES, LLC.

SHEET NUMBER:

REVIEWED BY: CH





ww.lre.usace.army.mil Michigan Department of Environmental Quality www.mi.gov/jointpermit

S. Army Corps of Engineers <u>www.lre.usace.army.mil</u>	Michigan Dep

NCY	Previous USACE File Number	ived	DEQ File Number
AGEN USI	USACE File Number	Rece	Fee received \$

Validate that all parts of this checklist are submitted with the application package. Fill out application and additional pages as needed. All items in Sections 1 through 9 are completed.

Project-specific Sections 10 through 20 are completed.

Dimensions, volumes, and calculations are provided for all impact areas.

All information contained in the headings for the appropriate Sections (1-20) are addressed, and identified attachments (+) are included.

Map, site plan(s), cross sections; one set must be black and white on 8 ½ by 11 inch paper; photographs.

 $\boxtimes$  Application fee is attached.

<b>1</b> Project Location Information For Latitude, Longitude, and TRS info anywhere in Michigan see <a href="http://www.mcgi.state.mi.us/wetlands/">www.mcgi.state.mi.us/wetlands/</a>						
Project Address (road, if no street address) 23 mile stretch of the Grand River	(	/unicipality Fownship/Village/City) see attached map	County Ottawa & Kent			
Property Tax Identification Number(s) Subdivision/Plat and Lot Number	Latitude	N	Township/Range/Section (TRS) T <u>see</u> N or S; R <u>attached</u> E or W; Sec <u>list</u>			
		W	OR Private Claim #			
2 Applicant and Agent Information						
Owner/Applicant (individual or corporate name) Michigan Department of Natural Resources			ental, Inc. Attn: Matt MacGregor			
Mailing Address PO Box 30028		Mailing Address 2520 Woodme	adow SE			
City Lansing State MI Zip	Code <b>48909</b>	City Grand Rapids	State MI Zip Code 49546			
Contact Phone Number Fax		Contact Phone Number Fax 616-957-1231				
Email		E-mail mmacgregor@king-ma	cgregor.com			
No Yes Is the applicant the sole owner of this project?  If no, attach letter(s) of authorizati						
Property Owner's Name (If different from applica	,	Mailing Address				
Per Attorney General's opinion a state govern is not required to obtain land owners approva or dredging activities						
Contact Phone Number		City	State Zip Code			
3 Project Description						
Project Name Grand River Waterway		Preapplication File Number HN	7– <b>OZFV– QV0XF</b> –P			
Name of Water body Grand River		Date project staked/flagged				
The proposed project is on, within, or involves (ch	eck all that apply)		Project Use			
□ an inland lake (5 acres or more)       □ a Great Lake or Section 10 Waters       □ private         □ a pond (less than 5 acres)       □ a wetland       □ commercial         □ a stream, river, ditch or drain       □ a 100-year floodplain       □ public/government         □ a legally established County Drain       □ a dam       □ project is receiving federal/state         □ bate Drain was established       □ a designated high risk erosion area       □ Wetland Restoration         □ a channel/canal       □ a designated environmental area       □ other						
Indicate the type of permit being applied for: 🛛 General Permit 🗋 Minor Project 📄 Individual (All other projects.) 🌩 See Appendix C.						
Written Summary of All Proposed Activities In order to assess the proposed river dredging locations, advance up to 87 soil borings to a maximum depth of 7 feet (water depth) within the Grand River. Boreholes will have an outside diameter of less than 8 inches.						

DEÛ

Construction Sequence and Methods The sample collection will be conducted during times of normal water elevations from a barge. A GPS-guided propulsion/autopilot will be used (Minn Kota-Spot-Lock) that will apply virtual anchor functions; therefore, no anchoring/disturbance to river bottom is proposed.

Borings will be completed within a 48-hour period. Any excess soils to be disposed of in a yet to-be-determined upland location pending sampling results.

See attached Grand River Waterway - Dredge Sampling Plan

4 Project Purpose, Use and Alternatives Attach additional sheets as necessary.									
Describe the purpose	of the p	roject and its inte	nded	use; include	any new deve	lopment o	r expan	sion of an existing lar	id use.
To conduct river sea	liment s	ampling via bor	rings i	to character	rize the prop	osed dred	ge loca	tions on the Grand	River.
	Describe the alternatives considered to avoid or minimize resource impacts. Include factors such as, but to limited to, alternative locations, project layout and design, and construction technologies. For utility crossings include alternative routes and construction methods.								
	•			•					rsuing dredging activities
within the Grand Riv	er to es	tablish a recrea	tional	l navigation	channel to c	onnect Gr	and Ra	pids to Lake Michig	
The borings will be i order to assess drea						rdance wi	th MDE	Q Dredge Sample R	eview Policy 09-018 in
Since the character	of the ri	iver sediment is	requi	ired to be as	sessed prior	to dredgi	ng, no	alternatives are ava	lable.
This project is intend	led to c	comply with MDE	EQ Ge	eneral Perm	it Category P	- Soil Bor	rings.		
5 Locating You	<sup>r</sup> Proje	ct Site Attach	a leg	gible black a	and white ma	ap with a l	Vorth a	nrrow.	
Names of roads of clo	sest inte	ersection See at	tache	d map - dre	dge areas on	ly reached	l by wa	tercraft	
Directions from main i	ntersect	ion to the project	site, v	with distance	s from the be	st and near	est visi	ble landmark and wat	er body
Description of building	s on the	e site (color; 1 or .	2 story	y, other)	Descrip	tion of adja	cent lar	ndmarks or buildings	(address; color; etc)
How can your site be	dentifie	d if there is no vis	sible a	ddress?					
6 Easements ar	d Othe	er Permits							
<ul><li>No ☐ Yes Is the</li><li>If yes, attach a cop</li></ul>								other encumbrance u	oon the property?
List all other federal, in	nterstate	e, state, or local a	gency	authorizatic	ons including r	equired as	surance	es for Critical Dune A	ea projects.
Agency	Тур	e of Approval		Number	Date A	pplied	Da	te approved /denied	Reason for denial
7 Compliance									
If a permit is issued, w	If a permit is issued, when will the activity begin? (M/D/Y) ASAP Proposed completion date (M/D/Y) 11/1/18						11/1/18		
No 🗌 Yes Has any construction activity commenced or been completed in a regulated area?									
If Yes, identify the portion(s) underway or completed on drawings or attach project specifications and give completion date(s).									
No Yes Were the regulated activities conducted under a DEQ and/or USACE permit?									
<ul> <li>If Yes, list the permit numbers</li> <li>No Yes Are you aware of any unresolved violations of environmental law or litigation involving the property?</li> </ul>									
<ul> <li>If Yes, attach explanation.</li> </ul>									
8 Adjoining Property Owners Provide current mailing addresses. Attach additional sheets/labels for long lists.									
Established Lake Board Contact Person Mailing Address City State and Zip Code									
List all adjoining property owners.									
If you own the adjoining lot, provide the requested information for the first adjoining parcel that is not owned by you.									
Property Owner's Name Mailing Address City State and Zip Code									
n/a General Permit		ry P		~					

DEQ

#### 9 Applicant's Certification

Read carefully before signing.

I am applying for a permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application; that it is true and accurate; and, to the best of my knowledge, that it is in compliance with the State Coastal Zone Management Program. I understand that there are penalties for submitting false information and that any permit issued pursuant to this application may be revoked if information on this application is untrue. I certify that I have the authority to undertake the activities proposed in this application. By signing this application, I agree to allow representatives of the DEQ, USACE, and/or their agents or contractors to enter upon said property in order to inspect the proposed activity site before and during construction and after the completion of the project. I understand that I must obtain all other necessary local, county, state, or federal permits and that the granting of other permits by local, county, state, or federal agencies does not release me from the requirements of obtaining the permit requested herein before commencing the activity. I understand that the payment of the application fee does not quarantee the issuance of a permit.

of the application lee does not gue	lance the issuance of a pointin		······································
Property Owner Agent/Contractor Corp. or Public Agency / Title	Printed Name Ronzld A. OSON	Signature	Date 8/30/18

10 Pro	jects Impacting Inland Lakes, Strean	ns, Grea	at Lakes	, Wetlar	ds or Floodp	lains		
Comp	plete only those sections A through M applie	cable to y	our proje	ct.				
If you	r project impacts wetlands also complete S	ection 12	2. If your p	project im	pacts regulated	l floodplain	s also complete S	ection 13.
	Iculate volume in cubic yards (cu yd), multi livide by 27. Example: (25 ft long x 10 ft wid					average wi	dth (ft) times the a	verage depth (ft)
	e projects on the Great Lakes require an ap		-	-			-	
	ide a black and white overall site plan, with existing structures; and the location of all pro							
	. Review Appendix B and EZ Guides for air						son and sedimenta	
➡Provi	de tables for multiple impact areas or multip	ole activi	ties such a	as multipl	e fill areas or m	ultiple culv	erts. Include your	calculations.
	Level Elevation							
	and waters NGVD 29 NAVD 88				er elevation (ft)		te of observation (	M/D/Y)
	Great Lake 🔲 IGLD 85 🔄 surveyed 📃			served s	till water elevat	ion.		
Attac	h a site plan and cross-section views to sca	ale showi	ing maxim					
	multiple impact areas on a site provide a tal				s and volumes			
Purpos	e Dioengineered shore prot	ection	boat	ramp	boat wel	l 🗌 br	idge or culvert	crib dock
	🗌 riprap		🗌 seaw	all	🗌 swim are	ea 🗌 ot	her	
	ns of fill (ft)		Total vol	ume (cul	oic yards)	Volun	ne below OHWM (	cubic yards)
Length	Width Maximum Depth							
Maximum	water depth in fill area (ft)		Area fille	d (sq ft)			lter fabric be used	under proposed fill? ype)
Fill will ext	rend feet into the water from the sho	reline and	d upland	fee	t out of the wat	er.		
Type of clo	ean fill 🛛 peastone 🦷 🛛 sa	Ind	% 🗌 gi	avel	% 🗌 other			
Source of					cation on site p			
🛛 B. PRO	OJECTS REQUIRING DREDGING OR EX				scription of loca	ition.		
	to www.mi.gov/jointpermit for spoils dispos			-				
	a site plan and cross-section views to scale			-		r excavatio	on dimensions with	calculations.
⇒For mι	Itiple impact areas on a site provide a table	with loc	ation, dim	ensions a	ind volumes for	each dred	ge/excavation area	а.
Purpose	🗌 boat ramp	🗌 bo	at well		bridge or c	ulvert	🗌 maintenance	dredge
	navigation	🗌 ро	nd/basin		other soil l	oorings		
Dimensior	ns (ft)			Tot	al volume (cu y	ds)	Volume below C	HWM (cu yds)
Length 8'	' dia. auger Width - Maximum Depth	7+-		tba			all	,
Has this sa	ame area been previously dredged?	🗌 No	🗌 Yes	If Yes,	provide date a	nd permit r	number: <b>n/a</b>	
Will the pr	eviously dredged area be enlarged?	🗌 No	🗌 Yes	If Yes,	when and how	much? n/	a	
Is long-ter	m maintenance dredging planned?	🗌 No	🗌 Yes	If Yes,	how often? n/	a		
Dredge or Excavation Method Hydraulic Mechanical K other soil boring								
Dredged or excavated spoils will be placed 🛛 on-site 🗌 landfill 🔲 USACE confined disposal facility 🔀 other upland off-site								
For disposal, provide a Detailed spoils disposal area location map and site plan with property lines.								
For disposal, provide a Detailed spoils disposal area location map and site plan with property lines.  Letter of authorization from property owner of spoils disposal site, if disposed off-site.  For volumes less than 5.000 cu vards, has proposed dredge material been tested for contaminants within the past 10 years?								
<ul> <li>For volumes less than 5,000 cu yards, has proposed dredge material been tested for contaminants within the past 10 years?</li> <li>No □ Yes →If Yes, provide test results with a map of sampling locations.</li> </ul>								
C. PROJECTS REQUIRING RIPRAP (See Sample Drawings 2, 3, 8, 12, 14, 22, and 23)								
Riprap wa	Riprap water ward of the ordinary high water mark: dimensions (ft) length width depth Volume(cu yd)							
Riprap lan	dward of the ordinary high water mark: dim	nensions	(ft) leng	gth	width	depth	Volume	(cu yd)
	Type and size of riprap (inches)Will filter fabric or pea stone be used under proposed riprap?							
□ field stone □ angular rock □ other □ No □ Yes, Type								

➡Provide a s	<b>G and NAVIGATION BUOYS</b> (See E site plan showing the distances betwe oss-section drawing(s) showing anche	en each buoy and fr	om the shore to each bug	by, and depth (ft) of	water at each location.
Purpose of buc	by 🗌 mooring 📃 navigation	on 🗌 scien	tific structures	wimming	other
Number of buoys	Dimensions of buoys (ft) width height su	wing radius	chain length	Boat Lengths	Type of anchor system
Buoy Location:	Latitude . N Lon	gitude	W. 🏓 Provide a tabl	e for multiple buoys.	
Do you own the	e property along the shoreline?	🗌 No 🔲 Yes	If No, attach an authority	orization letter from	the property owner(s).
Do you own the	e bottomlands?	🗌 No 🔲 Yes	If No, attach an auth	orization letter from	the property owner(s).
	n overall site plan showing the proposed and the proposed drawing of fence profile showing the Airport Cervida	design, dimension, p	ost spacing, mesh, and c	distance from ground	
Total length (ft) streams	of fence through wetlands floodplains		Fence height (ft)	Fence type and r	material
	- e.g., structure removal, maintenanc prings, or survey activities.	e or repair, aerator, o	dry fire hydrant, gold pros	specting, habitat stru	ctures, scientific measuring
in the Grand F	ription, dimensions and volumes. Con River to assess dredge area sedime n of an Existing or Construction	nts. Approximate l	boring locations are pre	esented on the dree	
•	Section 10J for outlets and Section 1 levations, cross-sections and profiles			es and emergency s	pillways to nearest water
	scribes your proposed water body use recreation	· · · ·	,	other	
Water source for groundwate	1	ake or Stream 📋 s	torm water runoff 📋 p	ump 🗌 sewage	_ other
Location of the	lake/basin/pond 🗌 floodplain	wetland	stream (inline)	pland	
Maximum dime	ensions (ft) width depth	Maximum A	rea: 🗌 acres 🛛 sq f	t	
Has the there b	peen a hydrologic study performed on	the site?	🗌 No 🔲 Yes	➡ If Yes, provide a	сору.
Has the DEQ c	onducted a wetland assessment for t	his parcel?	🗋 No 🛄 Yes	➡ If Yes, provide a	copy or WIP number:
Has a professio	onal wetland delineation been conduc	ted for this parcel?	🗋 No 🗋 Yes	➡ If Yes, provide a	copy with data sheets.
<u>ö Ö</u>	edged or excavated spoils will be plac r disposal, provide a ⇒Detailed spoils ⇔Letter of autho	disposal area locatio		property lines.	

DE

	Average Water Lev	el - 7' Proposed Dredg	ge Areas	
	A	pprox. Dredge Area Ce	nter	Number of
Dredge Area	Station	Latitude	Longitude	Soil Borings
1	256+00	N43° 00' 26.94"	W85° 59' 38.21"	1
2	446+00	N43° 00' 17.50"	W85° 55' 44.67"	5
3	468+50	N43° 00' 07.25"	W85° 55' 17.88"	2
4	475+50	N43° 00' 06.03"	W85° 55' 08.62"	1
5	502+00	N43° 00' 06.73"	W85° 54' 33.25"	5
6	522+00	N43° 00' 13.57"	W85° 54' 08.09"	2
7	573+00	N42° 59' 47.29"	W85° 53' 17.87"	5
8	596+00	N42° 59' 29.56"	W85° 52' 58.53"	5
9	645+00	N42° 58' 48.59"	W85° 52' 31.73"	2
10	668+50	N42° 58' 25.93"	W85° 52' 33.76"	1
11	690+00	N42° 58' 04.22"	W85° 52' 34.96"	3
12	707+50	N42° 57' 46.95"	W85° 52' 35.34"	3
13	751+00	N42° 57' 06.38"	W85° 52' 22.03"	5
14	819+00	N42° 56' 42.61"	W85° 51' 01.29"	6
15	850+75	N42° 56' 38.11"	W85° 50' 19.18"	1
16	863+00	N42° 56' 38.94"	W85° 50' 03.46"	2
17	871+00	N42° 56' 42.33"	W85° 49' 53.84"	1
18	879+00	N42° 56' 44.04"	W85° 49' 43.34"	1
19	895+00	N42° 56' 49.21"	W85° 49' 23.01"	3
20	949+00	N42° 56' 36.20"	W85° 48' 20.40"	3
21	1015+00	N42° 55' 39.03"	W85° 48' 05.59"	1
22	1029+00	N42° 55' 26.68"	W85° 47' 57.24"	2
23	1066+00	N42° 54' 56.09"	W85° 47' 30.27"	1
24	1150+50	N42° 55' 00.98"	W85° 45' 56.76"	5
25	1208+00	N42° 55' 46.38"	W85° 45' 25.69"	2
26	1222+00	N42° 55' 50.58"	W85° 45' 07.79"	2
27	1264+00	N42° 55' 56.17"	W85° 44' 13.92"	1
28	1287+50	N42° 56' 09.79"	W85° 43' 48.63"	2
29	1309+15	N42° 56' 15.41"	W85° 43' 20.65"	1
30	1343+25	N42° 56' 41.06"	W85° 42' 51.80"	1
31	1363+50	N42° 56' 53.44"	W85° 42' 31.28"	2
32	1385+00	N42° 56' 57.00"	W85° 42' 02.80"	2
33	1400+00	N42° 57' 00.04"	W85° 41' 43.08"	6
34	1455+00	N42° 57' 33.17"	W85° 40' 46.97"	2

Notes:

87 total

1.) Stationing and centerpoints are approximations for sediment testing locations only and are not intended for construction layout.

2.) Proposed dredge areas were calculated at a depth of AWL-7'. Average

Water Level (AWL) is calculated during boating season only (May - October).

### Grand River Waterway

### Station Range Locations

Station Range	Sheet Number	Longitude	Latitude	Section	Township	Range
424+00 TO 478+00	7	-85.92956	43.00501	11	7N	14W
478+00 TO 532+00	8	-85.90858	43.00249	7	7N	13W
532+00 TO 586+00	9	-85.99266	43.00103	18	7N	13W
586+00 TO 640+00	10	-85.87959	42.98882	17	7N	13W
640+00 TO 694+00	11	-85.87673	42.97378	20	7N	13W
694+00 TO 748+00	12	-85.87663	42.96198	29	7N	13W
748+00 TO 802+00	13	-85.86872	42.94934	32	7N	13W
802+00 TO 856+00	14	-85.84879	42.94544	33	7N	13W
856+00 TO 910+00	15	-85.82618	42.94606	34	7N	13W
910+00 TO 964+00	16	-85.80721	42.94516	35	7N	13W
1018+00 TO 1072+00	18	-85.79843	42.92337	12	6N	13W
1126+00 TO 1180+00	20	-85.76788	42.91422	17	6N	12W
1180+00 TO 1234+00	21	-85.75691	42.92958	5	6N	12W
1234+00 TO 1288+00	22	-85.73803	42.93168	4	6N	12W
1288+00 TO 1342+00	23	-85.71695	42.94215	3	6N	12W
1342+00 TO 1396+00	24	-85.70112	42.94920	35	7N	12W
1396+00 TO 1450+00	25	-85.68195	42.95660	36	7N	12W
1450+00 TO 1478+00	26	-85.67537	42.96595	25	7N	12W

#### Grand River Waterway – Dredge Sampling Plan 11-8-18

The borings will be installed and samples collected and analyzed in accordance with MDEQ policy and procedure WRD-048 (Sediment Testing for Dredging Projects) as follows:

1-Obtain sediment sample for sieve analysis at each soil boring location. If 90% or more of the material is retained on a No. 200 sieve, on average across each station range identified on Table 2 attached to this application, then no further analysis will be performed on samples collected from the dredge area(s) within that station range.

2-Obtain sediment sample for analysis at each soil boring location. If the dredge area does not meet the sieve analysis exemptions, then the following default parameters will be analyzed:

Heavy metals (nine total): As, Cd, Cr, Cu, Pb, Hg, Ni, Se, and Zn PAH's (Table 1 list found in WRD-048 guidance) BOD

Additional specific sediment sampling locations and requirements are outlined below:

<u>PFAS analysis: Dredge Areas 20 – 34 (Between Stations 910+00 and 1478+00)</u> 20% of samples to be collected

33 samples total – randomly select 7 samples for PFAS analysis

Pesticide analysis (list attached): Dredge Areas 2 – 23 (Between Stations 424+00 and 1072+00) 10% of samples to be collected

60 samples total - randomly select 6 samples for pesticide analysis

Biased sediment sampling locations are proposed as follows:

Site name	Dredge Area	Analytical parameters
1- Former Wealthy Street MGP	34	VOCs, PAHs, metals, ammonia, cyanide
2- 449 Market Avenue SW	34 (south of Wealthy St)	Aluminum
3- Former Koch Materials Co	33	VOCs, PAHs, arsenic
4- 851 Freeman Avenue SW and 1040 Market Avenue SW	32	VOCs, PAHs, metals, PFAS
5-Plaster Creek Outlet	32	VOCs, PAHs, metals, PFAS
6- Former Butterworth Landfill #2	31	VOCs, PAHs, metals, ammonia, 4-4'-DDT, PFAS
7- Former Grandville Dump	24	VOCs, PAHs, metals, PFAS
8-Former Fenske Landfill	23	VOCs, PAHs, metals, PFAS

A total of 87 samples is proposed. The number of samples proposed per dredge area is attached. The designated number of samples will be collected from random locations within each dredge area.

#### Grand River Waterway – Dredge Sampling Plan 11-8-18

The number and location of proposed borings is designed to more than adequately characterize the dredge material. We would like to reserve the right to discuss a less rigorous sampling plan (ie number of samples), if at all possible.

#### **Pesticide Analytical Parameters**

	Water	Sediment/Soil	Water	Sediment/Soil
	Reporting	Reporting Limits ( ug/Kg	Containers	Containers
	Limits ( ug/L )	)	& Hold Times	& Hold Times
Method	8081	8081		
Aldrin	0.01	20	2 - 1000mL glass	1 - 8 ounce glass
a-BHC	0.02	10	amber bottles	14 days HT
b-BHC	0.02	20	7 days HT	н
d-BHC	0.02	20	п	н
g-BHC (lindane)	0.02	20	н	н
BP-6 (PBB)	0.05	250	п	н
a-Chlordane	0.01	20	н	н
g-Chlordane	0.01	20	п	н
4,4'-DDD	0.02	20	п	н
4,4'-DDE	0.02	20	п	н
2,4'-DDT	0.01	20	н	H
4,4'-DDT	0.02	20	н	H
Dieldrin	0.02	20	н	H
Endosulfan I	0.02	20	н	H
Endosulfan II	0.03	20	н	H
Endosulfan Sulfate	0.05	20	n	n
Endrin	0.02	20	н	H
Endrin Aldehyde	0.02	20	н	H
Endrin Ketone	0.02	20	н	H
Heptachlor	0.01	20	п	н
Heptachlor epoxide	0.01	20	н	н
Hexabromobenzene	0.02	100	н	н
Methoxychlor	0.05	50	н	н
Mirex	0.02	50	н	н
Toxaphene	0.1	170	п	"

Average Water Level - 7' Proposed Dredge Areas						
	Approx. Dredge Area Center					
Dredge Area	Station	Latitude	Longitude	Soil Borings		
1	256+00	N43° 00' 26.94"	W85° 59' 38.21"	1		
2	446+00	N43° 00' 17.50"	W85° 55' 44.67"	5		
3	468+50	N43° 00' 07.25"	W85° 55' 17.88"	2		
4	475+50	N43° 00' 06.03"	W85° 55' 08.62"	1		
5	502+00	N43° 00' 06.73"	W85° 54' 33.25"	5		
6	522+00	N43° 00' 13.57"	W85° 54' 08.09"	2		
7	573+00	N42° 59' 47.29"	W85° 53' 17.87"	5		
8	596+00	N42° 59' 29.56"	W85° 52' 58.53"	5		
9	645+00	N42° 58' 48.59"	W85° 52' 31.73"	2		
10	668+50	N42° 58' 25.93"	W85° 52' 33.76"	1		
11	690+00	N42° 58' 04.22"	W85° 52' 34.96"	3		
12	707+50	N42° 57' 46.95"	W85° 52' 35.34"	3		
13	751+00	N42° 57' 06.38"	W85° 52' 22.03"	5		
14	819+00	N42° 56' 42.61"	W85° 51' 01.29"	6		
15	850+75	N42° 56' 38.11"	W85° 50' 19.18"	1		
16	863+00	N42° 56' 38.94"	W85° 50' 03.46"	2		
17	871+00	N42° 56' 42.33"	W85° 49' 53.84"	1		
18	879+00	N42° 56' 44.04"	W85° 49' 43.34"	1		
19	895+00	N42° 56' 49.21"	W85° 49' 23.01"	3		
20	949+00	N42° 56' 36.20"	W85° 48' 20.40"	3		
21	1015+00	N42° 55' 39.03"	W85° 48' 05.59"	1		
22	1029+00	N42° 55' 26.68"	W85° 47' 57.24"	2		
23	1066+00	N42° 54' 56.09"	W85° 47' 30.27"	1		
24	1150+50	N42° 55' 00.98"	W85° 45' 56.76"	5		
25	1208+00	N42° 55' 46.38"	W85° 45' 25.69"	2		
26	1222+00	N42° 55' 50.58"	W85° 45' 07.79"	2		
27	1264+00	N42° 55' 56.17"	W85° 44' 13.92"	1		
28	1287+50	N42° 56' 09.79"	W85° 43' 48.63"	2		
29	1309+15	N42° 56' 15.41"	W85° 43' 20.65"	1		
30	1343+25	N42° 56' 41.06"	W85° 42' 51.80"	1		
31	1363+50	N42° 56' 53.44"	W85° 42' 31.28"	2		
32	1385+00	N42° 56' 57.00"	W85° 42' 02.80"	2		
33	1400+00	N42° 57' 00.04"	W85° 41' 43.08"	6		
34	1455+00	N42° 57' 33.17"	W85° 40' 46.97"	2		

Notes:

87 total

1.) Stationing and centerpoints are approximations for sediment testing locations only and are not intended for construction layout.

2.) Proposed dredge areas were calculated at a depth of AWL-7'. Average

Water Level (AWL) is calculated during boating season only (May - October).

# RE: Revised App/Request Receipt Acknowledgement - HNG-R3RS-62YVS, 70-Grand River Waterway Project-Grand Haven

Klemans, Diana (DEQ) <KLEMANSD@michigan.gov>

Thu 11/8/2018 5:12 PM

**To:** Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>; Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov> **Cc:** Fish, Kim (DEQ) <FISHK@michigan.gov>; Gyekis, Keto (DEQ) <GyekisK@michigan.gov>

Thanks for the update Bonnie....and for your quick action on reviewing the new materials.

Dina Klemans Section Manager Surface Water Assessment Section Water Resources Division Michigan Department of Environmental Quality 517-284-5510 <u>klemansd@michigan.gov</u>

From: Broadwater, Bonnie (DEQ)
Sent: Thursday, November 8, 2018 4:00 PM
To: Klemans, Diana (DEQ) ; Saldivia, Luis (DEQ)
Cc: Fish, Kim (DEQ) ; Gyekis, Keto (DEQ)
Subject: RE: Revised App/Request Receipt Acknowledgement - HNG-R3RS-62YVS, 70-Grand River Waterway Project-Grand Haven
Good Afternoon Dina,

Thanks for checking in on this. I reviewed the materials submitted this afternoon after returning from the field. I have sent the update plans and application to the T&E coordinator Keto Gyekis for his input, per our protocol. I will continue to upload communication into MiWaters as it comes in so it is readily available for review.

Thanks,

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163



From: Klemans, Diana (DEQ) Sent: Thursday, November 8, 2018 1:24 PM To: Saldivia, Luis (DEQ) <<u>SALDIVIAL@michigan.gov</u>>; Broadwater, Bonnie (DEQ) <<u>BroadwaterB@michigan.gov</u>>

Cc: Fish, Kim (DEQ) < FISHK@michigan.gov>

Subject: FW: Revised App/Request Receipt Acknowledgement - HNG-R3RS-62YVS, 70-Grand River Waterway Project-Grand Haven

Hi Luis and Bonnie,

Just an FYI that it appears DNR has submitted a revised application for the Grand River sediment sampling and Teresa is asking for a quick turn-around. Knowing that you have this well in hand I will offer our assistance anyway, just in case. So....let me know.

If it isn't too much, can you keep me in the loop as this moves along? Thank you! Dina

Dina Klemans Section Manager Surface Water Assessment Section Water Resources Division Michigan Department of Environmental Quality 517-284-5510 klemansd@michigan.gov

From: Seidel, Teresa (DEQ) Sent: Thursday, November 8, 2018 11:00 AM To: Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>> **Subject:** Fwd: Revised App/Request Receipt Acknowledgement - HNG-R3RS-62YVS, 70-Grand River Waterway Project-Grand Haven

Please work with staff to turn this permit quickly. Sent from my iPhone

Begin forwarded message:

From: "Crook, Michelle (DNR)" <<u>CrookM@michigan.gov</u>> Date: November 8, 2018 at 10:49:15 AM EST To: Matt MacGregor <<u>mmacgregor@king-macgregor.com</u>> Cc: "Mooney, Anna (DNR)" <<u>MooneyA@michigan.gov</u>>, "Seidel, Teresa (DEQ)" <<u>SEIDELT@michigan.gov</u>> Subject: RE: Revised App/Request Receipt Acknowledgement - HNG-R3RS-62YVS, 70-Grand River Waterway Project-Grand Haven

Thanks Matt!

From: Matt MacGregor <<u>mmacgregor@king-macgregor.com</u>> Sent: Thursday, November 8, 2018 10:42 AM To: Crook, Michelle (DNR) <<u>CrookM@michigan.gov</u>> Cc: Dan Hibma <<u>dhibma@land-co.com</u>> Subject: FW: Revised App/Request Receipt Acknowledgement - HNG-R3RS-62YVS, 70-Grand River Waterway Project-Grand Haven Michelle, please see below confirmation of our information upload. Thanks. Matthew MacGregor King & MacGregor Environmental, Inc. 2520 Woodmeadow Dr. SE Grand Rapids, MI 49546 Office (616) 957-1231 Cell (616) 822-9932

From: John Vigna Sent: Thursday, November 08, 2018 8:35 AM To: Matt MacGregor <<u>mmacgregor@king-macgregor.com</u>> Subject: FW: Revised App/Request Receipt Acknowledgement - HNG-R3RS-62YVS, 70-Grand River Waterway Project-Grand Haven

From: MiWaters Support <<u>DEQ-WRD-MiWaters@michigan.gov</u>>

Sent: Thursday, November 08, 2018 8:31 AM

To: miwaters <<u>miwaters@king-macgregor.com</u>>

**Subject:** Revised App/Request Receipt Acknowledgement - HNG-R3RS-62YVS, 70-Grand River Waterway Project-Grand Haven

King and MacGregor Environmental,

This is to notify you that Michigan DEQ has received your revised submission. Details of your submission are presented below:

## Form Name: MDEQ/USACE Joint Permit Application (JPA) for Inland Lakes and Streams, Great Lakes, Wetlands, Floodplains, Dams, Environmental Areas, High Risk Erosion Areas and Critical Dune Areas

Submission Reference Number: HNG-R3RS-62YVS

Submission Version Number: 3

System Receipt Date: 11/08/2018 8:13AM

Facility, Site, or Project Name: 70-Grand River Waterway Project-Grand Haven

Additional notifications will be sent when key events are recorded or when submission processing milestones are achieved.

You can access MiWaters using the link below if you need to modify your application.

https://miwaters.deq.state.mi.us/miwaters/

This is an automated email sent by the MiWaters system

# **Grand River Waterway Sediment Testing**

# Broadwater, Bonnie (DEQ) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=979DC5A49E2A47DC8A7ACF3D155740CE-BROADWATER>

Wed 11/14/2018 4:24 PM

**To:** Hanshue, Scott (DNR) <HanshueS1@michigan.gov>; 'jessica\_pruden@fws.gov' <jessica\_pruden@fws.gov> **Cc:** Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>

#### Good Afternoon Scott & Jess,

I am currently completing my review for the proposed sediment sampling project on the Grand River. The project proposes to collect 87 samples randomized within 34 reaches of the Grand River extending from Ann Street, in Grand Rapids, Kent County downstream to the confluence of the Bass River with the Grand River in Ottawa County. The MiWaters intersection identified federally endangered species Epioblasma triquetra as well as the following state species within the reach:

Alasmidonta viridis (threatened), Leptodea leptodon (special concern) Moxostoma carinatum (endangered) Acipenser fulvescens (threatened) Ligumia recta (endangered) Cyclonaias tuberculata (threatened) Obovaria olivaria (endangered) Obliquaria reflexa (endangered) Truncilla donaciformis (threatened) Pleurobema sintoxia (special concern)

The sampling procedure for the project proposes to utilize bore holes measuring 8 inches or less in diameter, working from a barge anchored on a temporary basis, in this case, utilizing GPS-guided propulsion/autopilot (Minn Kota-Spot-Lock) that will apply virtual anchor functions, ensuring no anchoring/disturbance to river bottom outside of the actual bore hole. The total disturbance is less than 30 square feet for all 87 samples.

T&E impacts were evaluated by state T&E Coordinator Keto Gyekis. He indicated that potential impacts to T&E species based on both the individual sample foot prints of 0.34 square feet each and total area of 29.8 square feet would appear to have a very low probability of impacting an individual specimen of federally endangered Epioblasma triquetra or other state listed species, therefore, the project was not red filed or public noticed and will be processed as a General Permit. He based this review on Amanda Whitscell's recent bridge project in Grand Rapids that FWS analyzed for mussel potential impacts. Both of you will be copied on the permit. If you have any concerns related to the proposed activity, please let me know.

#### Thanks,

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163



# RE: 70-Grand River Waterway- Grand Rapids T&E Review for Sediment Sampling Plan

Broadwater, Bonnie (DEQ) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=979DC5A49E2A47DC8A7ACF3D155740CE-BROADWATER>

Wed 11/14/2018 8:21 AM

To: Gyekis, Keto (DEQ) <GyekisK@michigan.gov>

Thanks Keto, based on your feedback I'm going to proceed with processing this as a General Permit.

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163



From: Gyekis, Keto (DEQ) Sent: Tuesday, November 13, 2018 3:38 PM To: Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov> Subject: RE: 70-Grand River Waterway- Grand Rapids T&E Review for Sediment Sampling Plan Importance: High

#### Hi Bonnie,

If I did the math correctly, it appears that the project would directly impact no more than approximately 30 square feet of river bottom -- *but* spread out widely over a 9-mile river reach. The probability of encountering an individual snuffbox within the proposed action area given the size of the area of direct impact is likely *very* small.

I'm basing this assumption on Amanda's recent bridge project that FWS analyzed for mussel potential impacts (see attached). They estimated something like 8.33 square feet of impact spread out around a bridge project area on the Grand. They said that the proposed project was unlikely to result in adverse effects to federally endangered snuffbox mussels because the probability of impacting one individual was so small that it was discountable.

#### -Keto

Keto Gyekis, PWS Michigan Department of Environmental Quality Water Resources Division Phone: 517-243-5002 <u>www.michigan.gov/wetlands</u>

From: Broadwater, Bonnie (DEQ)
Sent: Thursday, November 8, 2018 3:39 PM
To: Gyekis, Keto (DEQ) <<u>GyekisK@michigan.gov</u>>
Cc: Saldivia, Luis (DEQ) <<u>SALDIVIAL@michigan.gov</u>>
Subject: 70-Grand River Waterway- Grand Rapids T&E Review for Sediment Sampling Plan Importance: High

Hi Keto,

I am currently reviewing the application for the proposed Grand River Dredge sediment sampling. I am requesting your input on potential T&E issues for the project as proposed, specifically, with mussels to determine if the project can be processed as a GP. The intersection in MiWaters indicates the potential for presence of several state listed mussels in addition to Snuffbox. I have attached the application, plans, and sampling protocol for the proposed collection of (up to) 87 sediment samples from the Grand

River. The Unionid report prepared by the applicant is also attached for reference. MiWaters Site: <u>https://miwaters.deg.state.mi.us/miwaters/#/site/edit/detail?siteId=8181154850806237027</u>

The project reach overall is from the confluence of the Bass River, upstream to Ann Street in Grand Rapids. The samples will be collected from 34 total reaches, with the specific sampling locations for each reach to be randomized within the reach.

With regard to the impact from the actual sampling process, the JPA specifies the following: The sample collection will be conducted during times of normal water elevations from a barge. A GPSguided propulsion/autopilot will be used (Minn Kota-Spot-Lock) that will apply virtual anchor functions; therefore, no anchoring/disturbance to river bottom is proposed. Boreholes will have an outside diameter of less than 8 inches.

#### Thanks,

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163





Michigan Department of Environmental Quality Water Resources Division

#### Administrative Review for Threatened and Endangered Species and Rare Communities

Review Date:	11/14/2018
Site Name:	70-Grand River Waterway Project-Grand Haven
Submittal Number:	HNG-R3RS-62YVS
Processor:	Bonnie Broadwater
Project Name:	Grand River Waterway

This checklist should be filled out by Water Resources Division (WRD) district staff (Staff) for each application 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). Place an "X" in the appropriate answer for each step.

#### STEP 1 – Screening for state listed T&E species and rare communities.

- **1a)** The special interest search in MiWaters identified that no state T&E animal or plant species or rare communities are known to be within the area of the proposed project. Check one of the following:
  - This is True; go to STEP 2.

 $\boxtimes$  This is False, go to STEP 1b.

\*Note: Staff should also check false for 1a) if they know a T&E species or rare community that is not in the database is within the project area of the proposed project. Staff should report this occurrence to Michigan Natural Features Inventory (MNFI) so that it can be incorporated into the database.

- **1b)** Staff review of aerial photographs, site photographs, staff field inspection (if done within the administrative review period), and other pertinent sources of information (e.g., identified rare communities in the area, information submitted from the applicant), indicates rare communities or habitat for the reported species are not present within the project limits or immediate vicinity. Based on this information, no state listed T&E species or rare communities are expected to be adversely impacted by the proposed project. Check one of the following:
  - This is True; go to STEP 2.
  - $\overrightarrow{\mathbb{N}}$  This is False; go to STEP 1c.
  - Unsure, staff contacted the WRD T&E Coordinator for assistance. The WRD T&E Coordinator determined that this is True; go to STEP 2.
  - Unsure, staff contacted the WRD T&E Coordinator for assistance. The WRD T&E Coordinator determined that this is False; go to STEP 1c.
- 1c) Staff review of the proposed activities in reference to the listed species or rare communities indicates that no state listed T&E species or rare communities are expected to be adversely impacted by the activities. Check one of the following:
  - This is True; go to STEP 2.
  - This is False; this project must be public noticed and go to STEP 2 to determine if it should also be processed as a Red File. The public notice should be copied to the WRD T&E Coordinator for comment.
  - Unsure, staff contacted the WRD T&E Coordinator for assistance. The WRD T&E Coordinator determined that this is True; go to STEP 2.
  - Unsure, staff contacted the WRD T&E Coordinator for assistance. The WRD T&E Coordinator determined that this is False; this project must be public noticed and go to STEP 2 to determine if it should also be processed as a Red File. The public notice should be copied to the WRD T&E Coordinator for comment.

#### See next page for STEP 2 – Screening for federally listed T&E species. STEP 2 - Screening for federally listed T&E species

- **2a)** The special interest search in MiWaters identified that no federal T&E animal or plant species or critical habitat are known to be within the area of the proposed project. Check one of the following:
  - This is True, go to STEP 2c.

 $\square$  This is False, go to STEP 2b.

- **2b)** Staff review of aerial photographs, site photographs, staff field inspection (if done within the administrative review period), and other pertinent sources of information (e.g., identified rare communities in the area, information from the applicant, etc.), indicates the habitat for the reported species are not present within the project limits or nearby. Check one of the following:
  - This is True, go to Step 2c. Send WRD T&E Coordinator an e-mail with an explanation of this decision (because of the known occurrence of a federal T&E).
  - This is False, this project must be public noticed and processed as a Red File. The WRD T&E Coordinator should be copied on the public notice.
  - Unsure, staff contacted the WRD T&E Coordinator for assistance. The WRD T&E Coordinator determined that this is True; go to STEP 2c.
  - Unsure, staff contacted the WRD T&E Coordinator for assistance. The WRD T&E Coordinator determined that this is False; this project must be public noticed and processed as a Red File. The WRD T&E Coordinator should be copied on the public notice.
- **2c)** Staff review of known federally listed species for the county has been completed and an assessment of aerial photographs, site photographs, staff field inspection (if done within the administrative review period), and other pertinent sources of information (e.g., identified rare communities in the area, information from the applicant), indicates the habitat for any federal threatened or endangered species listed for the county is not present within the project limits or nearby. (The U.S. Fish and Wildlife Service County distribution list can be found at: <a href="http://www.fws.gov/midwest/Endangered/lists/michigan-cty.html">www.fws.gov/midwest/Endangered/lists/michigan-cty.html</a>). Check one of the following:
  - This is True; go to STEP 3 and check True.
  - This is False, this project must be public noticed and processed as a Red File. The WRD T&E Coordinator should be copied on the Red File. Do not go to Step 3.
  - Unsure, staff contacted the WRD T&E Coordinator for assistance. The WRD T&E Coordinator determined that this is True; go to STEP 3 and check True.
  - Unsure, staff contacted the WRD T&E Coordinator for assistance. The WRD T&E Coordinator determined that this is False; this project must be public noticed and processed as a Red File. Copy the WRD T&E Coordinator on the Red File. Do not go to Step 3.

## STEP 3

The proposed project has been determined by staff to have no impact on federally listed T&E species, state listed T&E species, or rare and imperiled communities. The proposed project may qualify for General Permit and Minor Project Categories. (*If this box cannot be checked, the project is a public notice file and/or a Red File.*)

#### **ADDITIONAL COMMENTS**

The proposed sediment sampling project will collect 87 samples randomized within 34 reaches of the Grand River extending from Ann Street, in Grand Rapids, Kent County to the confluence of of the Bass River with the Grand River in Ottawa County. The MiWaters intersection was run extending the entire reach from Ann Street to the Bass River

confluence and identified the federally endangered species Epioblasma triquetra as well as the following state species: Alasmidonta viridis (threatened), Leptodea leptodon (Special Concern),Moxostoma carinatum (endangered) Acipenser fulvescens (threatened), Ligumia recta (endangered), Cyclonaias tuberculata (threatened), Obovaria olivaria (endangered), Obliquaria reflexa (endangered), Truncilla donaciformis (threatened), Pleurobema sintoxia (special concern). The sampling procedure for the project as proposed will utilize bore holes measuring 8 inches or less, working from a barge anchored on a temporary basis, in this case, utilizing GPS-guided propulsion/autopilot (Minn Kota-Spot-Lock) that will apply virtual anchor functions, ensuring no anchoring/disturbance to river bottom. T&E impacts were evaluated by state T&E Coordinator Keto Gyekis, Total disturbance is less than 30 square feet for all 87 samples. Potential impacts to T&E species based on both the individual sample foot prints of 0.34 square feet each and total area of 29.8 square feet have a very low probability of impacting an individual specimen of federally endangered Epioblasma triquetra or other state listed species, therefore, the project was not red filed and will be processed as a GP.

## Department of Environmental Quality Water Resources Division

## PROJECT REVIEW REPORT

Site Name: 70-Grand River Waterway Project-Grand Haven Submission Number: HNG-R3RS-62YVS Name of Reviewer: Bonnie Broadwater Date of Field Review: GP, no onsite review

## GENERAL INFORMATION:

1.	Name of applicant: DNR-PRD		
2.	Name of property owner: See email from Scott Huges		
3.	Water body type (check all that apply):  wetland  warmwater stream  Great Lake Great Lak		
4.	Jurisdictional determination (for Part 303): a. Is the wetland contiguous, as defined in Section 30301? ☐ Yes ☐ No b. Approximate size of wetland =acres c. Is the project within a county with a population >100,000? ☐ Yes ☐ No		
5.	A permit is required under: ⊠ Part 31 ⊠ Part 301 □ Part 303 □ Part 323 □ Part 325 □ Section 404		
6.	Is the application drawing complete and accurate?  Yes No If no, why:		

## FIELD REVIEW (for Part 303):

<ol><li>Total wetland acreage owned by property owner =acres</li></ol>					
8. Total wetland acreage to be impacted by proposed activity = acres					
Dominant Plants	Indicator Status	Other Plants	Indicator Status	Soils (description)	Depth
DESCRIBE HYDROLOGIC INDICATORS:					
<b>GENERAL FIELD NOTES/COMMENTS:</b> (Attach other page(s) for additional notes/comments.)					

# FILE REVIEW: File Number: HNG-R3RS-62YVS; Site Name: 70-Grand River Waterway Project-Grand Haven

9. a. Is there reasonable potential for impacts to state or federally listed threatened or endangered species?	🗌 Yes	🛛 No 🏼	□ N/A
b. If yes, has the DNR and/or USFWS reviewed and signed off on potential impacts?	🗌 Yes	□ No	⊠ N/A
10. Would the project adversely affect fish and wildlife?	🗌 Yes	🛛 No 🛛	□ N/A
11. Would the project adversely affect recreation and aesthetics?	🗌 Yes	🛛 No 🛛	🗌 N/A
12. Would the project adversely affect navigation?	🗌 Yes	🛛 No 🏼	N/A
13. Would the project adversely affect historic or archeological sites?	🗌 Yes	🛛 No 🛛	□ N/A
14. Would the project comply with state Water Quality Standards?	🛛 Yes	🗌 No 🛛	□ N/A
15. Would the project comply with the Michigan Natural Rivers Act?	🗌 Yes	No	🛛 N/A
16. Would the project comply with Part 323 (Shorelands Protection and Management)?	🗌 Yes	□ No	⊠ N/A
17. Would the project comply with the Michigan Coastal Zone Management Program?	🛛 Yes	□ No	□ N/A
18. If the project is proposed under Part 301 or 325:			
a. Would the project adversely affect riparian rights?	🗌 Yes	🛛 No 🛛	□ N/A
b. Would the project adversely affect the public trust?	🗌 Yes	🛛 No 🛛	N/A
c. Would the project adversely affect other criteria listed in Section 30106 of Part 301 or Section 32515 of Part 325 as appropriate?	🗌 Yes	⊠ No	□ N/A
d. Would the project involve work on state-owned bottomlands of the Great Lakes?	🗌 Yes	⊠ No	□ N/A
e. If yes, would a conveyance be required?	🗌 Yes	No	🛛 N/A
f. Would the project be consistent with similar structures or other permitted projects in the area?	🗌 Yes	□ No	⊠ N/A
19. If the project is proposed under Part 303:			
a. Would the activity be in the public interest?	🗌 Yes	🗌 No 🛛	⊠ N/A
b. Is a permit necessary to realize the benefits derived from the activity?	☐ Yes	□ No	⊠ N/A
c. Would adverse secondary or cumulative effects occur due to the probable impacts of the proposed project in addition to the existing and anticipated activities in the watershed?	☐ Yes	□ No	⊠ N/A
d. Is the activity otherwise lawful?	🗌 Yes	🗌 No 🛛	🛛 N/A
e. Has the applicant shown that an unacceptable disruption to the aquatic resources would not result?	🗌 Yes	No	⊠ N/A
f. Has the applicant shown that the proposed activity is wetland dependent?	☐ Yes	□ No	⊠ N/A
OR	🗌 Yes	🗌 No 🛛	🛛 N/A
Has the applicant shown that no feasible and prudent alternatives exist?			
20. If the project is proposed as a Minor Project (Part 301 or Part			
325) or General Permit (Part 303):			
a. Is the activity listed by the DEQ as a category for a minor project or under a general permit?		□ No	
b. Would the activity have only minimal adverse environmental effects when performed separately?	☐ Yes	□ No	⊠ N/A
c. Would the activity have only minimal adverse environmental	🗌 Yes	🗌 No 🛛	🛛 N/A

effects cumulatively?		
d. If proposed under a General Permit, would the activity comply with Part 303 review criteria in No. 19.a-f?	🗌 Yes 🗌 No 🖾 N/A	
<b>EXPLANATION OF FINDINGS AND RECOMMENDATION:</b> (Attach oth explanation.) Notification of HAL instersection was sent to SHPO on 9/20 recording further extian proceed. The decision are proceeded as the decision of the section of the s	0/2018 with no response	
regarding further action needed. The dredging, as proposed, meets all c Soil Borings including limiting the outside diameter of bore holes to 8 inc within a 48 hour period, working from a barge anchored on a temporary	hes, completing work basis, in this case,	
utilizing GPS-guided propulsion/autopilot (Minn Kota-Spot-Lock) that will apply virtual anchor functions, ensuring no anchoring/disturbance to river bottom, and remaining spoils from sample collection will be disposed of in an upland location. T&E impacts were evaluated by state T&E		
Coordinator Keto Gyekis, based on the proposed collection of 87 samples randomized within each proposed dredge reach as identified in the sampling plan. Total disturbance is less than 30		
square feet for all 87 samples. Potential impacts to T& E species based on both the indiviual sample foot prints of 0.34 squre feet each and total area of 29.8 square feet have a very low		
probability of impacting an individual specimen of federally endangered is other State-listed Te& E species, therefore, the project was not redfiled a	and was processed as a	
GP. Proposd sampling procedures and parameters comply with Sediment Testing for Dredging Projects Policy and Procedure WRD-048. Additional testing for PFAS and pesticides is outlined in the sampling procedures. Locations of sites identifed by RRD for screening have been		
integrated into the sampling plan.	ching have been	
RECOMMENDATION: Sisue Deny Modify		
Date of review completion: 11/15/2018		



## NOTICE OF AUTHORIZATION

## Permit Number: WRP014388 v. 1 Date Issued: November 16, 2018 Site Name: 70-Grand River Waterway Project-Grand Haven Expiration Date: November 16, 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.

 $\boxtimes$  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:

A United States Army Corps of Engineers permit is required prior to the start of this activity.

Obtain up to 87 soil borings of a maximum diameter of 8 inches each to a maximum depth of 6 feet (water depth) within the Grand River utilizing a barge. All work shall be in accordance with the approved plans and specifications of this permit.

To be conducted at property located in: Ottawa and Kent County, Waterbody: Grand River Sections 03, 04, 05, and 17, Town 06N, Range 12W, Section 12, Town 06N, Range 13W, Sections 25, 35, and 36, Town 07N, Range 12W, Sections 07, 17, 18, 20, 29, 32, 33, 34, and 35, Town 07N, Range 13W Section 11, Town 07N, Range 14W, Polkton Township, Allendale Township, Tallmadge Township, Georgetown Township, City of Walker, City of Grandville, City of Wyoming, and City of Grand Rapids

Permittee: Ron Olson, DNR-PRD 525 West Allegan, Lansing, MI 30257

> Bonnie Broadwater Grand Rapids District Office Water Resources Division 616-591-8163

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:

Ron Olson, DNR-PRD 525 West Allegan, Lansing, MI 30257

Permit No:WRP014388 v.1Submission No.:HNG-R3RS-62YVSSite Name:70-Grand River Waterway Project-Grand HavenIssued:November 16, 2018Revised:November 16, 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:

Part 301, Inland Lakes and Streams	Part 323, Shorelands Protection and
Management	
Part 303, Wetlands Protection	Part 325, Great Lakes Submerged Lands
Part 315, Dam Safety	Part 353, Sand Dunes Protection and
Management	

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:

A United States Army Corps of Engineers permit is required prior to the start of this activity.

Obtain up to 87 soil borings of a maximum diameter of 8 inches each to a maximum depth of 6 feet (water depth) within the Grand River utilizing a barge. All work shall be in accordance with the approved plans and specifications of this permit.

Waterbody Affected:
Property Location:
Grand River
Ottawa and Kent County, Polkton Township, Allendale Township, Tallmadge Township, Georgetown Township, City of Walker, City of Grandville, City of Wyoming, and City of Grand Rapids Sections 03, 04, 05, and 17, Town 06N, Range 12W, Section 12, Town 06N, Range 13W, Sections 25, 35, and 36, Town 07N, Range 12W, Sections 07, 17, 18, 20, 29, 32, 33, 34, and 35, Town 07N, Range 13W Section 11, Town 07N, Range 14W, Property Tax No. N/A

# 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 <u>www.mi.gov/deqstormwater</u> 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. No physical structures shall be used to temporarily secure the barge to bottomlands of the Grand River to obtain a total of 87 soil borings.
  - 8. State threatened and federally endangered mussel species may be present within the proposed project area as well as other species designated by the State as special concern. The proposed soil borings should avoid impacting these mussel species from all areas of impact.

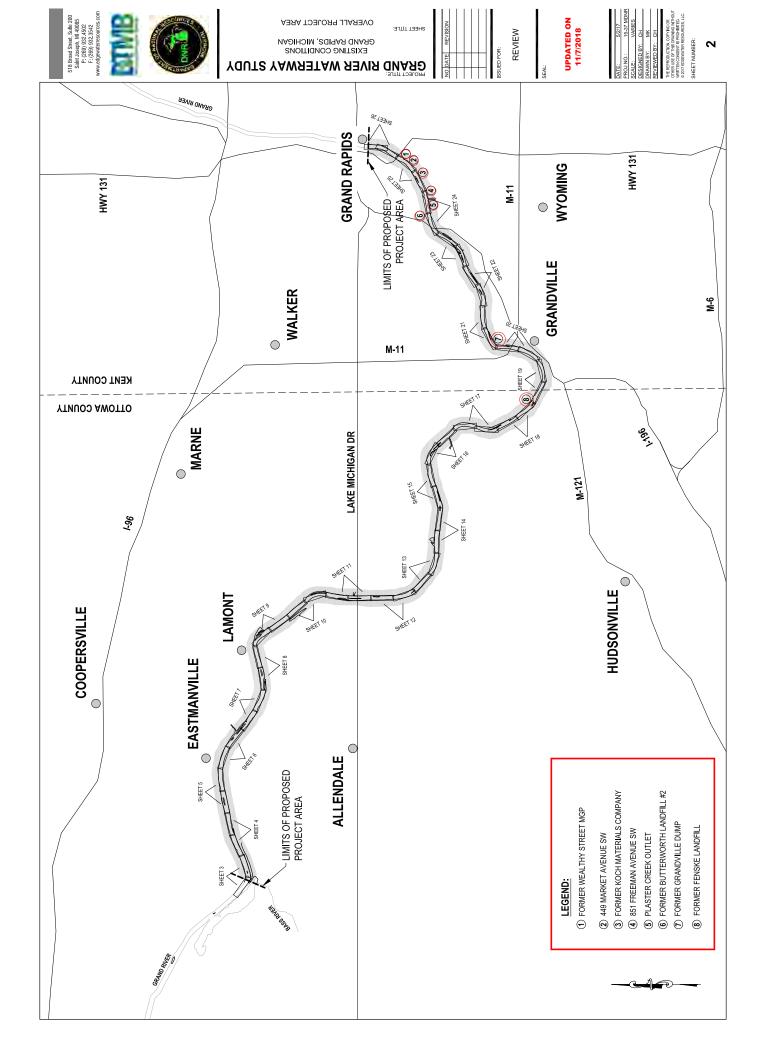
- 9. All dredge/excavated spoils including organic and inorganic soils, vegetation, and other material removed shall be placed on upland (non-wetland, non-floodplain or non-bottomland), prepared for stabilization, and stabilized with sod and/or seed and mulch in such a manner to prevent and ensure against erosion of any material into any waterbody, wetland, or floodplain.
- 10. 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.
- 11. All slurry resulting from any dewatering operation shall be discharged through a filter bag or pumped to a sump located away from wetlands and surface waters and allowed to filter through natural upland vegetation, gravel filters, or other engineered devices for a sufficient distance and/or period of time necessary to remove sediment or suspended particles.
- 12. The dredge barge shall not operate during flooding conditions.
- 13. Each boring shall be completed within a 48-hour period.
- 14. Authorization for sediment sampling under this permit based on legal authority identified in the application does not obviate the need to obtain separate, and potentially different owner authorization for any future proposed dredging activities.

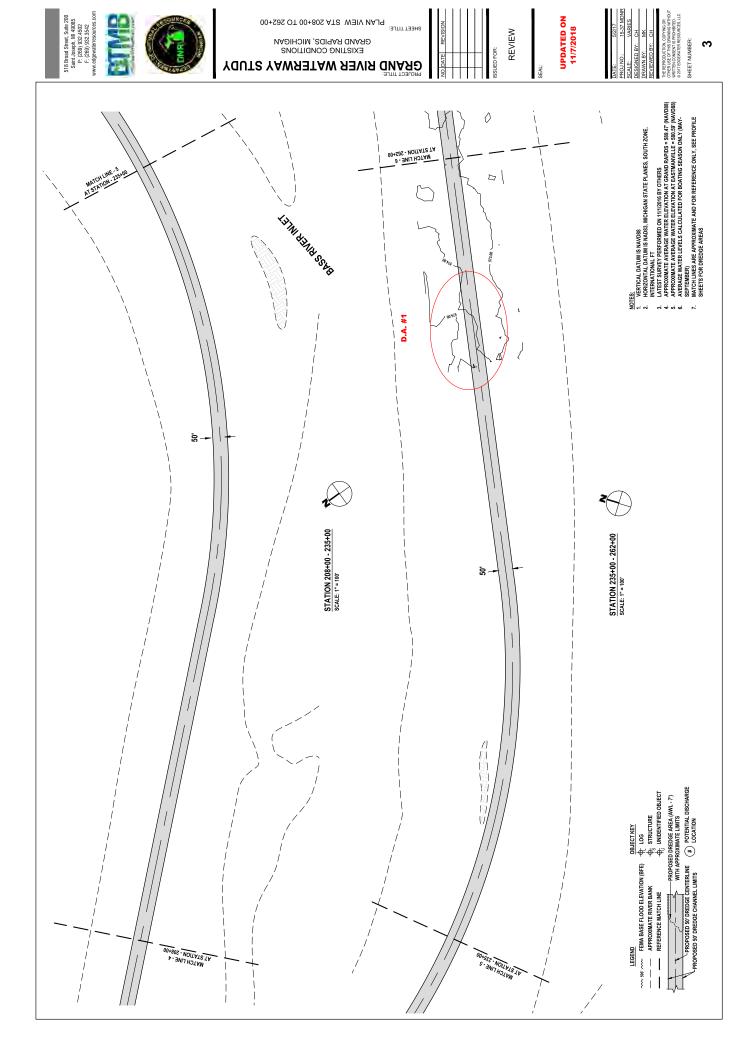
Issued By: B. BND Adwale

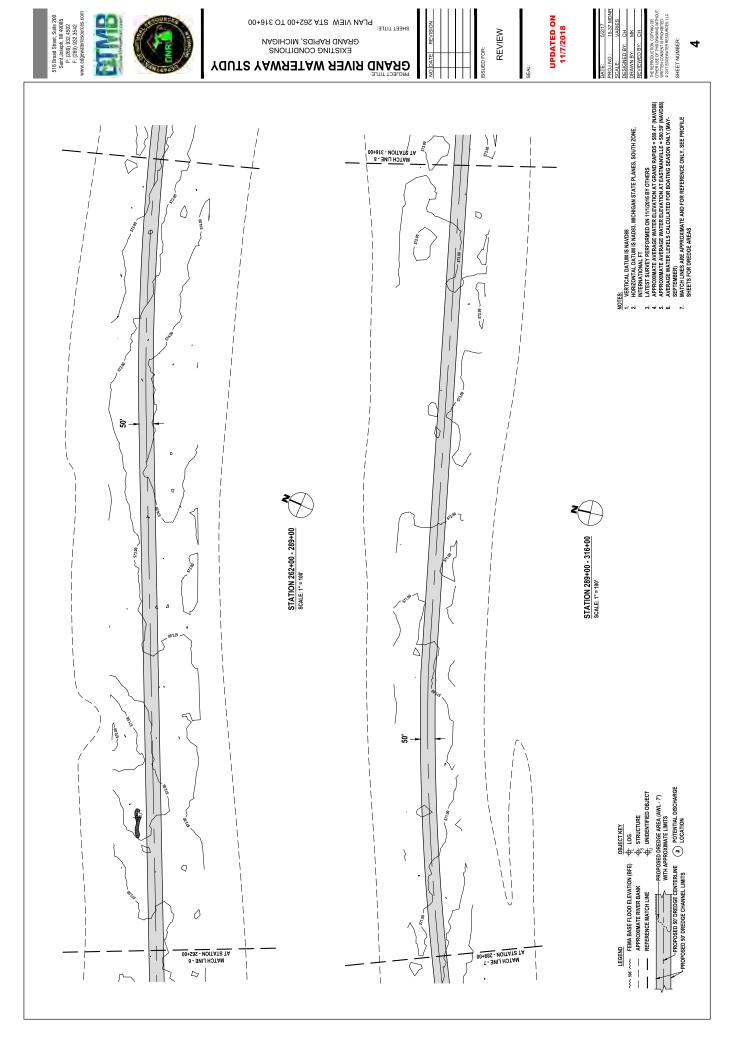
Bonnie Broadwater Grand Rapids District Office Water Resources Division 616-591-8163

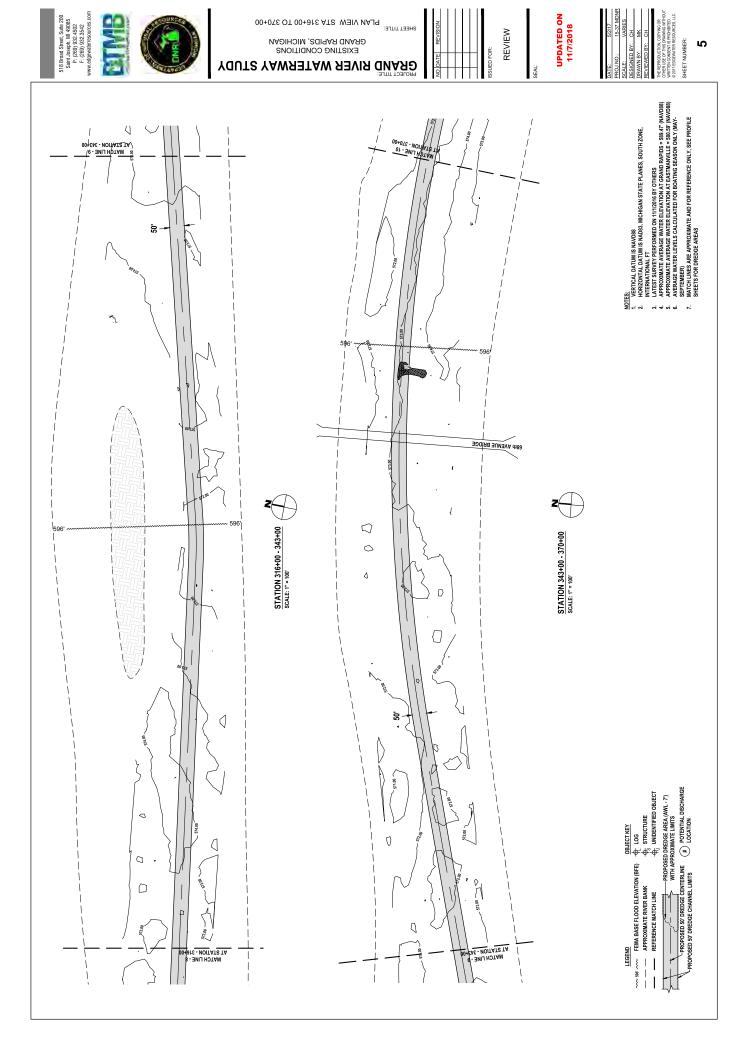
Polkton Township Clerk CC: Allendale Township Clerk Tallmadge Township Clerk Georgetown Township Clerk City of Walker Clerk City of Grandville Clerk City of Wyoming Clerk City of Grand Rapids Clerk Kent County Drain Commissioner Kent County CEA Ottawa County Water Resources Commissioner Ottawa County CEA Nathan Schultz, USACE Jessica Pruden, USFWS Scott Hanshue, DNR Michelle Crook, DNR King & MacGregor, Agent

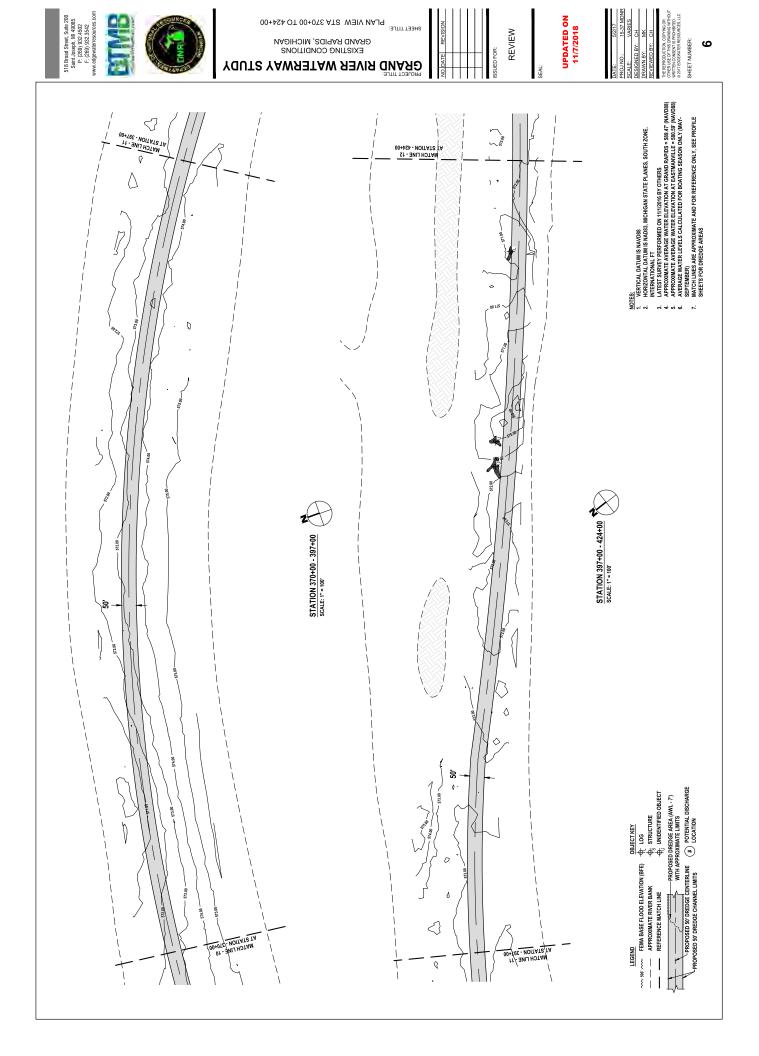
	UPDATED ON 11/7/18 PROPOSED DREDGE AREAS SHOWN IN RED (D.A. #)	Albert List Table           Anote List Table           Sheet Table
STATE OF MICHIGAN DEPARTMENT OF NATURAL RESOURCES GRAND RIVER WATERWAY STUDY FINAL SURVEY DRAWINGS	FILE #: 751/16038 BDW UPDATED ON 11/7/18 INDEX #: 50900 PROPOSED DREDGE /	<complex-block>         Image: Sector Secto</complex-block>

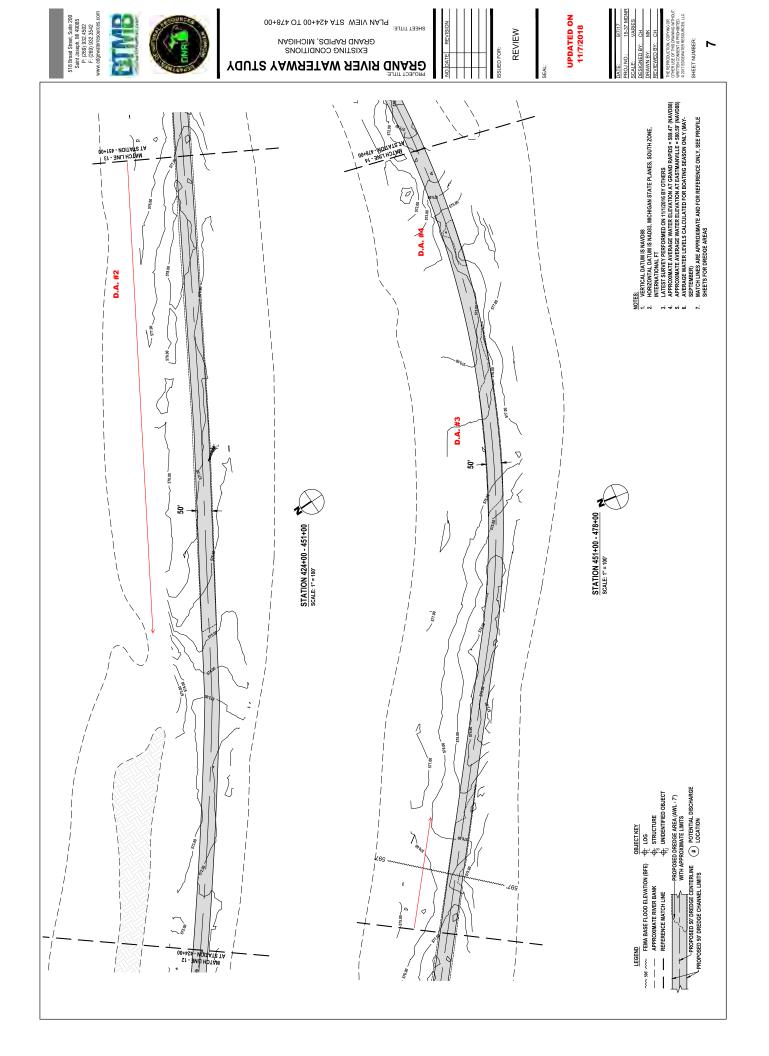


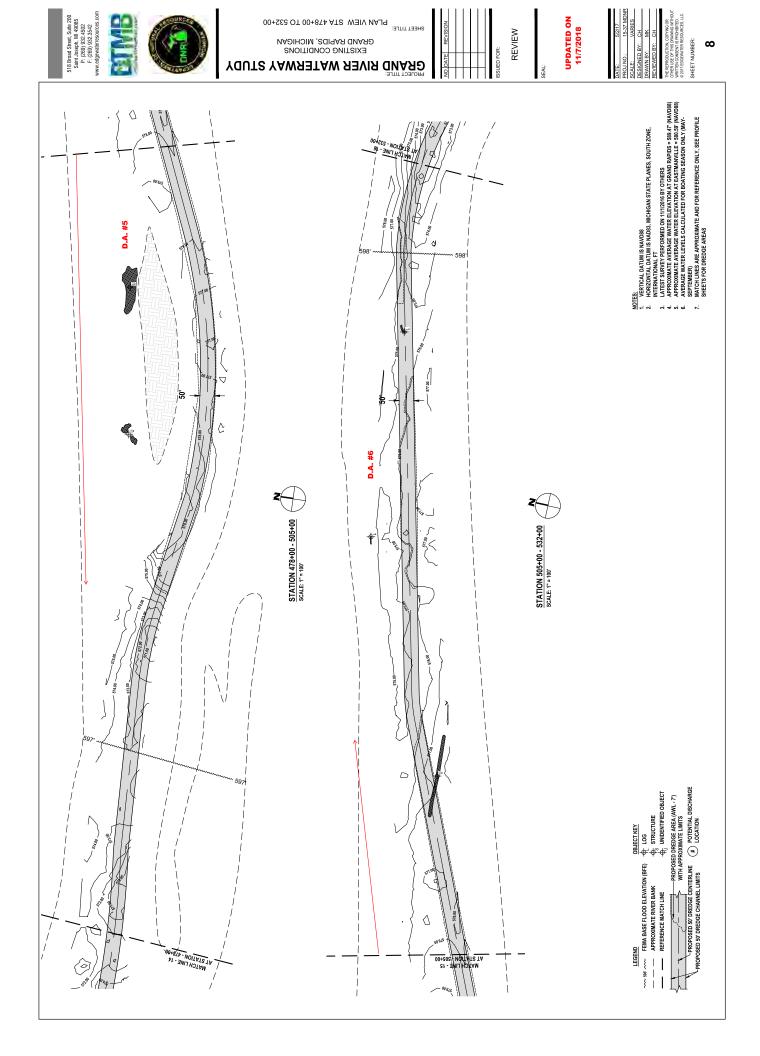


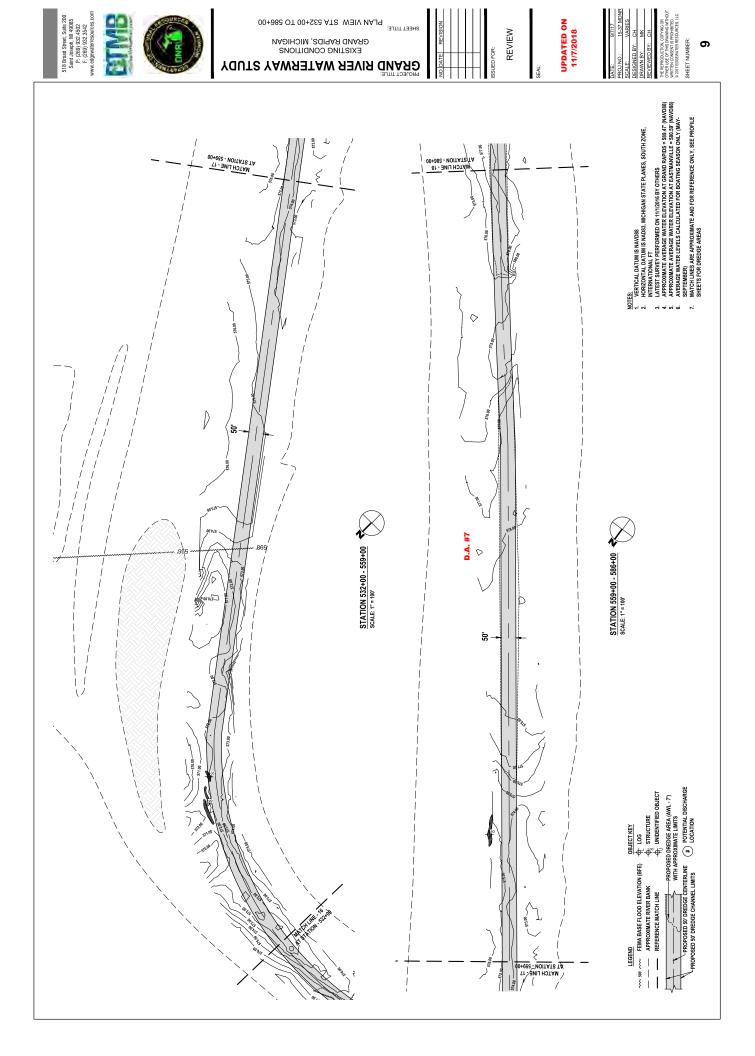


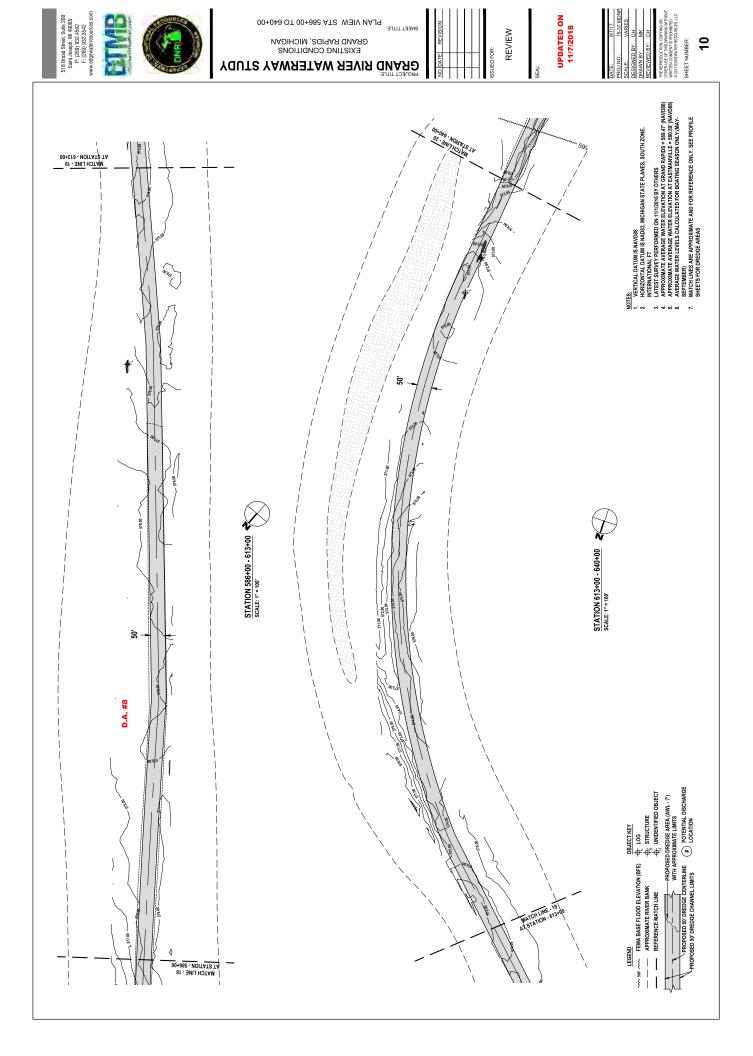


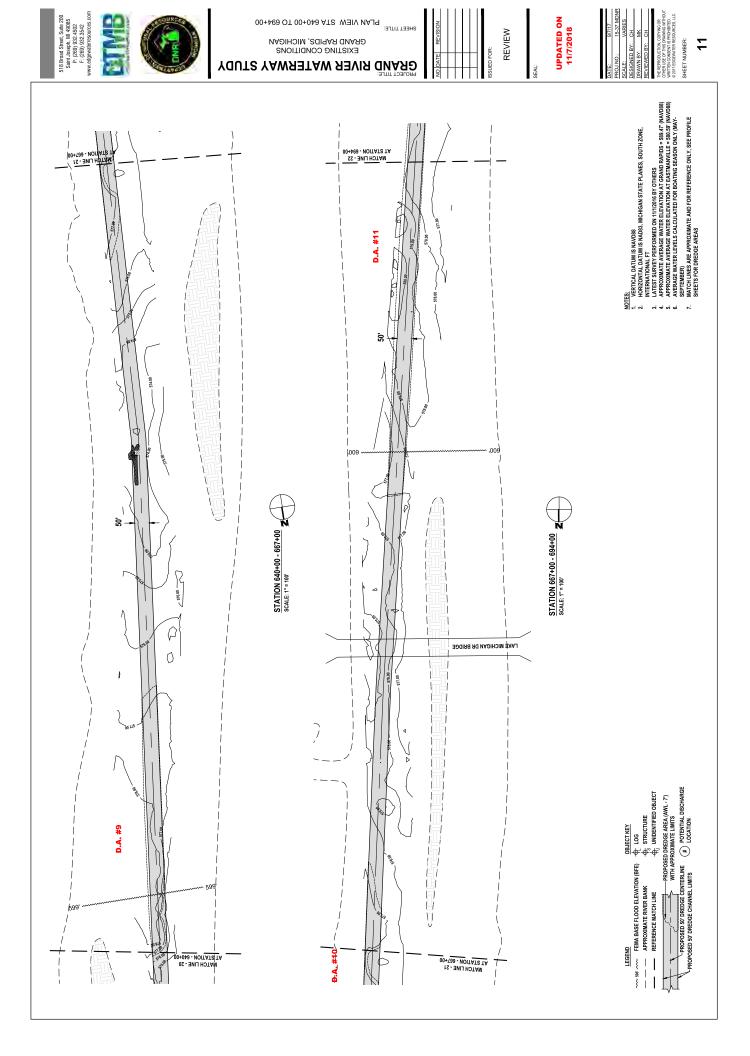


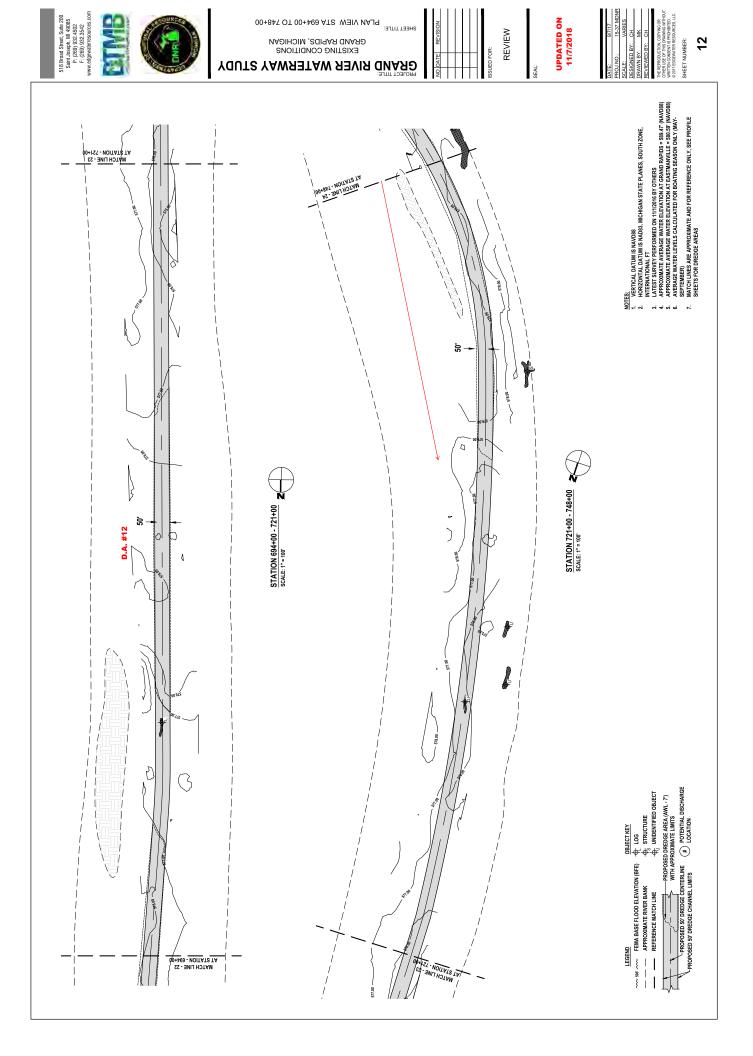


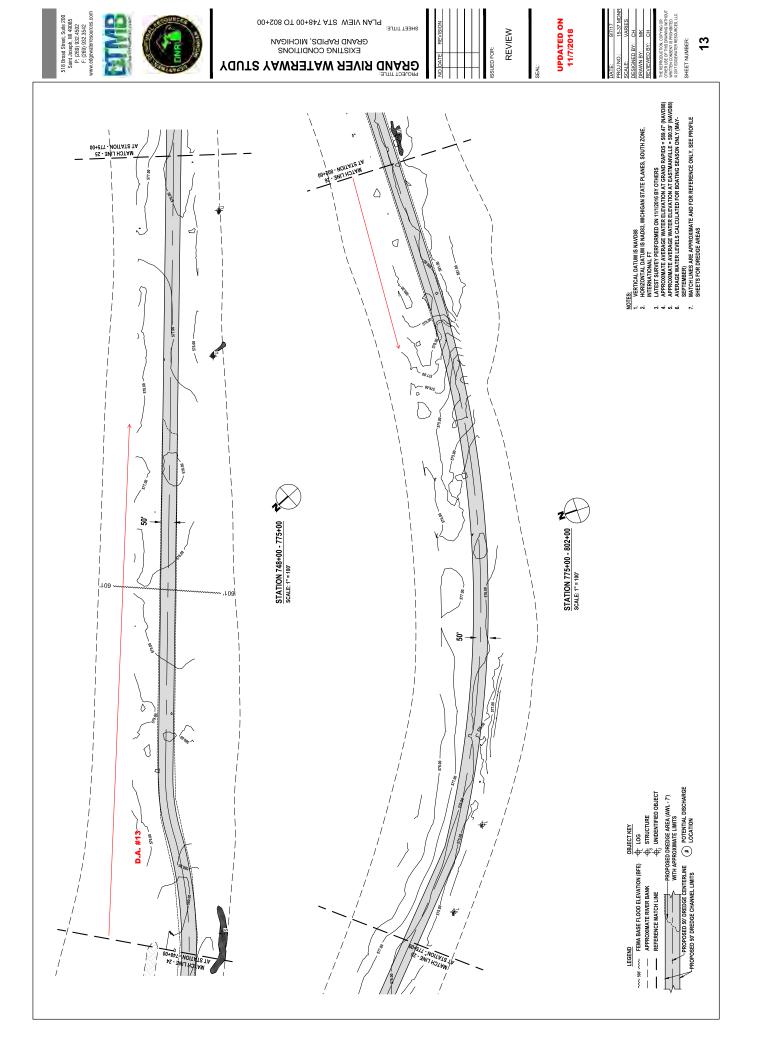




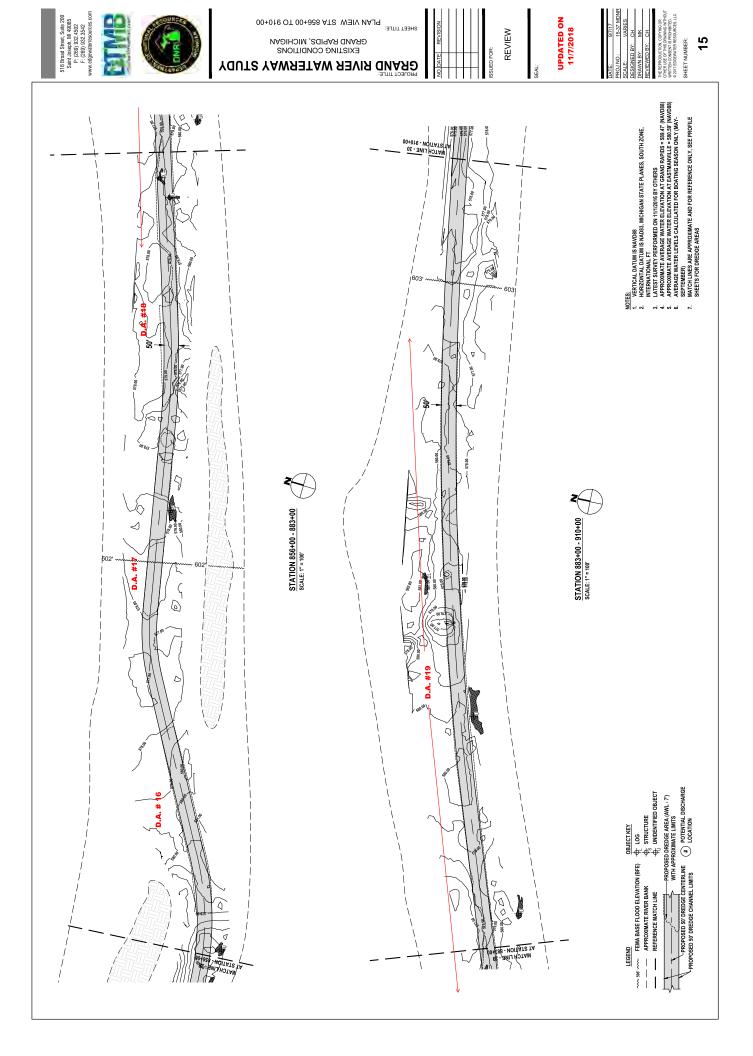


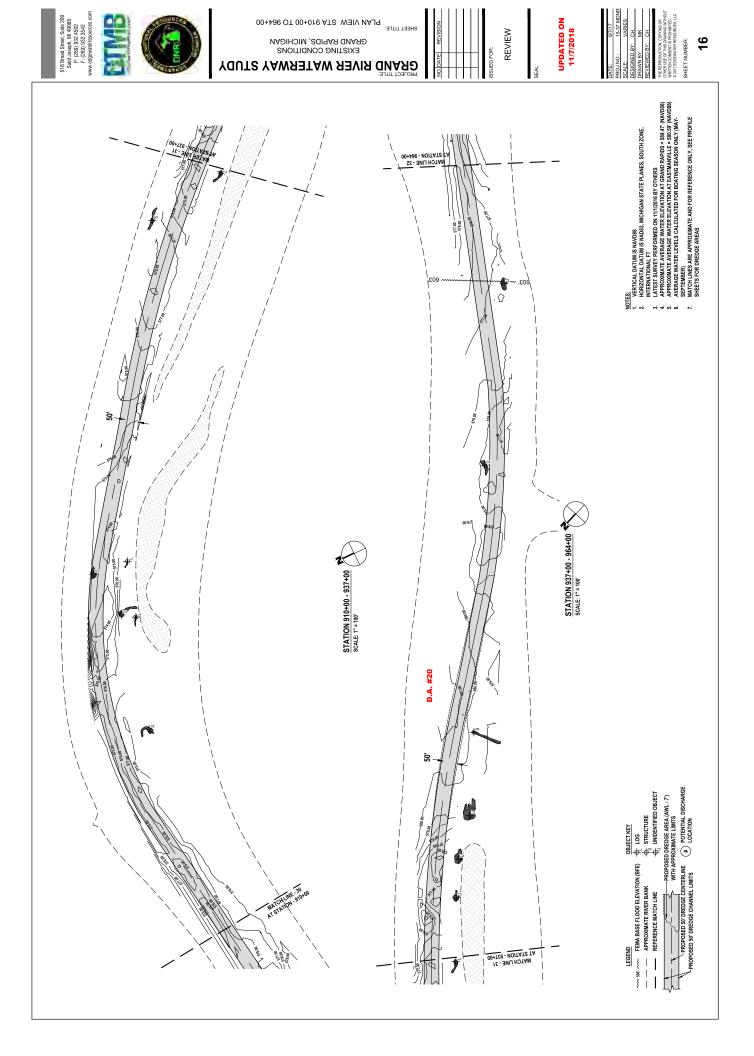


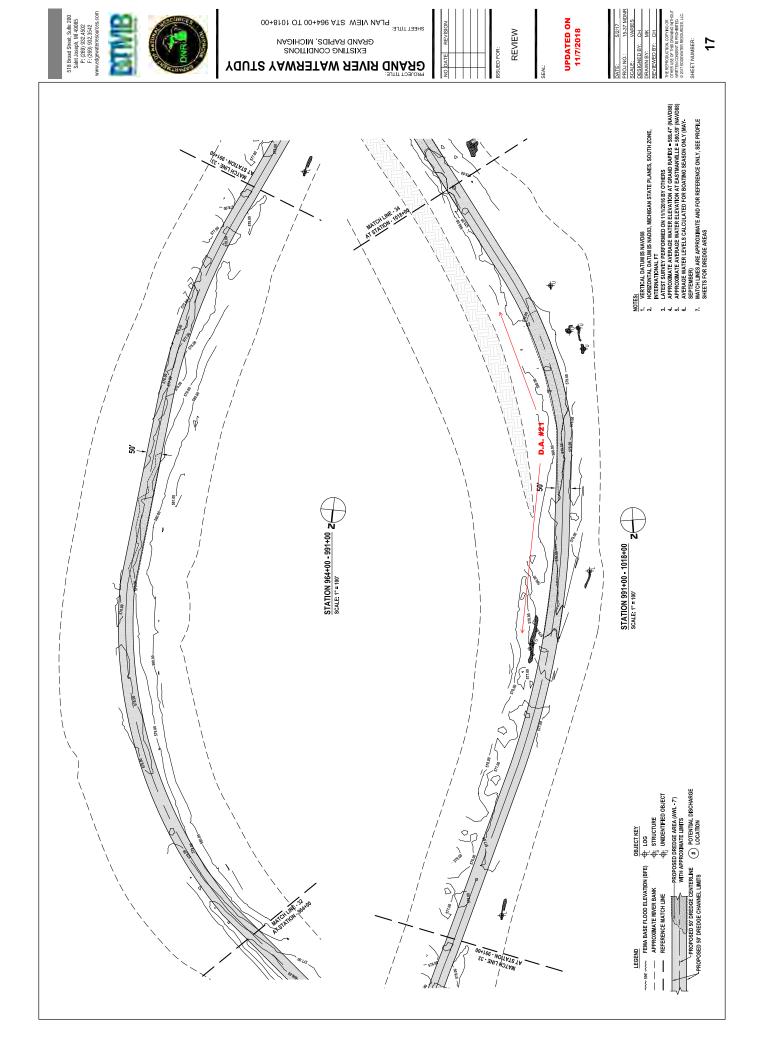


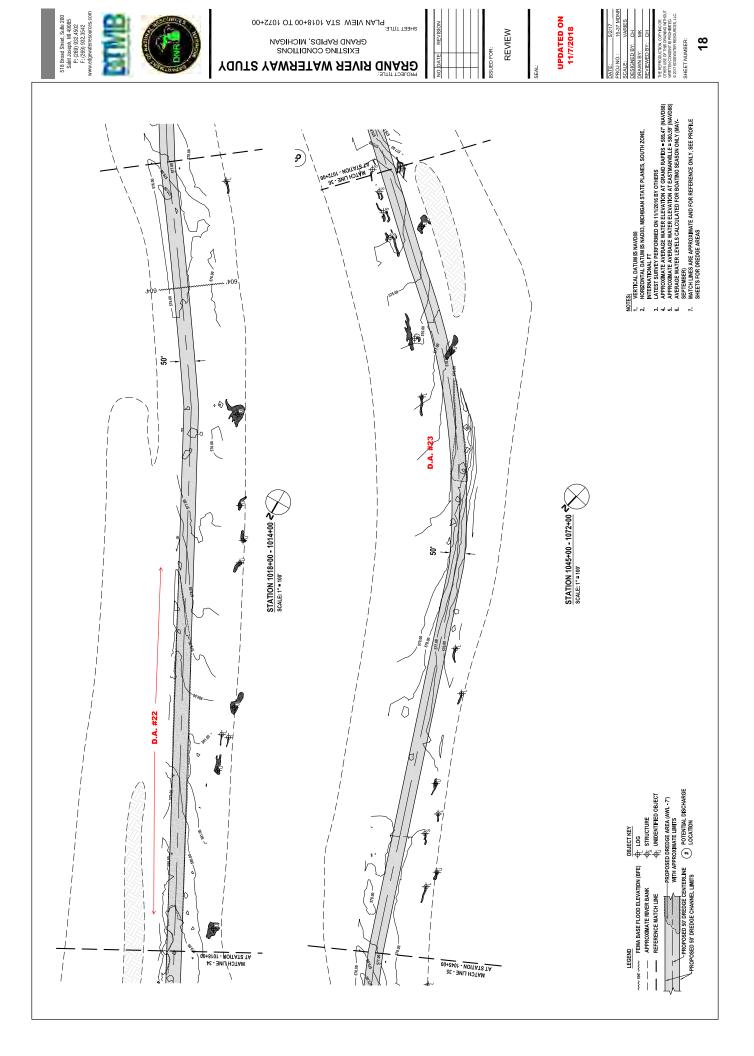


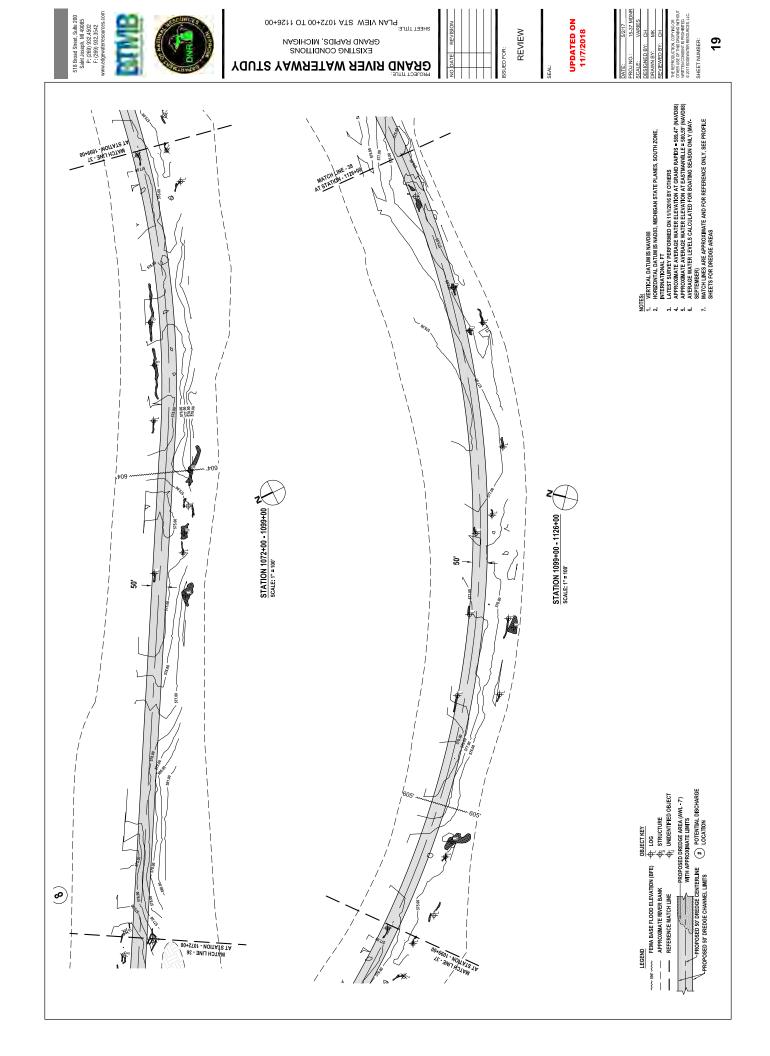


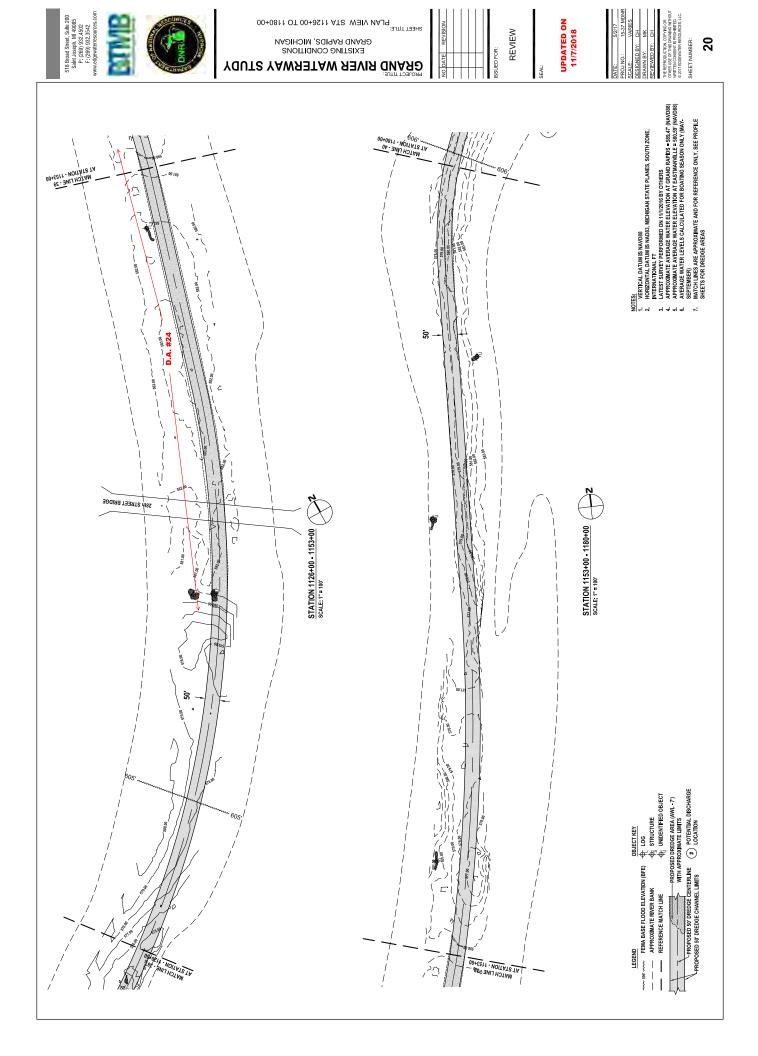


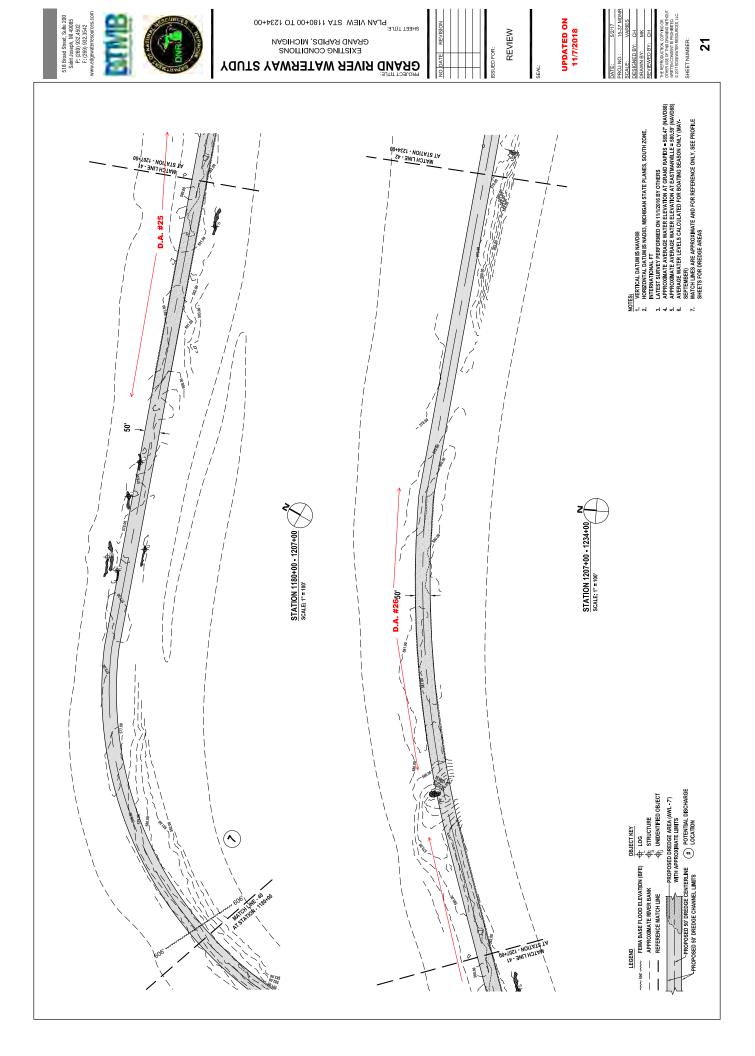


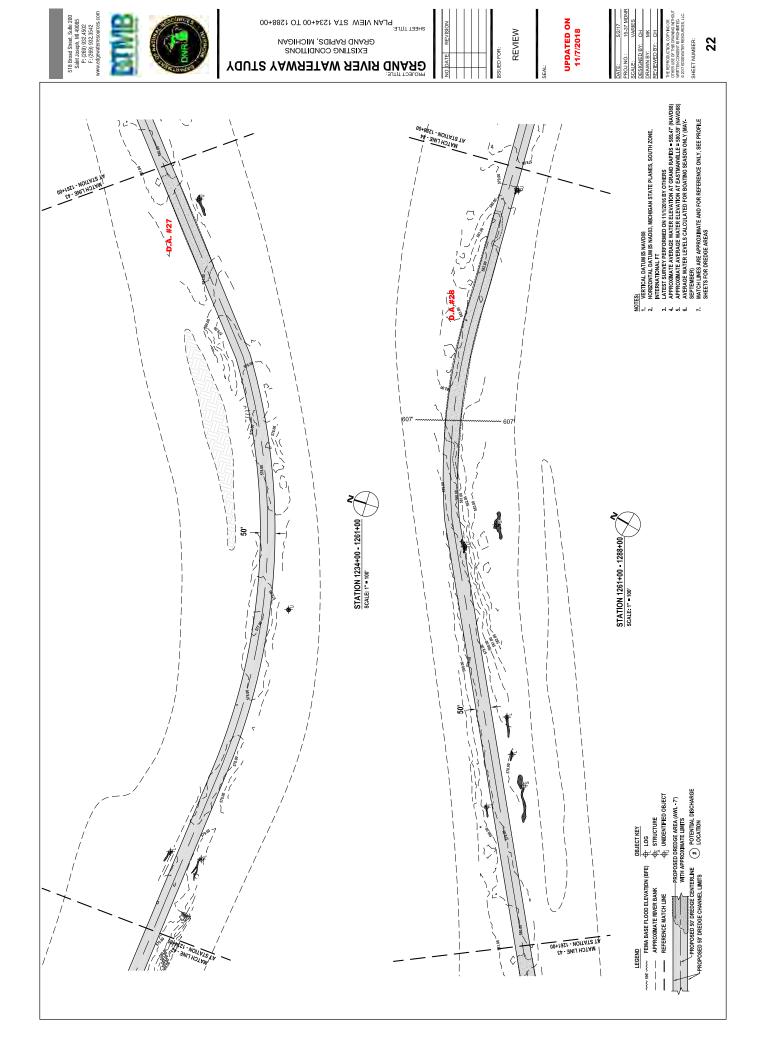


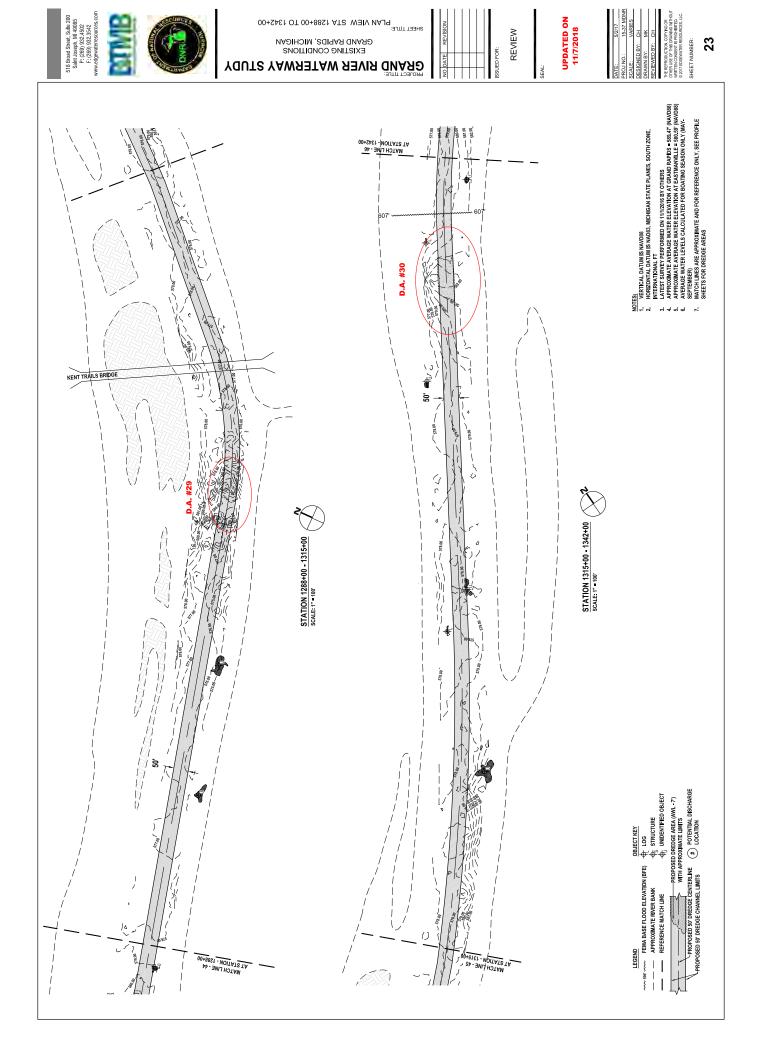


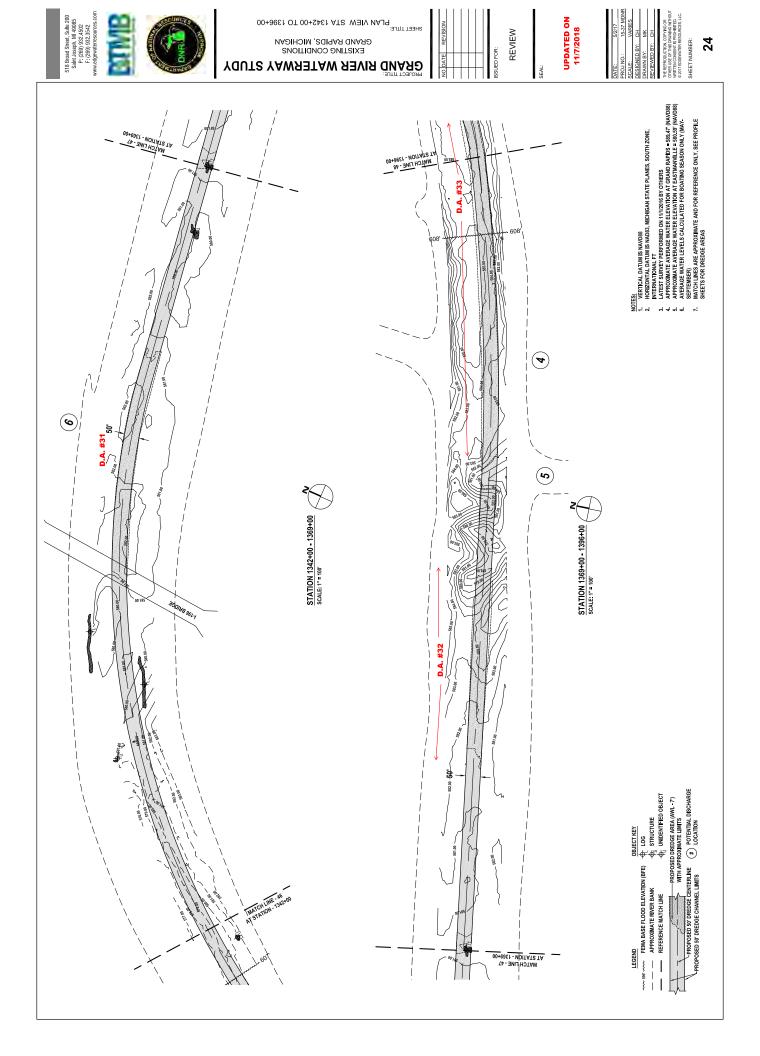


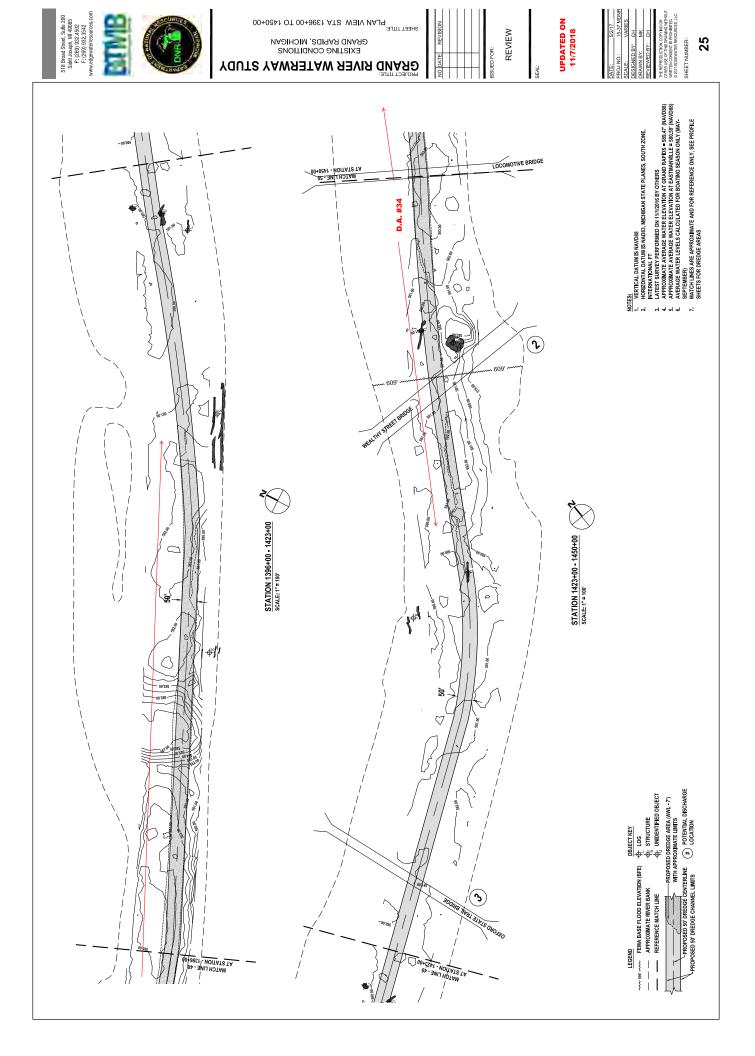


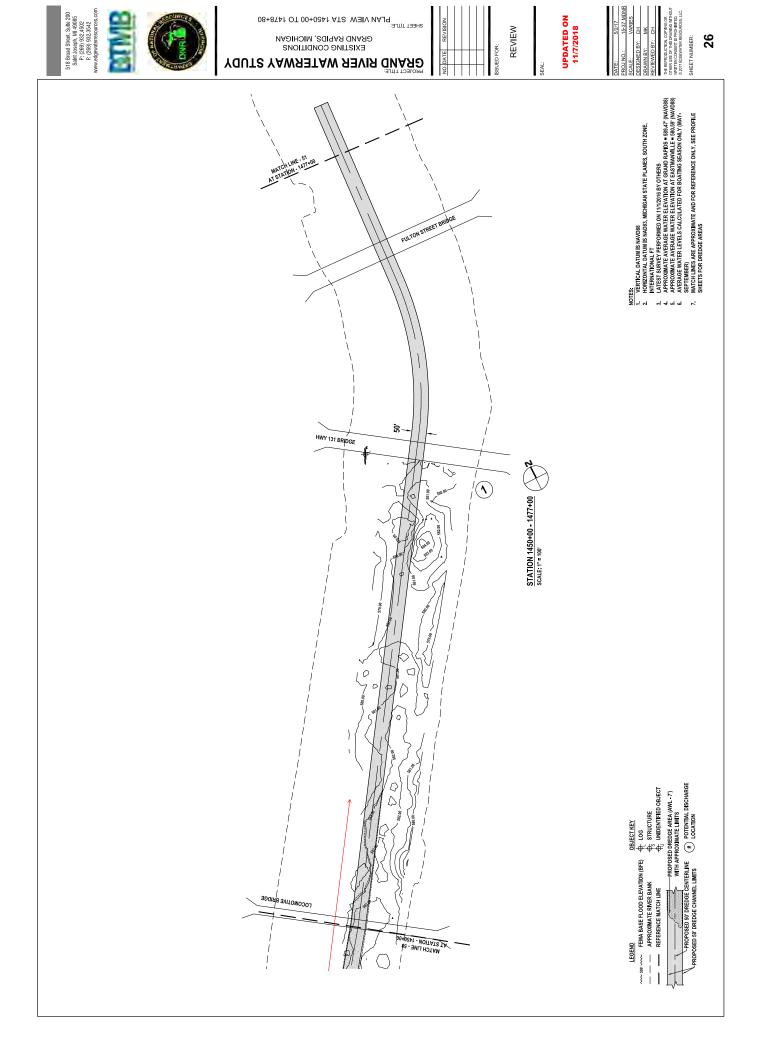


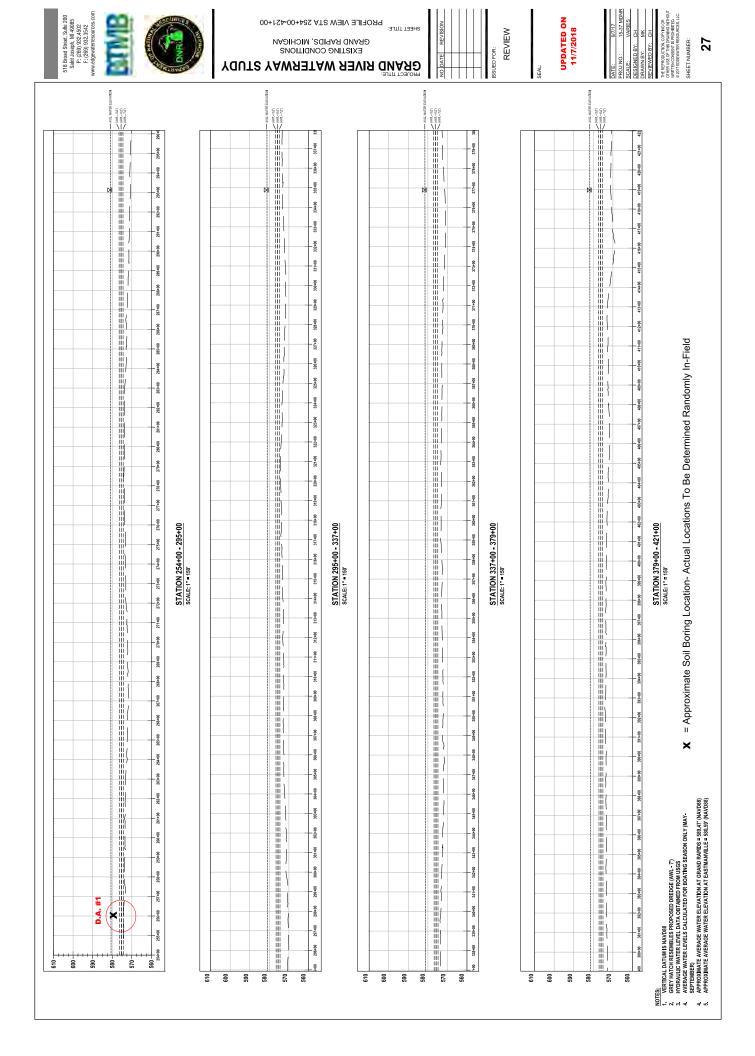


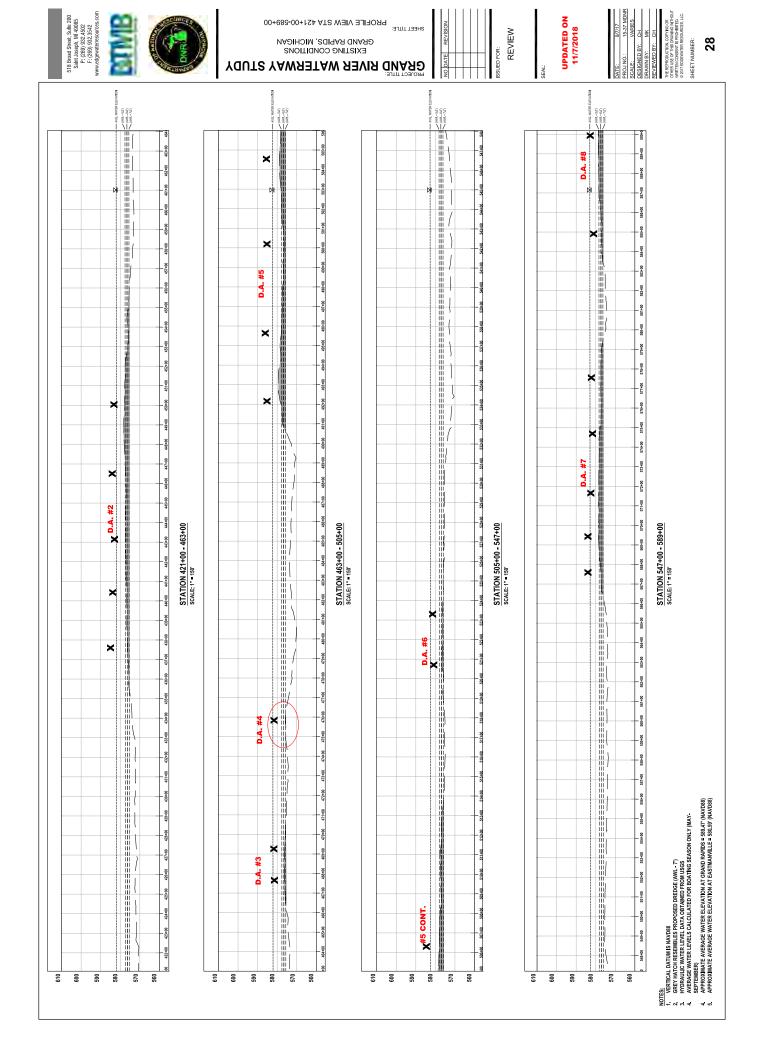


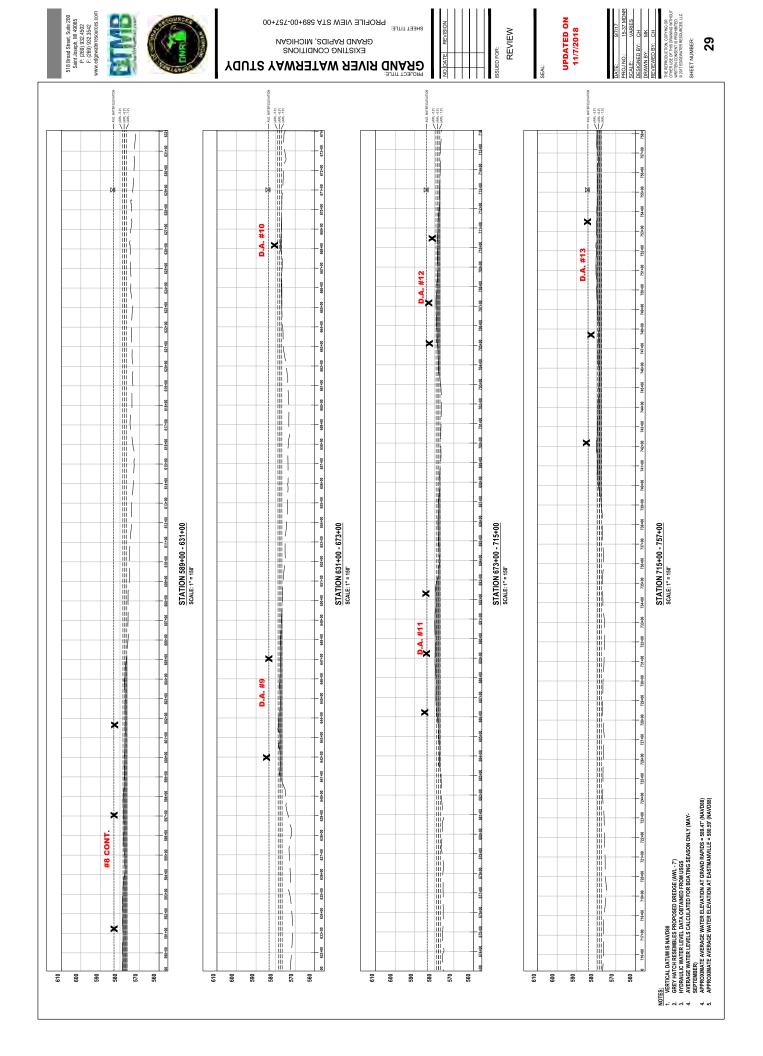


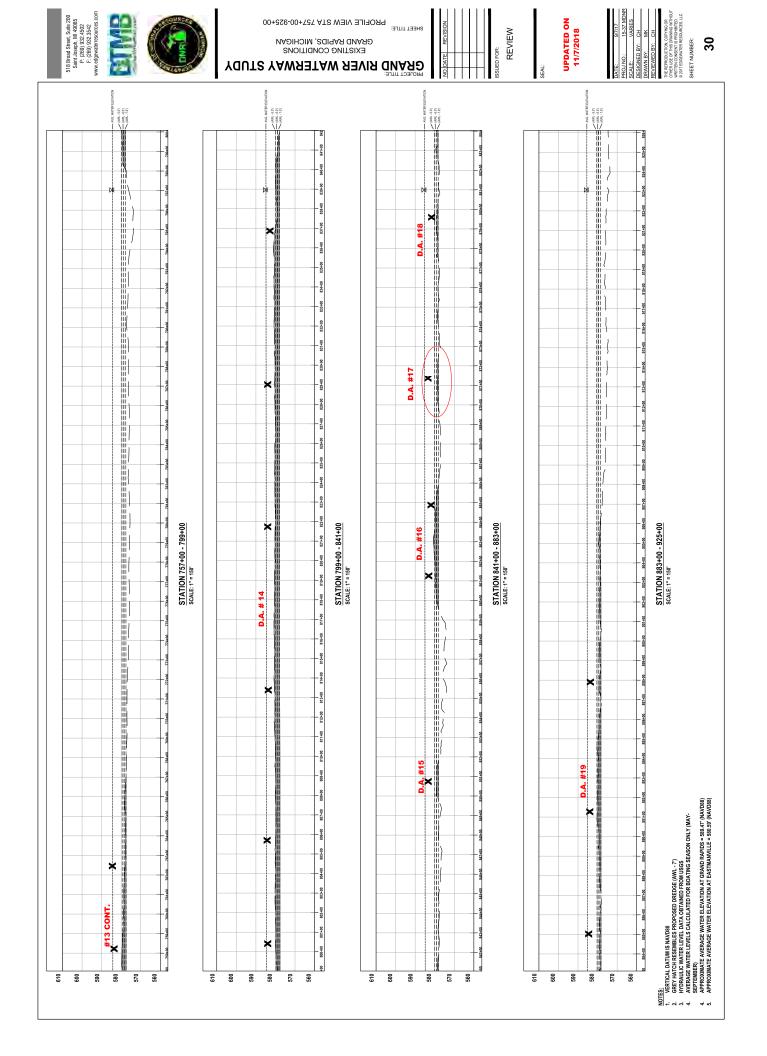


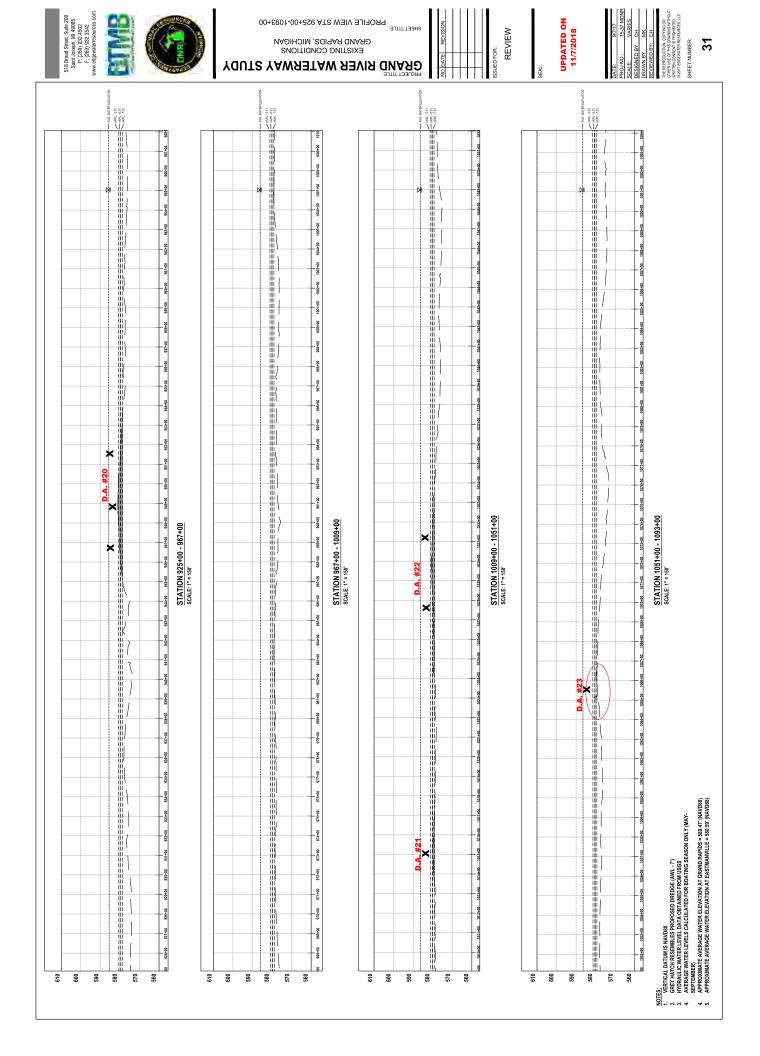


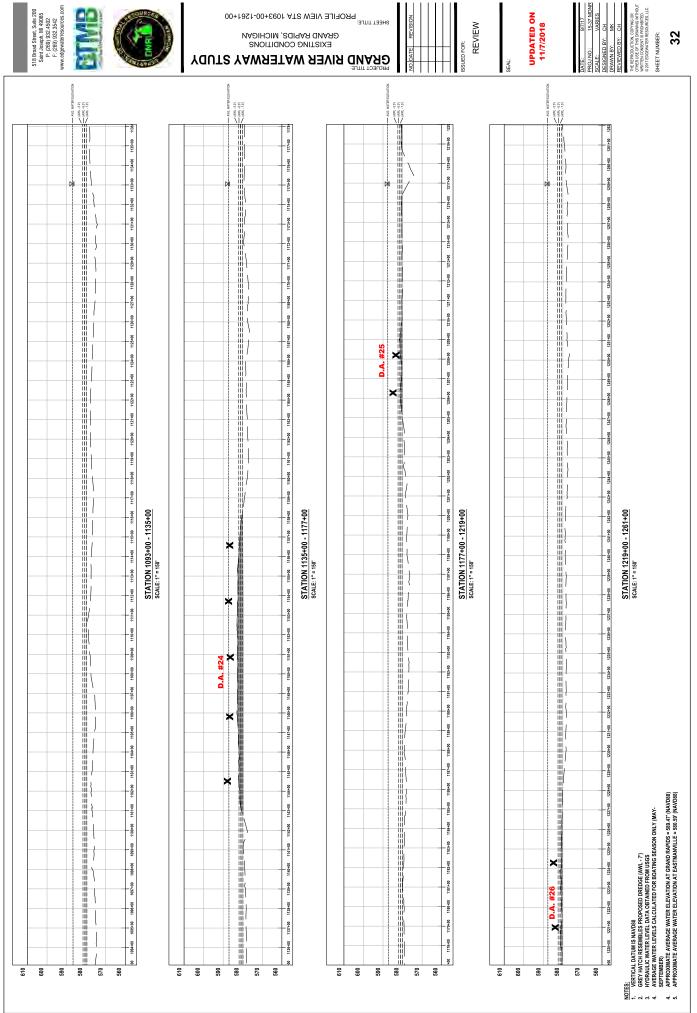


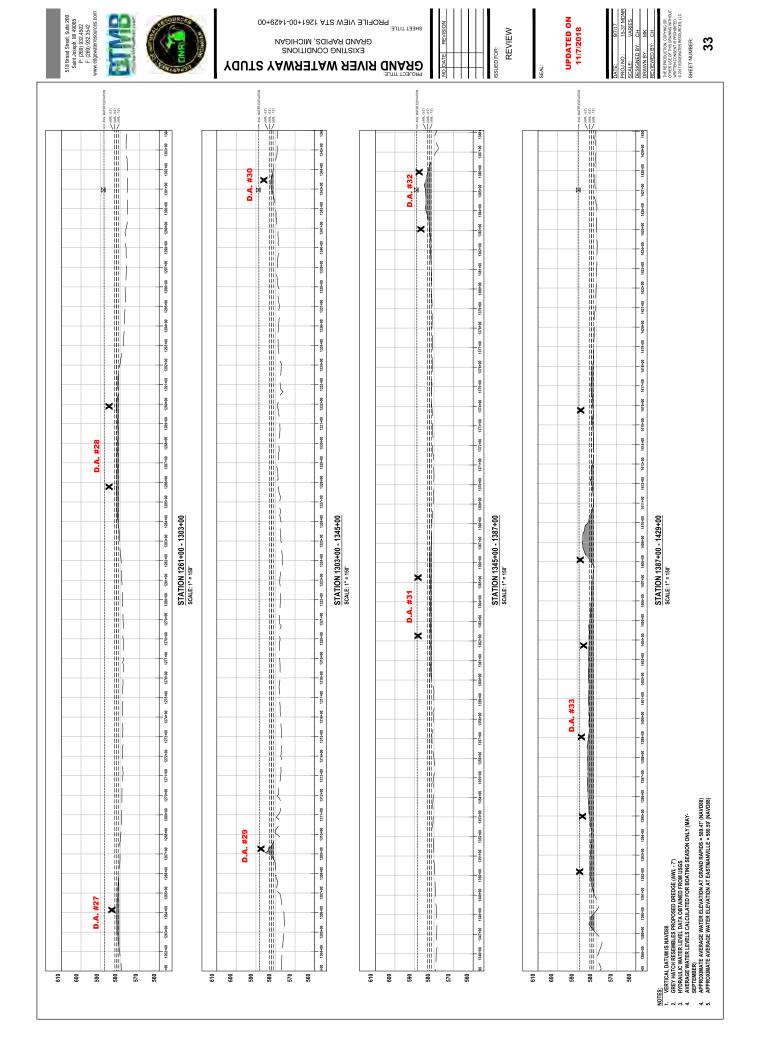


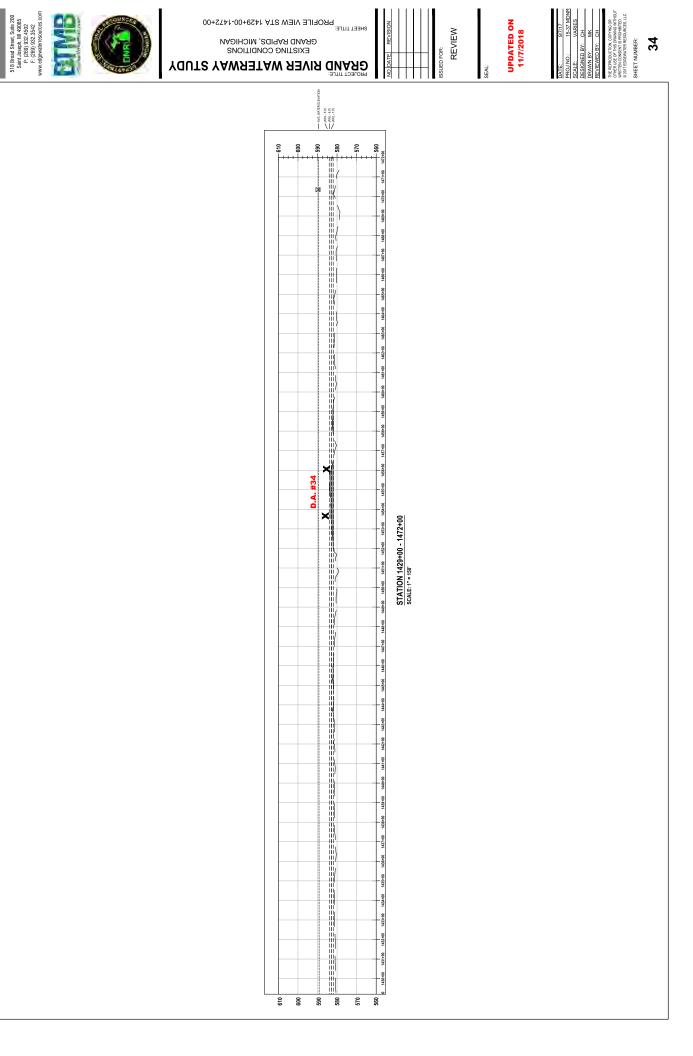


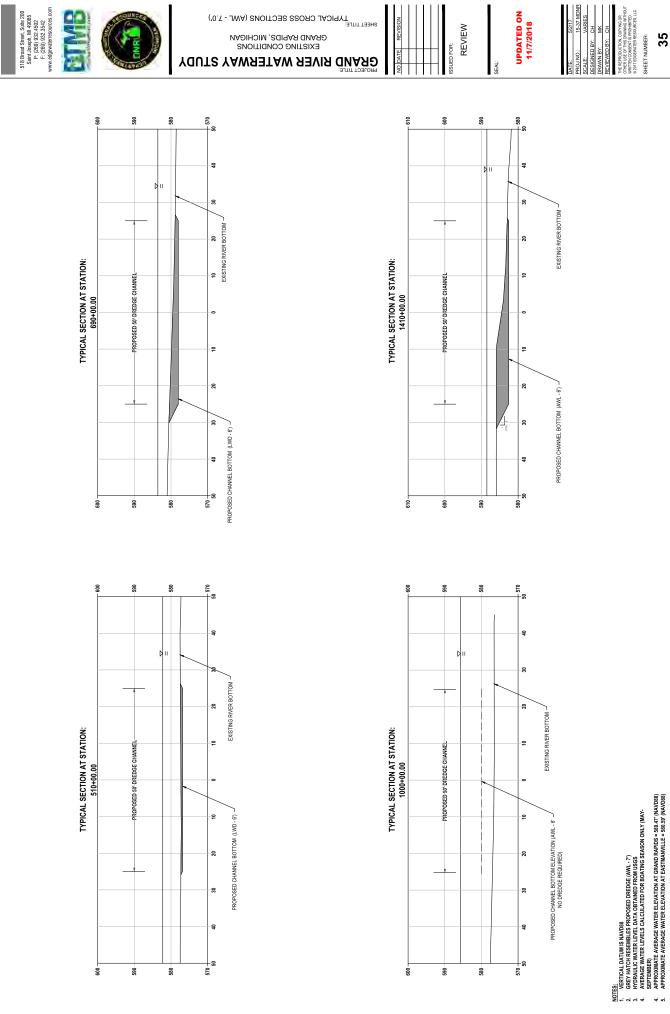




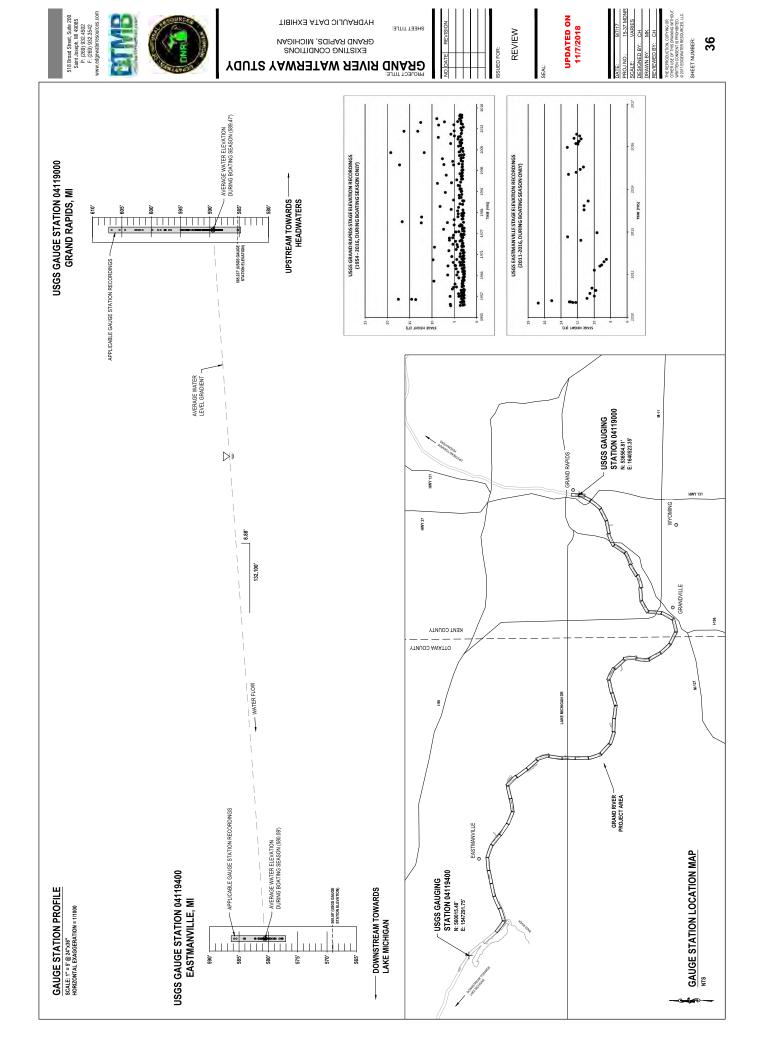


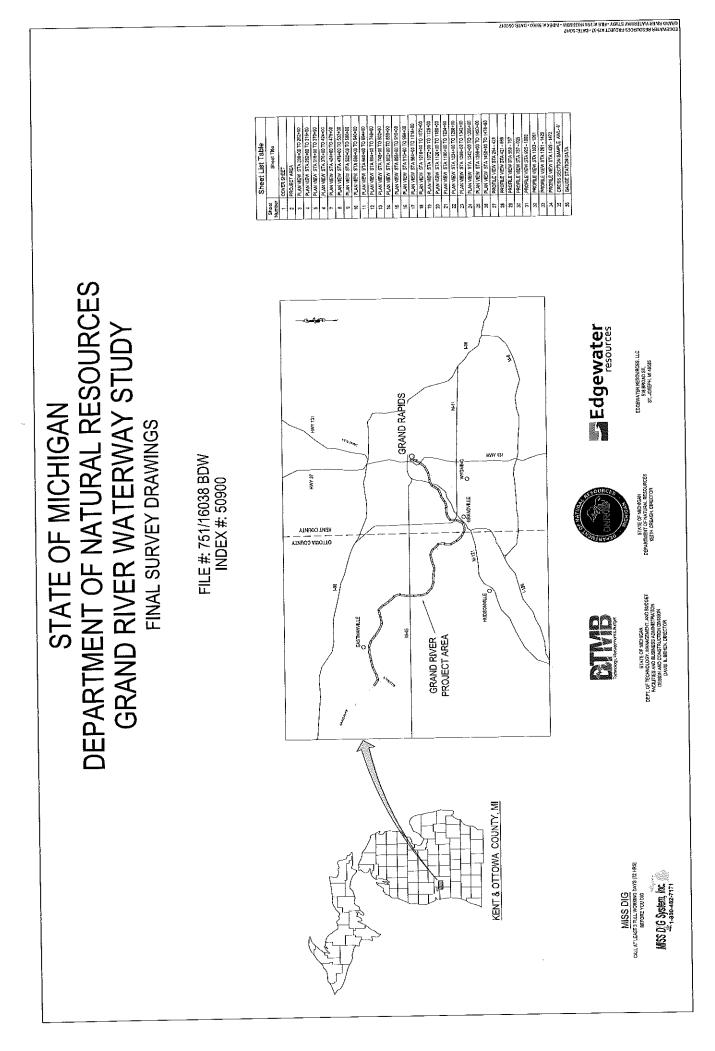


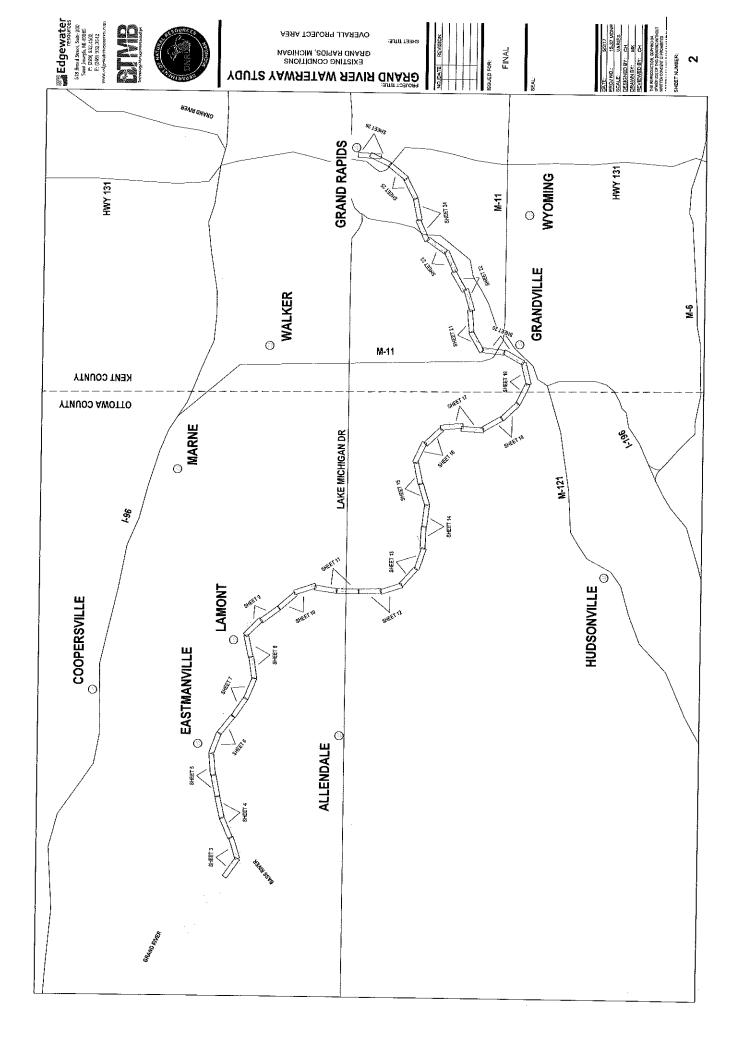


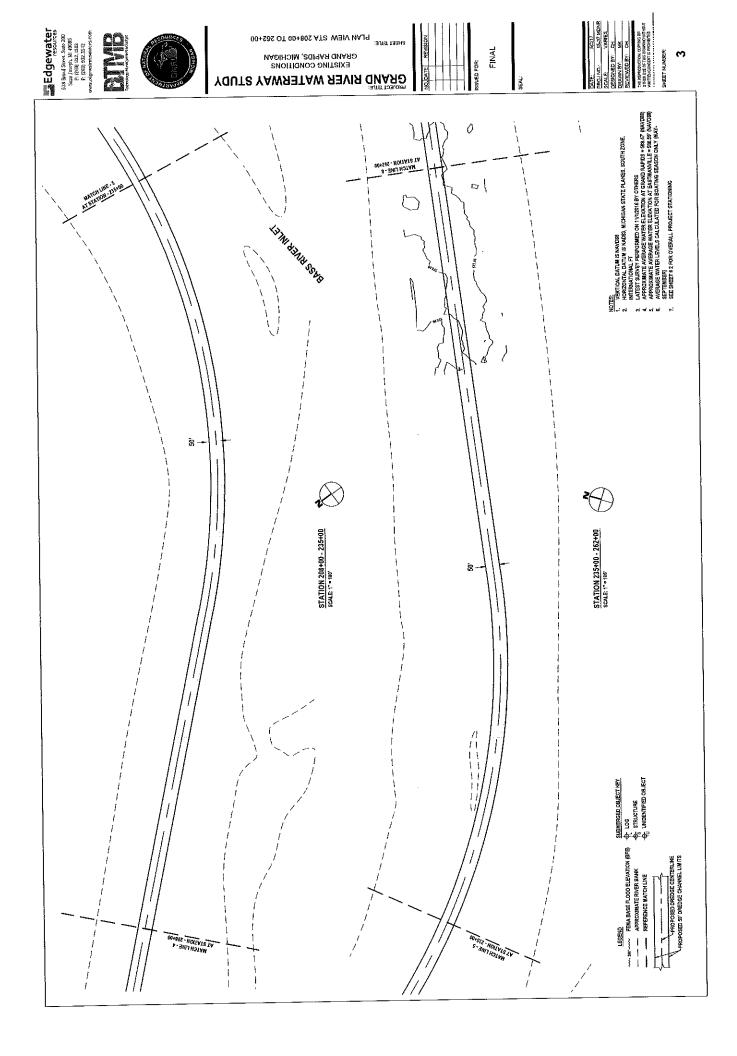


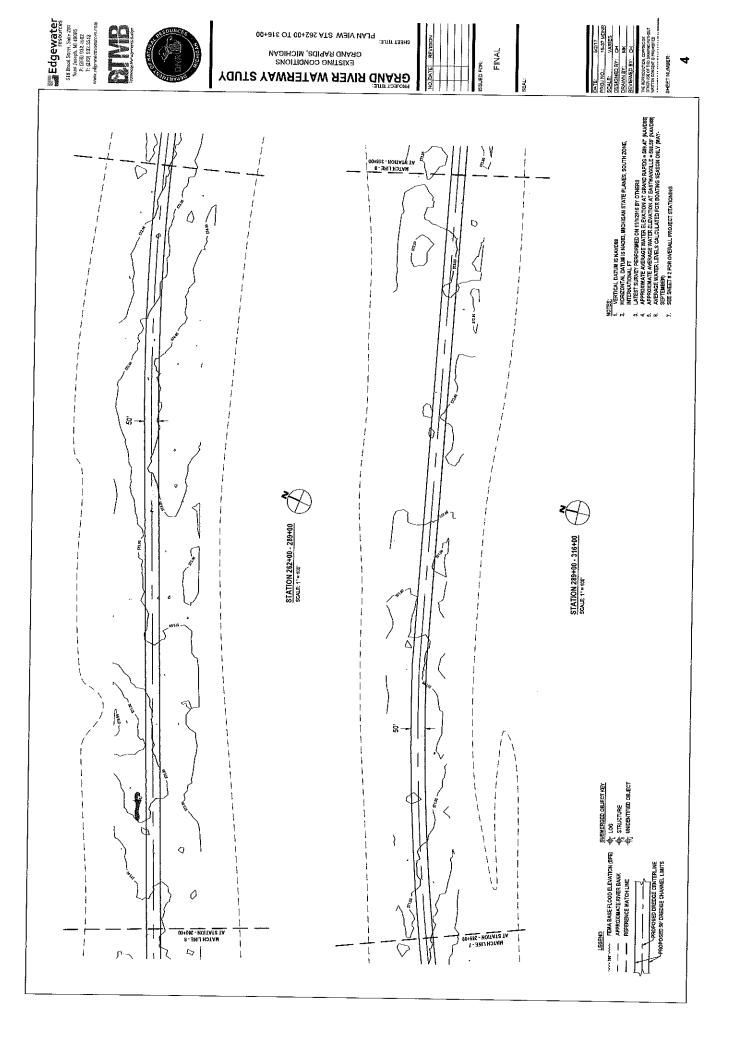
35 SHEET NUMBER:

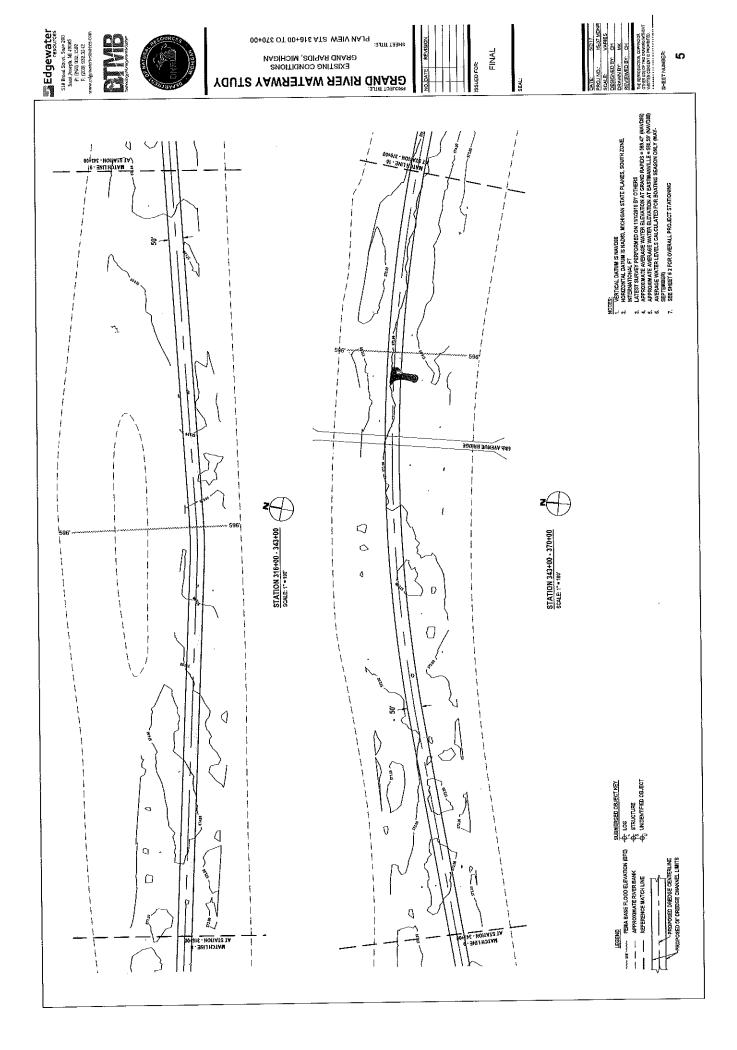


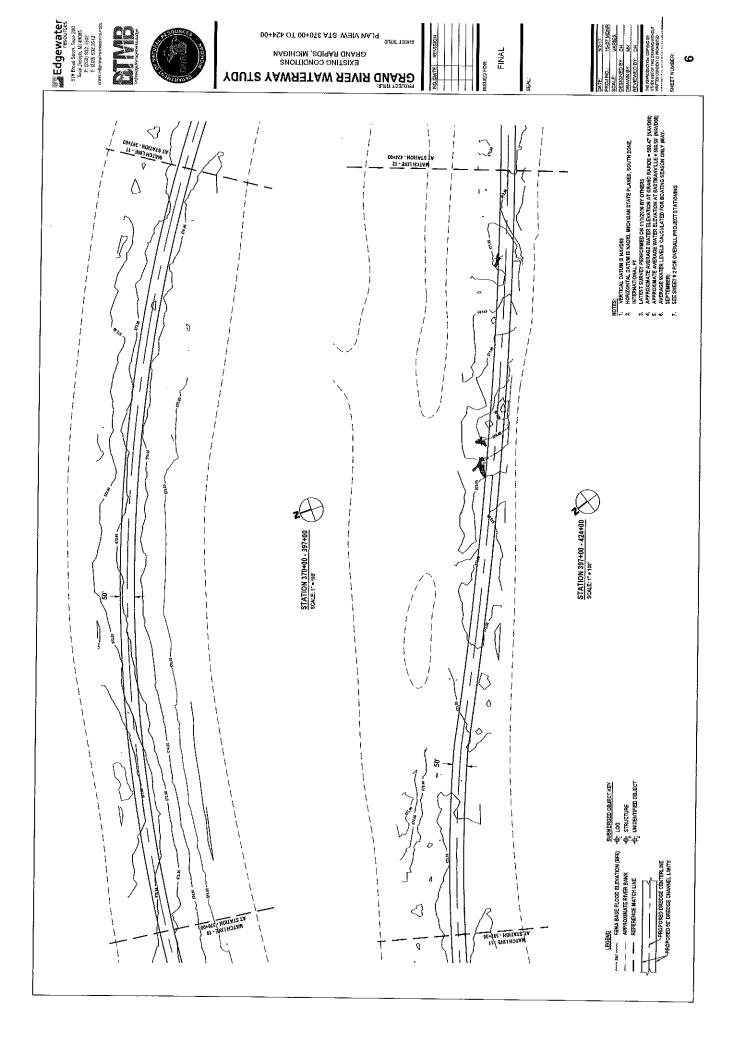


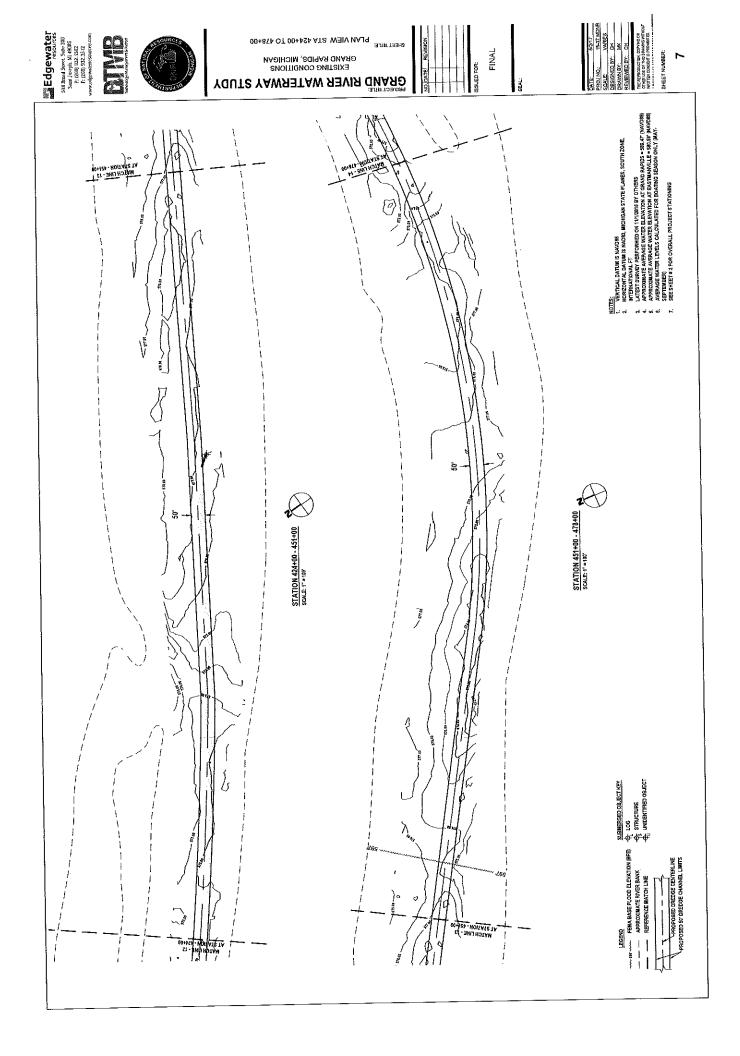


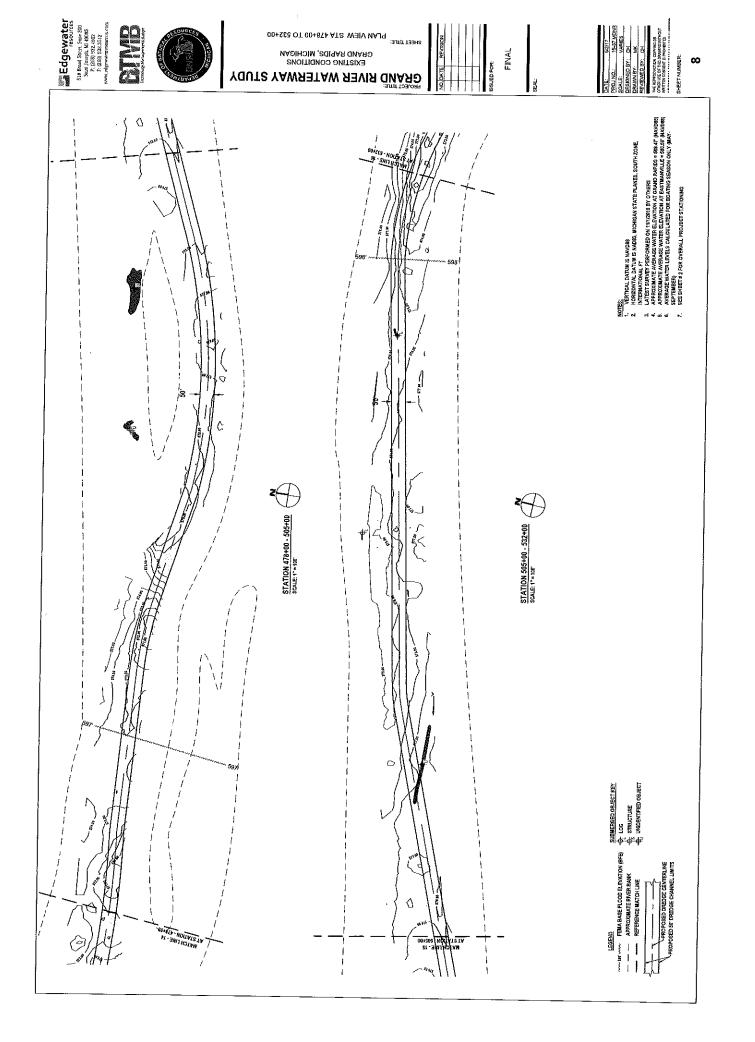


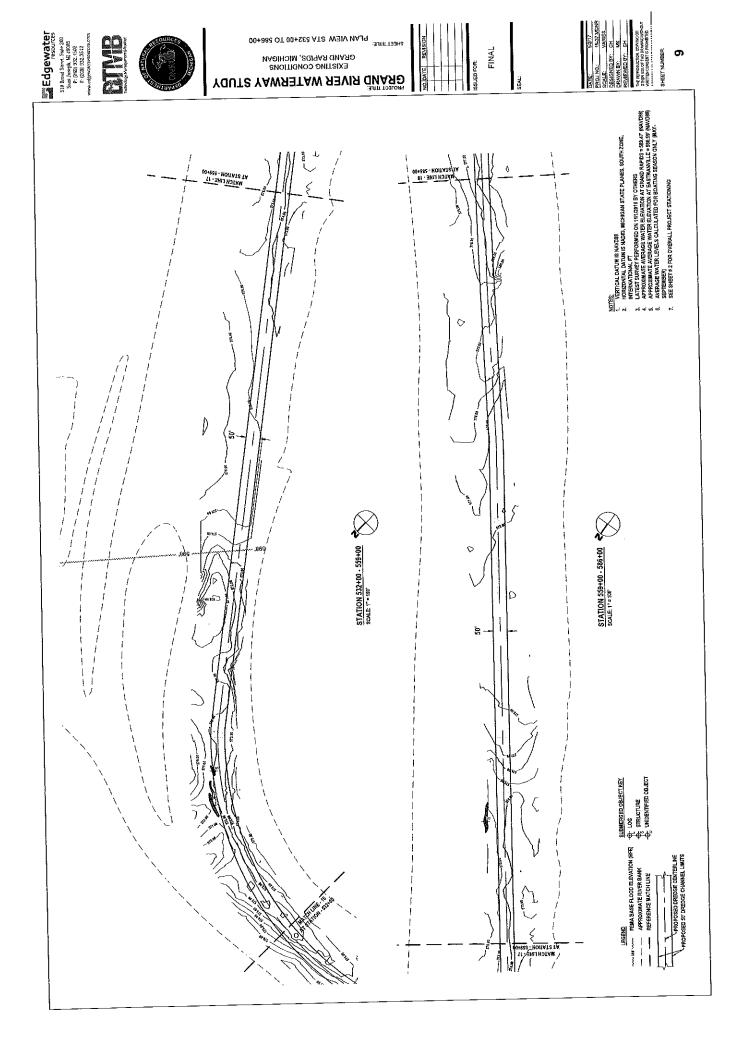


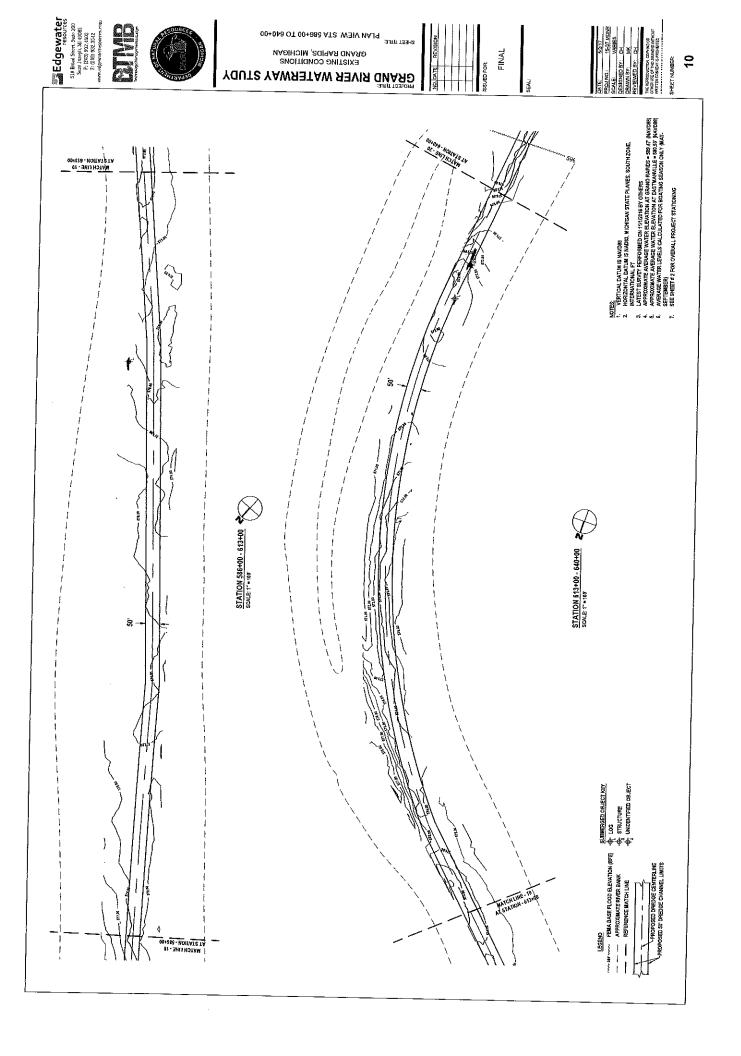


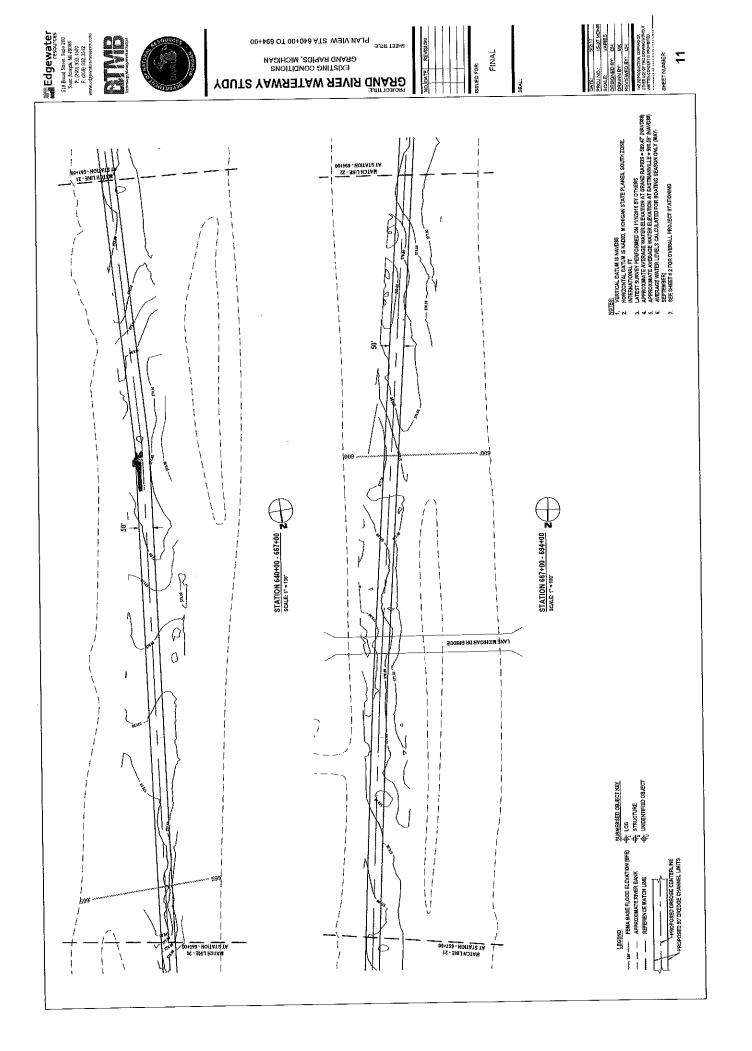


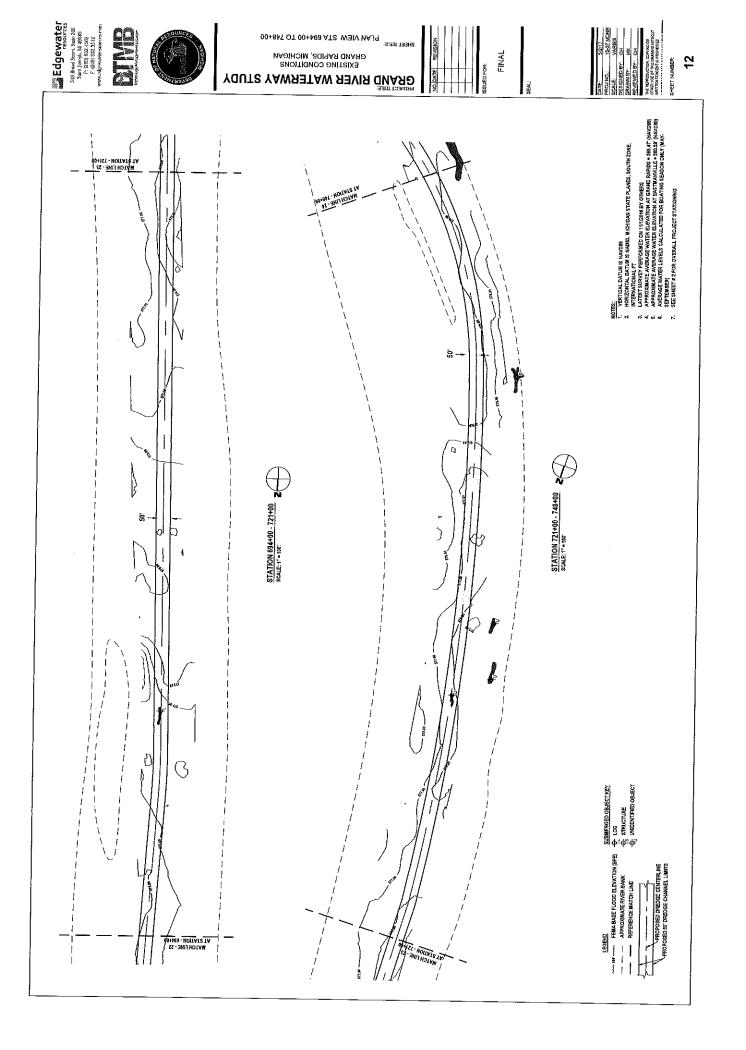


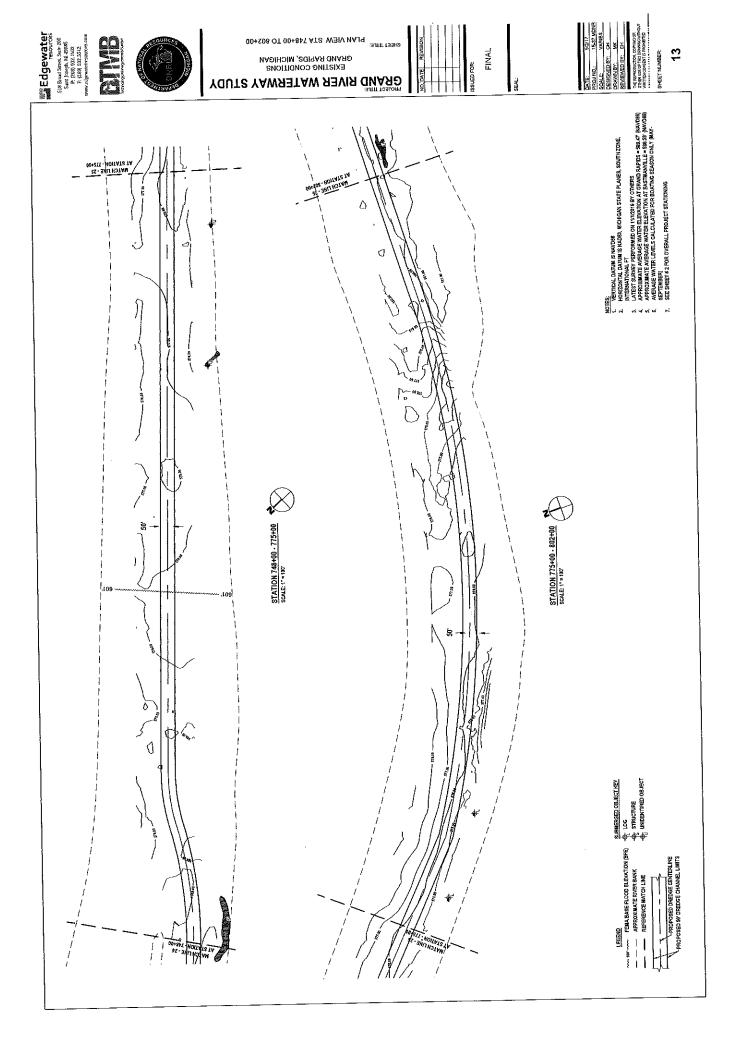


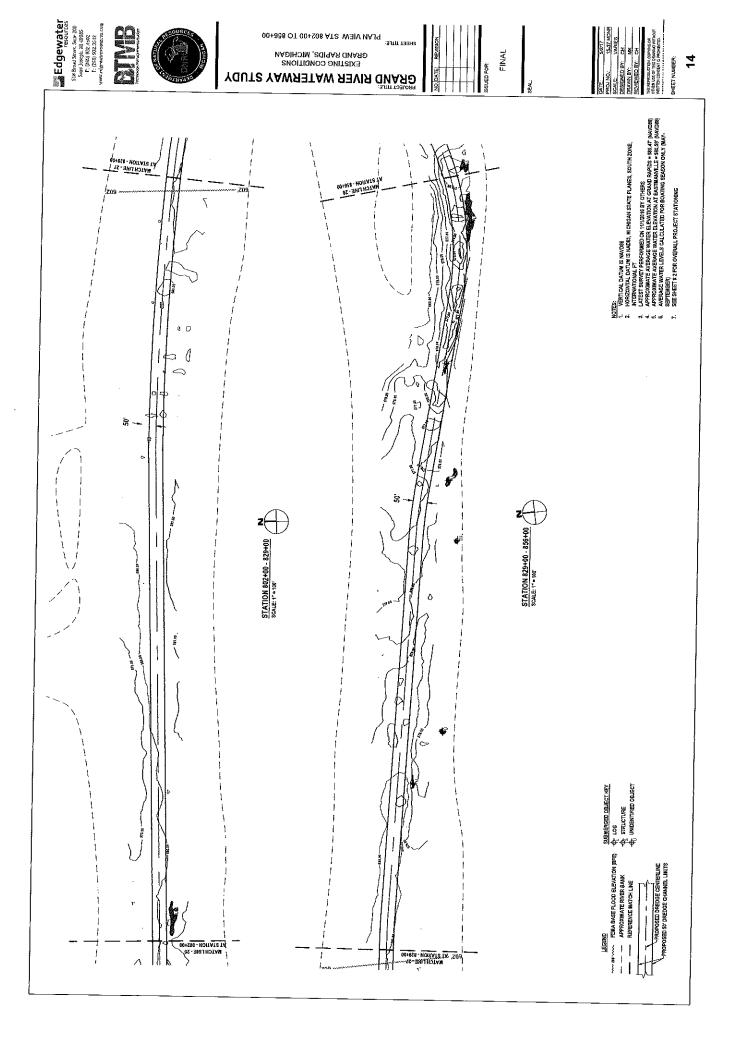


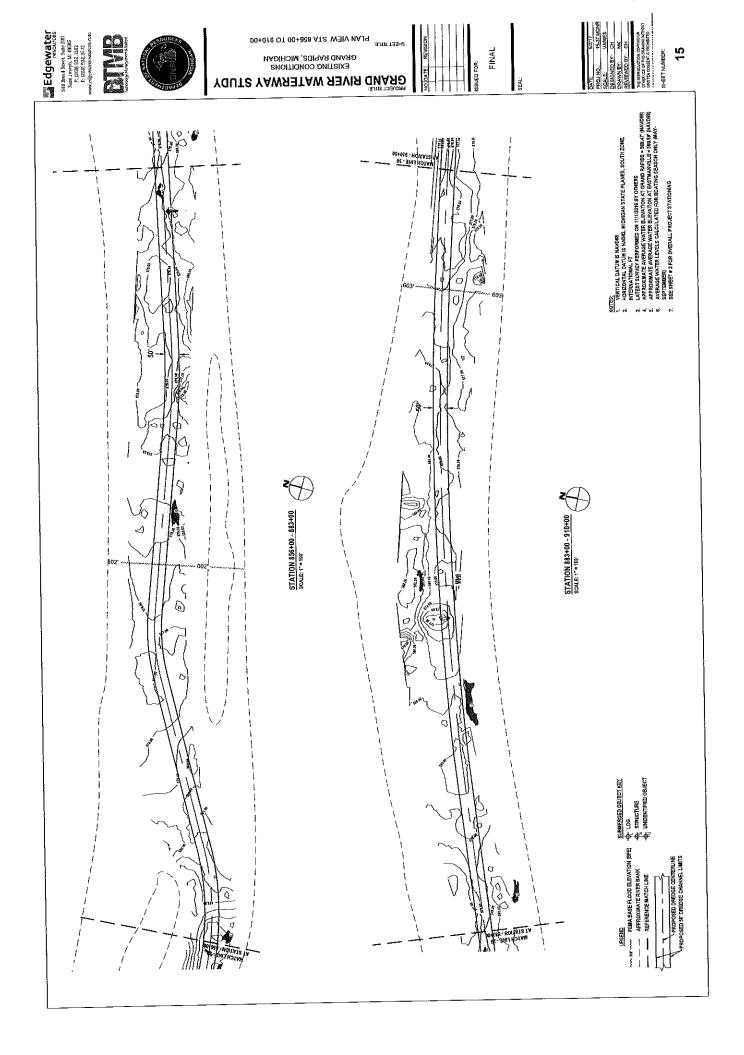


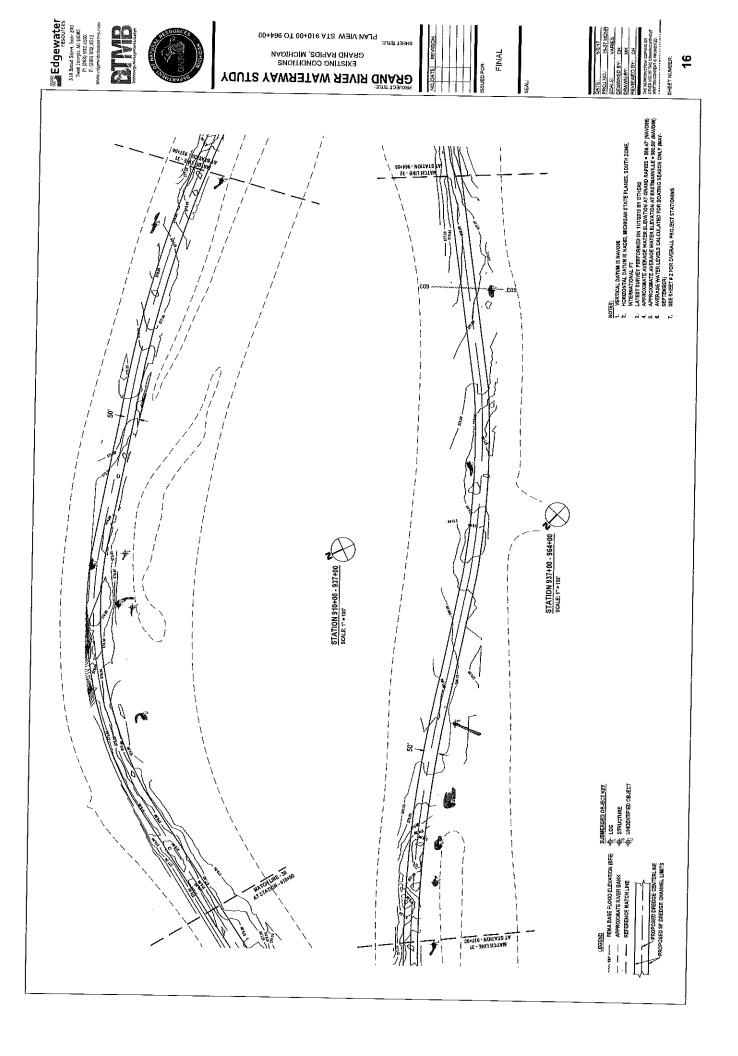


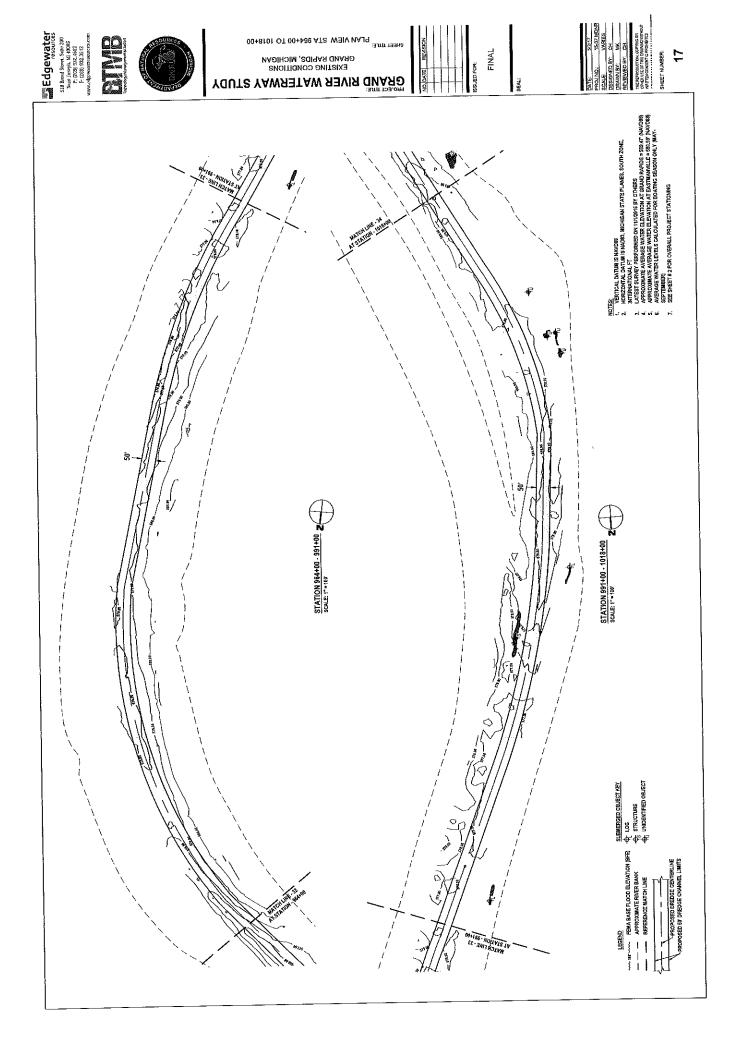


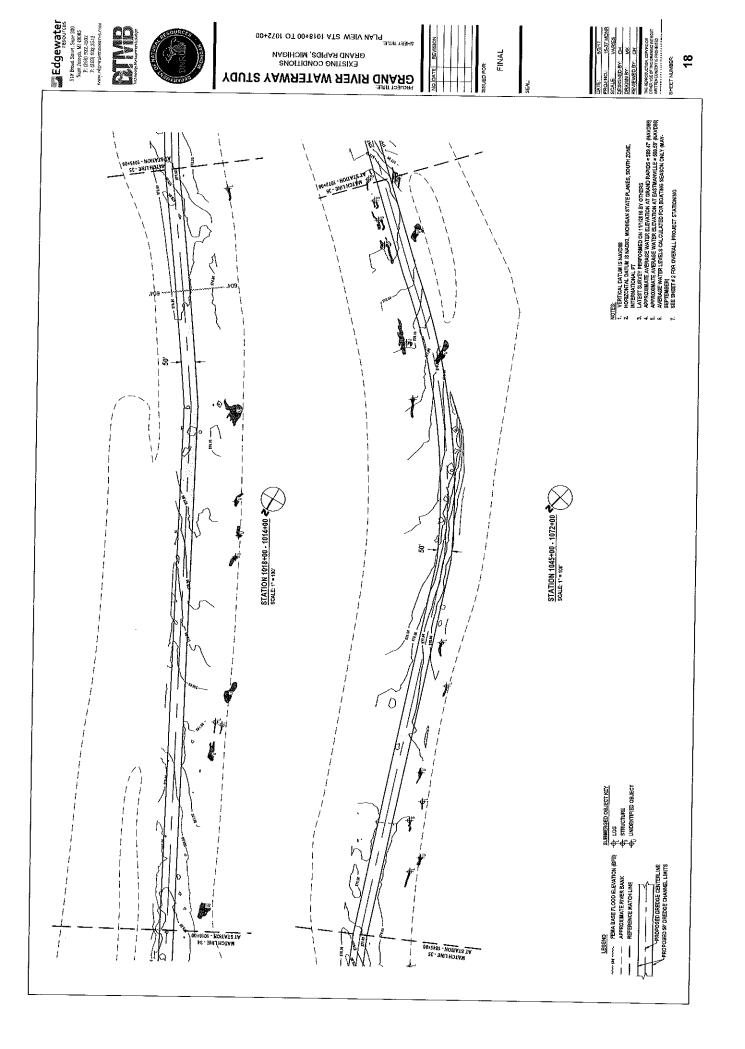


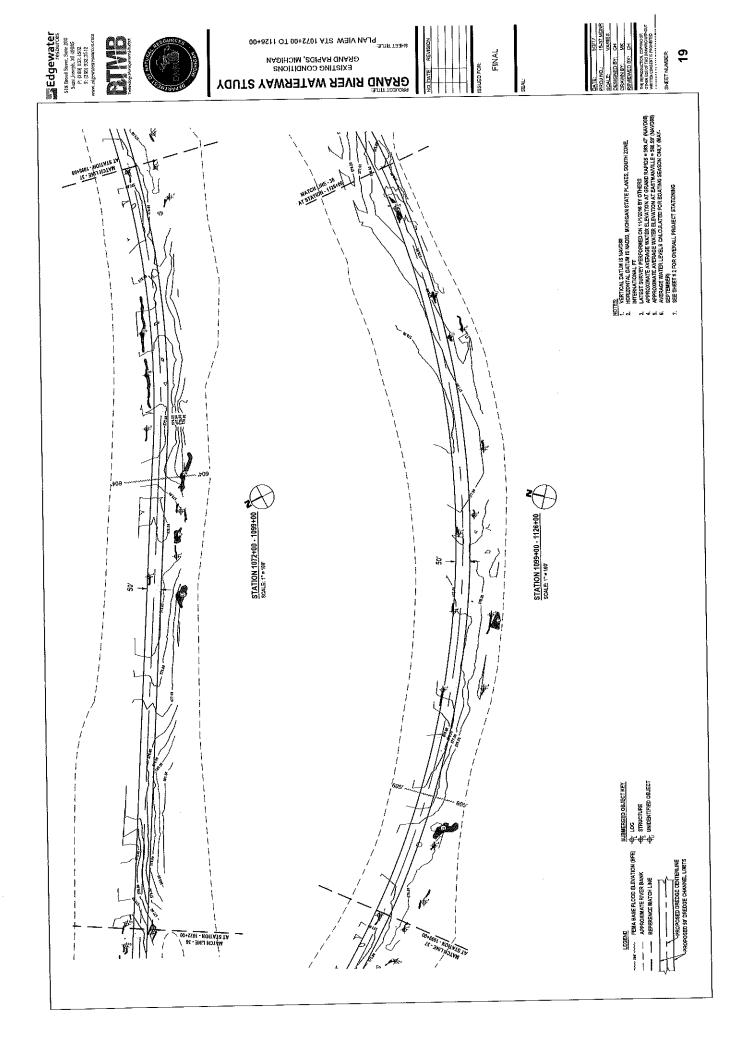


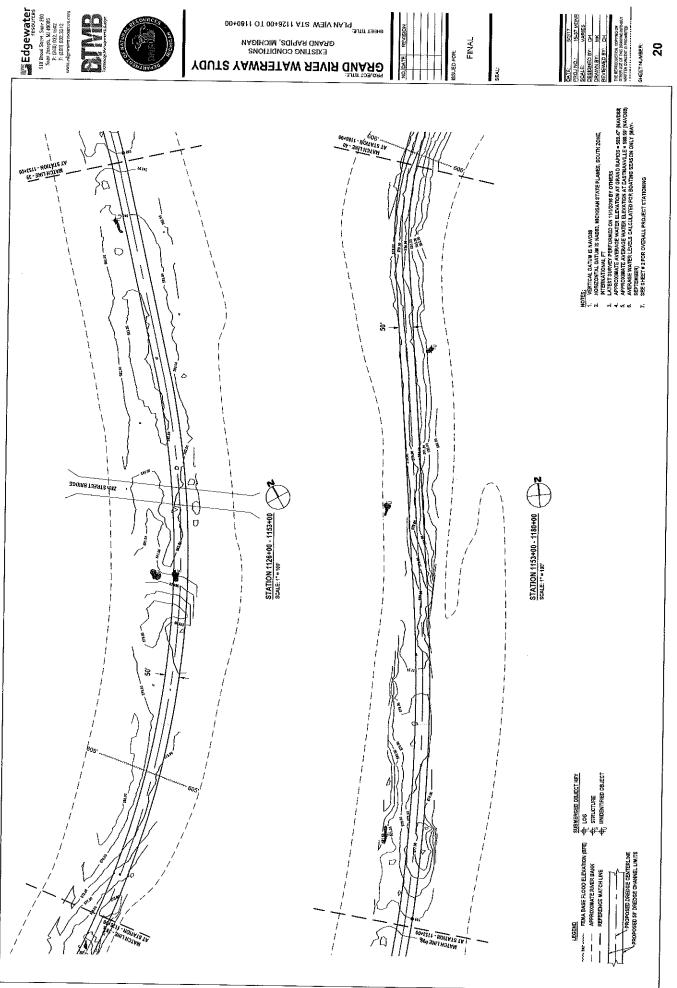




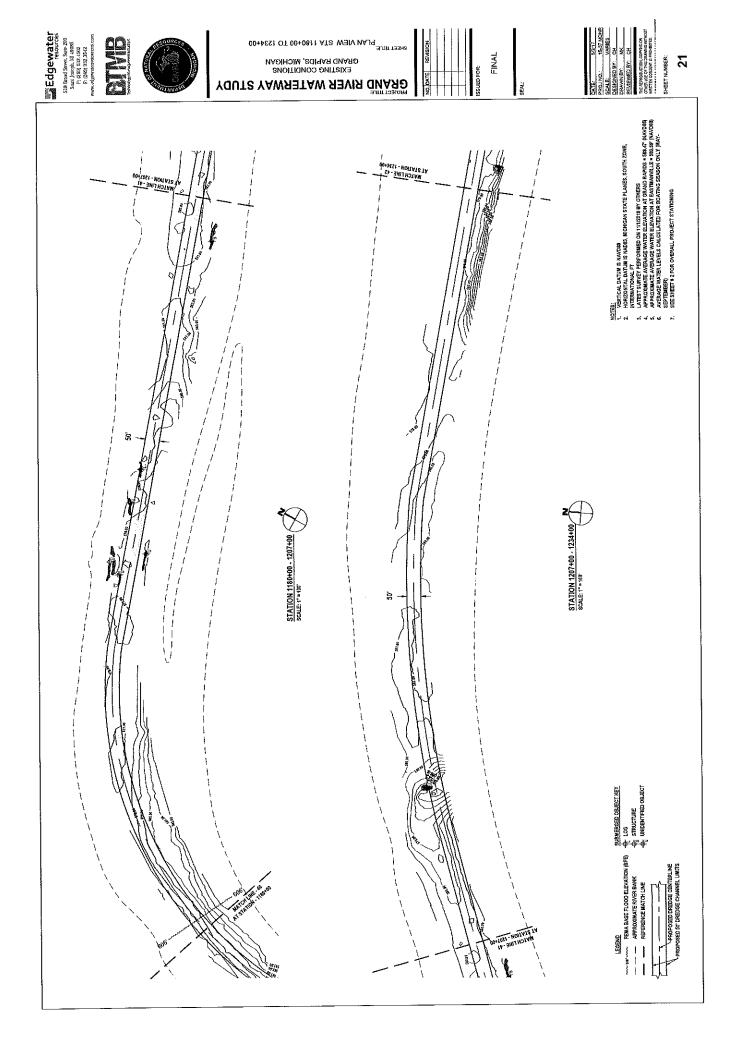


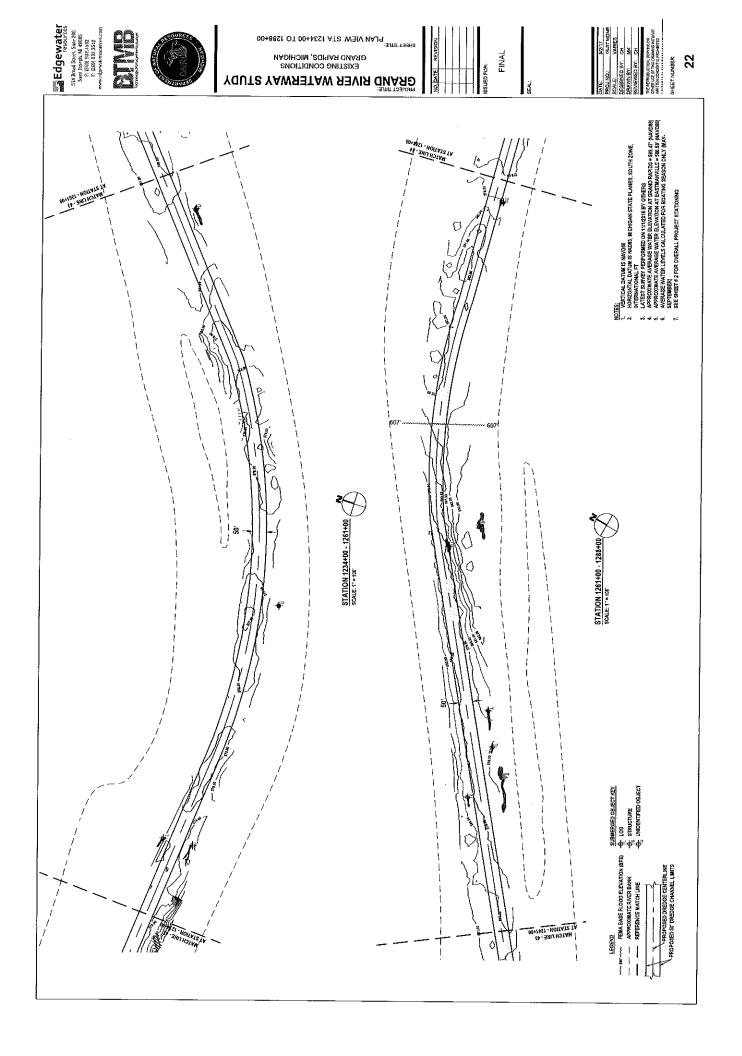


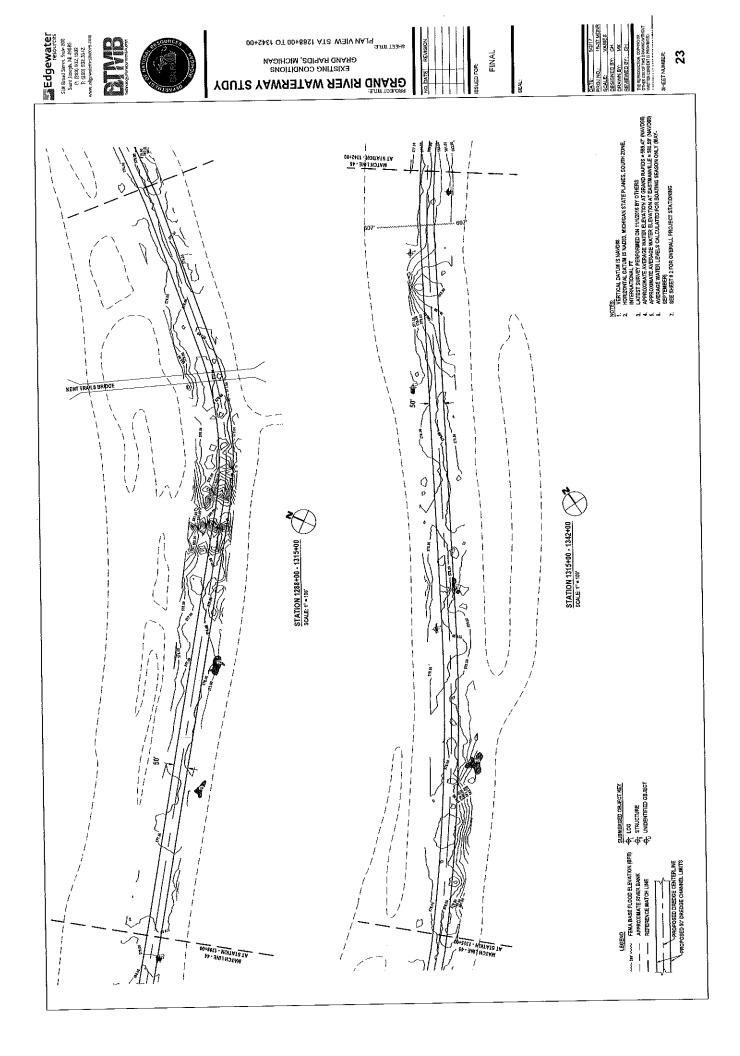


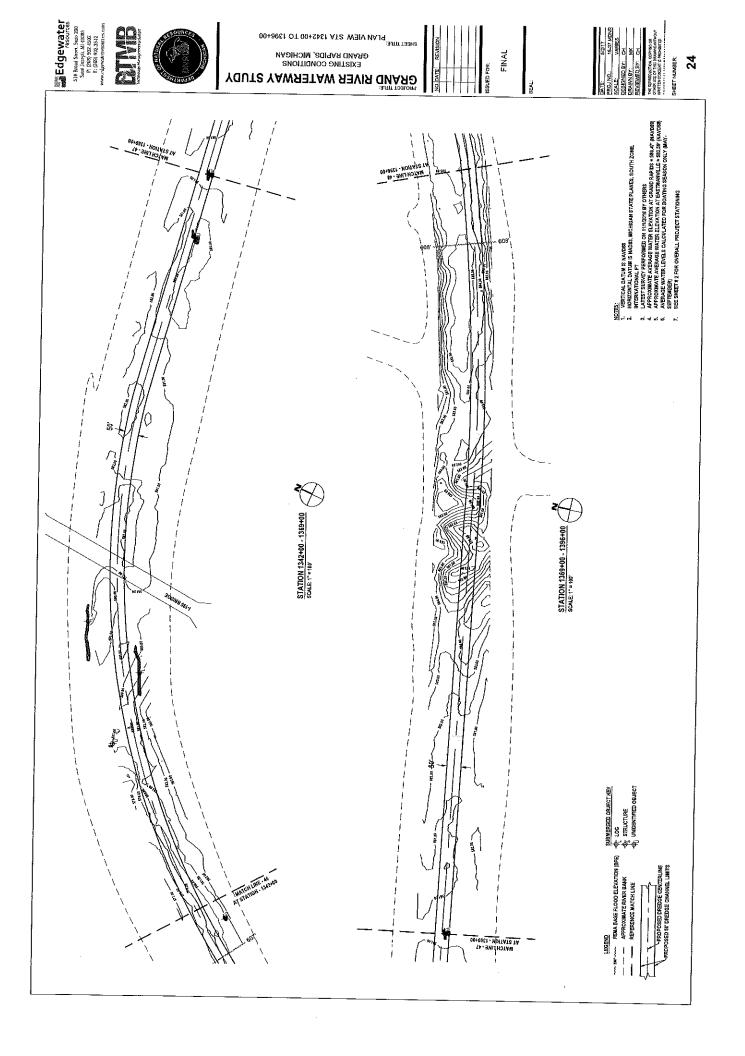


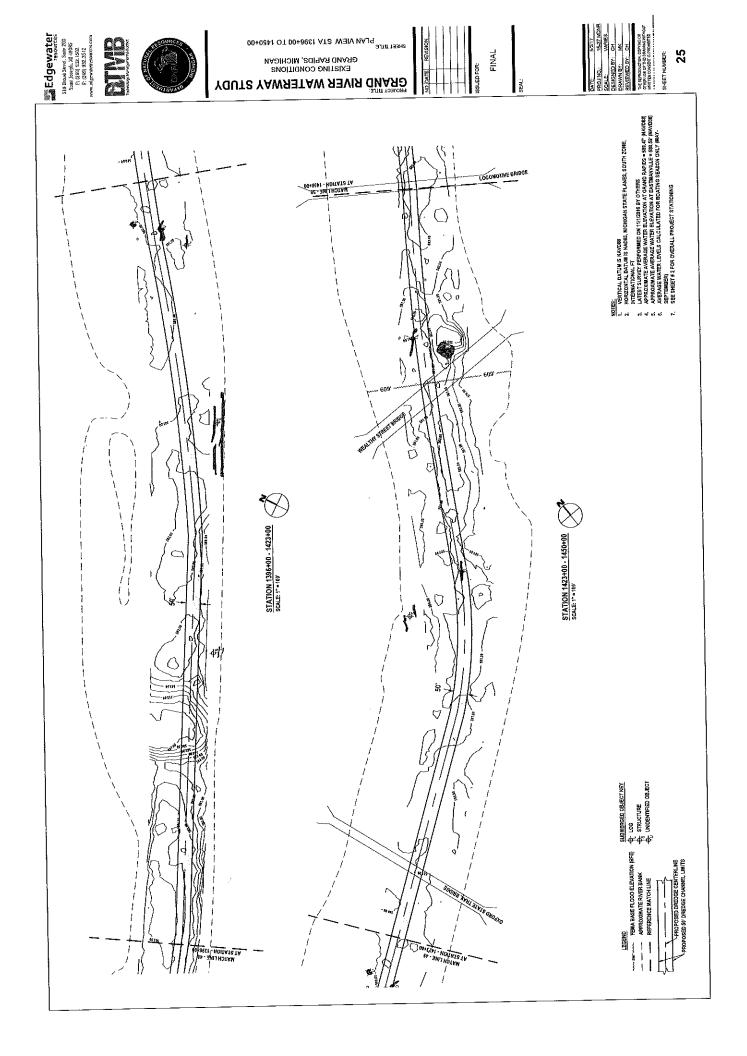
.

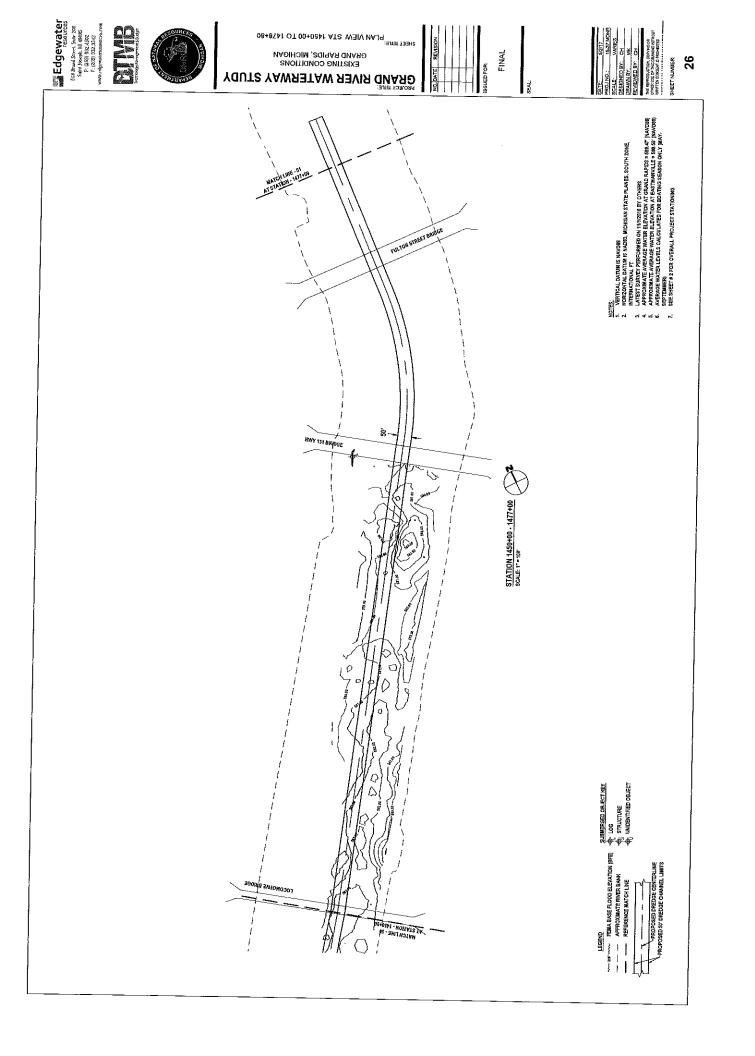




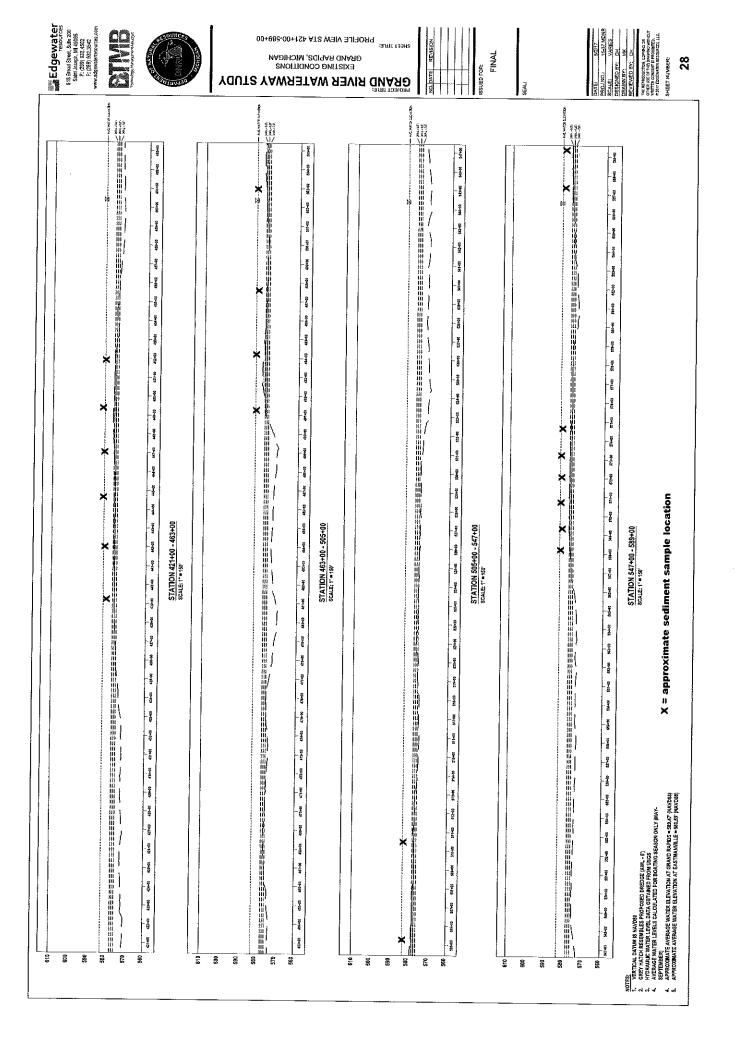




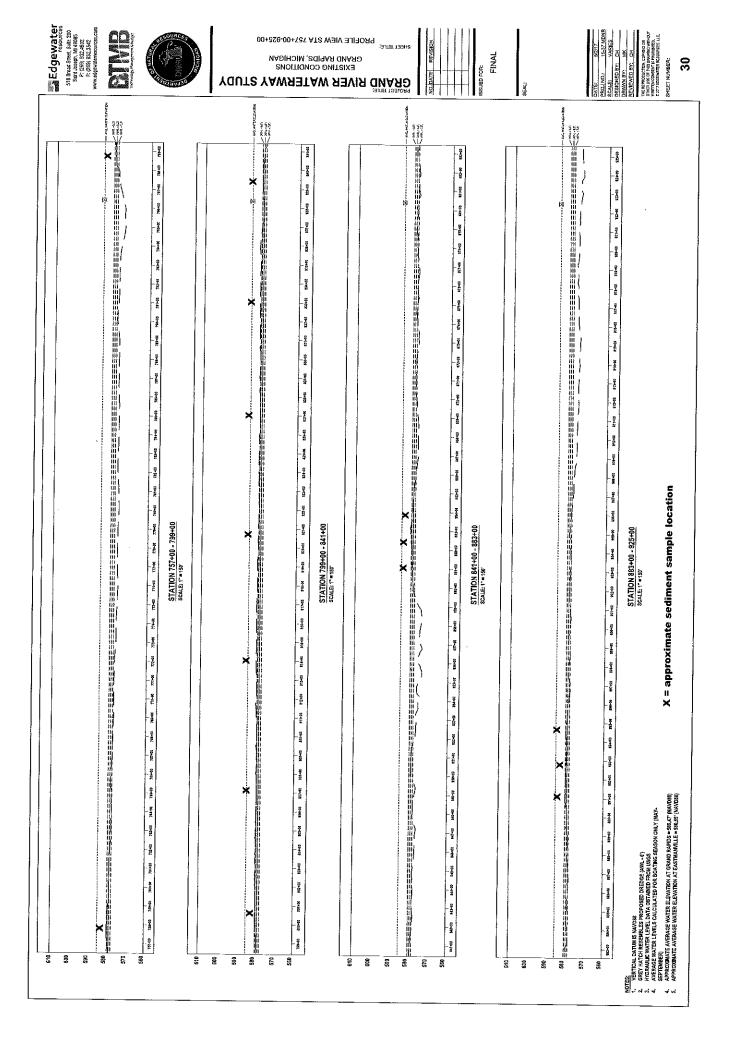




Edgewater Sis bent Serv. San 20 San Japp. Margar Fr 2013 702 405 Fr 2013 702 405 Margaret arranter Anne Arranter Anne Arranter	VETERWAY STUDY		Issued FOR FINAL Seal.	27 27 20 20 20 20 20 20 20 20 20 20 20 20 20
		State 1**160 source 1**160		00       00 <td< td=""></td<>



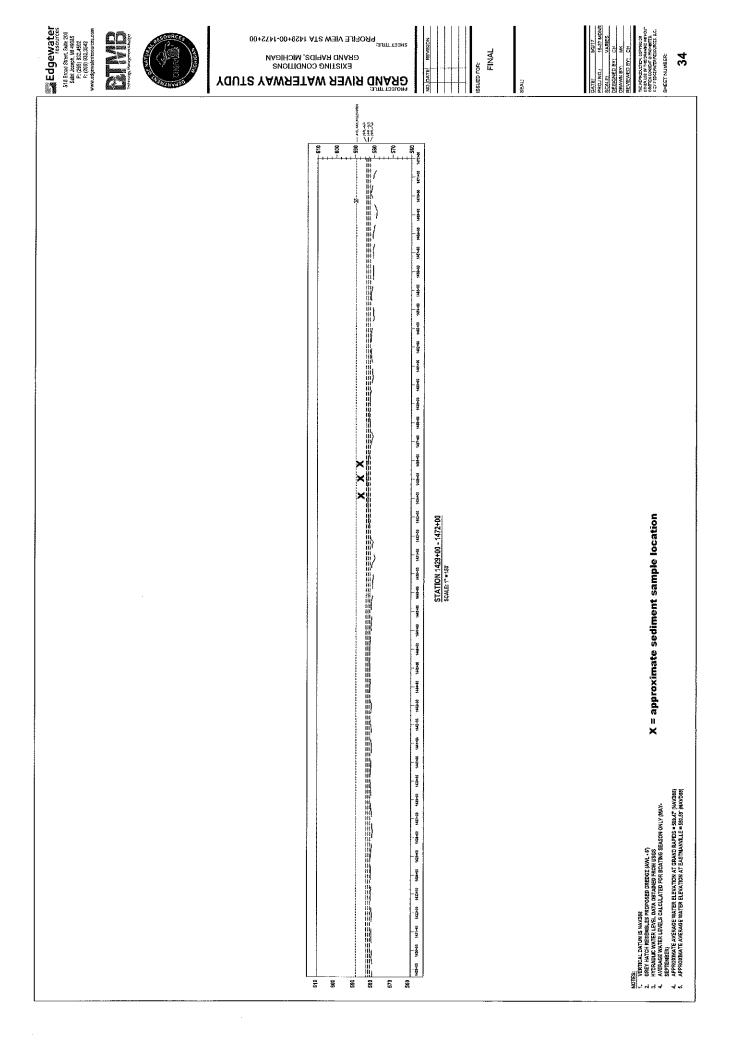
	Edgevater Stabled Services Stabled Services Stationshill 4905 P. (203) 922.1472 P. (203) 922.1472 P. (203) 922.1472 P. (203) 922.1472
570 580 1 1 1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	
	A DECEMBER OF A
	Ya
	SNOI.
20 040 044 044 044 044 044 044 044 044 04	IDS' W
	SNITRIX AAP GMA
	/ชอ
88	итозюя ИАЯ: #ет лл.е:
	NO DATE REAL
570 560	
	Issued For. FINAL
	SEAL:
	ېې د دې. د د وه وړو د ۱۹۱۰ مه روې د د وه وړو د ۱۹۱۰ مې روې
	DATE: 54017 PROJ NO. 15-37 MDNR
808 THE AM THE	SCALE VARES DESIGNED BY CH DRAWNEY MK REVIEWED BY' CH
NUTES STATION 715+00 - 757+00 startu datum is Mude startu datum	THE REPORTION ID ANY
<ul> <li>A monomentation and the second second</li></ul>	sHEET NUMBER:

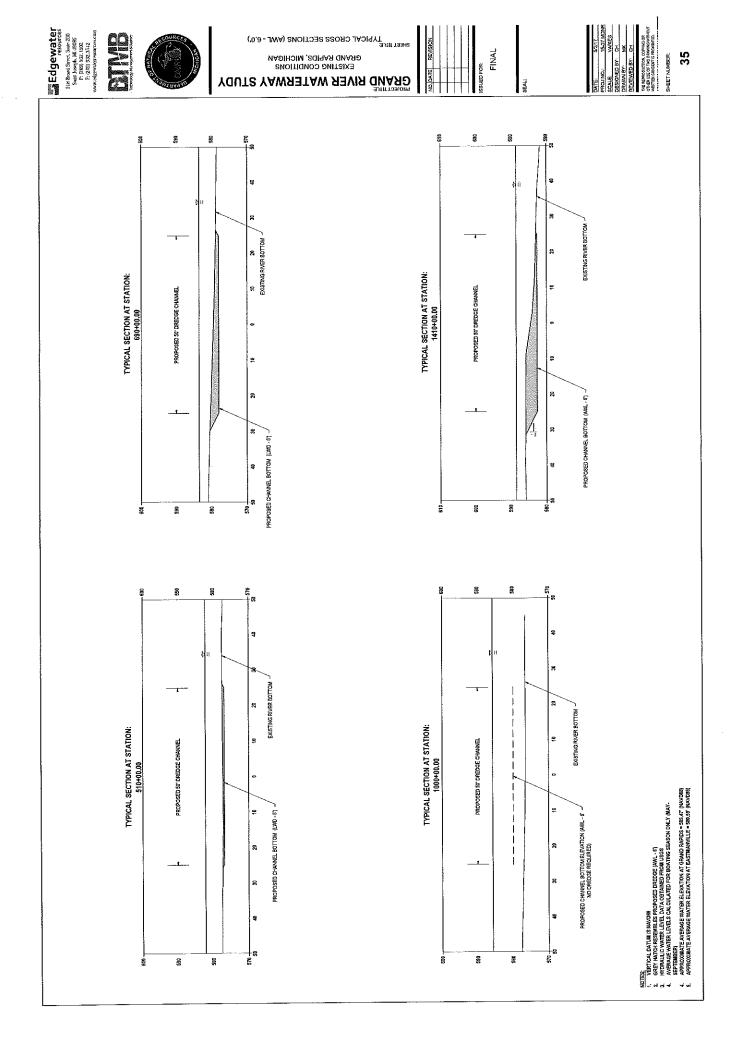


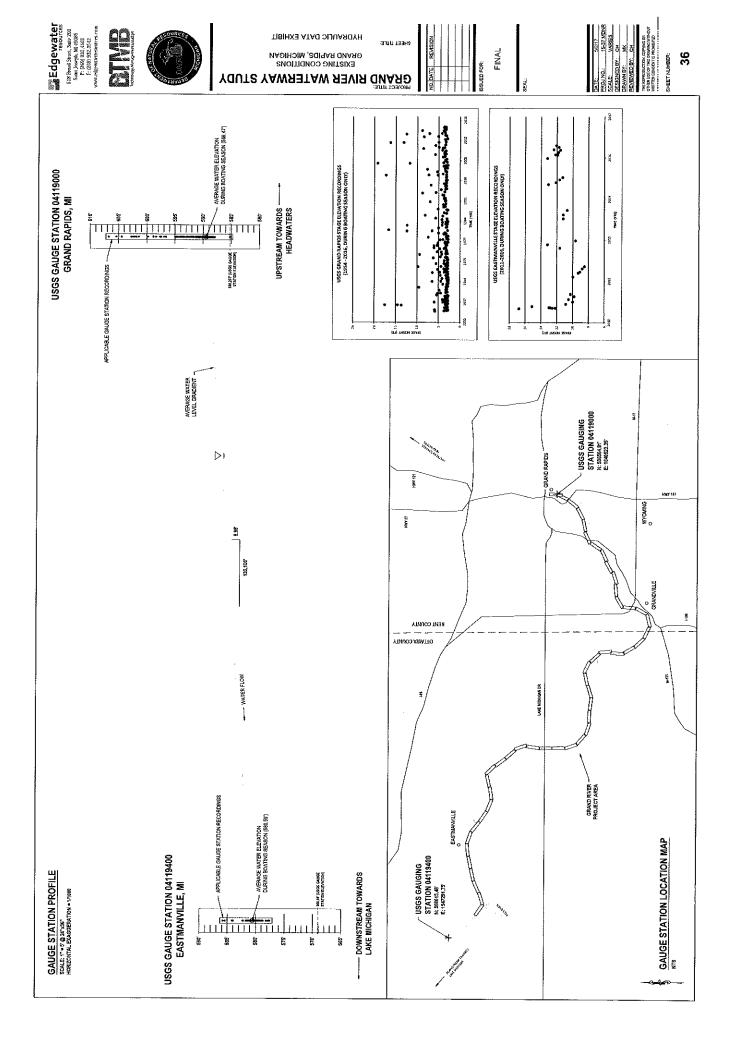
		Edgevater sectors starboul Server starboul Server starboul Server P. (2019) 302, 1502 P. (2019) 302, 1502 Way Adeventment co. 2010
570 560 12940 Date and the tark the the tark the tark the tark the tark	the the shell with Note the shell well shell well well well then the the shell the shell the shell the shell shell well the shell	
eto	Stall: 1-1%	a nonor
500	2 4 	YOUTS
89   50		SNOL
500 1001 1001 1001 1001 1001 1001 1001 1	154 1640 1640 1640 1540 1540 1540 1540 1540 1540 1540 15	ids' Mic
	STATION 957+00 - 1009+00 scale 1* -15*	əniteix ¶≜я dna
610 600		ле: Э
500		
570 560 annes steta stries stetas stetas stetas stries stetas stetas states states stetas states states states states	1 111 1 111 11 111 111 111 111 111 111	
	STATION 1009+00 - 1051+00 Scale 1 - 150	Issued FOR: FINAL
10		SEAL:
059	N	
		047E: 5/2/17 PROJ NO.: 15-27 MDNR
260 suite unan unan unan anima suite suite suite suite suite suite suite	a tuber 1444 subs them the uses subs tuber tries to stres tries tries stres stres stres stres tries tuber	SCALE: VARES DESIGNED BY, CH DRAWN BY: MK REVIEWED BY, CH
NOTES. 1. VECTICAL, DATUMI SUAVIOR 2. GREY MATTAL ISANALES ORCOSCED DELODE (AWL - 5) 3. MATTAL LEVER DAXA DATAMARTED FROM USOS	STATION 1051+00 - 1093+00 Seule 1** 158	066
<ul> <li>ANTERAGE RATER LEFELS CALOULATED FOR BOATING SEASON ONLY (MAY-</li></ul>	X = approximate sediment sample location	SHEET NUMBER

The part of the use of the one of the one of the	

	MORET TITE BOOKEN RIVER WATERWAY STUDY EXISTING CONDITIONS GRAND RAPIDS, MICHIGAN SHEET TILE PROFILE VIEW STA 1261+00-1429+00	MOLANTE REVISION	MEE. <u>2011</u> PROLINE. <u>2017</u> PROLINE. <u>15-27 LOOR</u> 2016. <u>14-15-27 LOOR</u> 2016. <u>16-15-27 Collector</u> 2016. <u>2016</u> 2016. <u>2016</u> 2016. <u>2016</u> 2016. <u>2016</u> 2016. <u>2016</u> 2016. <u>2016</u> 2016. <u>2016</u> 2016. <u>2016</u> 2016. <u>2016</u> 2017 2017 2017 2017 2017 2017 2017 2017
Since and the state that the the the the the the the the the th	80         91         92         93         94         94         95         95         96         96         97         98         99         94         95         96         96         97         98         98         99         99         94         95         96         96         97         98         98         99         99         91         91         92         93         94         95         96         96         96         97         98         99         91         91         92         92         94         95         96         96         97         98         98         96	she	50     50       58     unive usive usiv







### Grand River Waterway – Dredge Sampling Plan 11-8-18

The borings will be installed and samples collected and analyzed in accordance with MDEQ policy and procedure WRD-048 (Sediment Testing for Dredging Projects) as follows:

1-Obtain sediment sample for sieve analysis at each soil boring location. If 90% or more of the material is retained on a No. 200 sieve, on average across each station range identified on Table 2 attached to this application, then no further analysis will be performed on samples collected from the dredge area(s) within that station range.

2-Obtain sediment sample for analysis at each soil boring location. If the dredge area does not meet the sieve analysis exemptions, then the following default parameters will be analyzed:

Heavy metals (nine total): As, Cd, Cr, Cu, Pb, Hg, Ni, Se, and Zn PAH's (Table 1 list found in WRD-048 guidance) BOD

Additional specific sediment sampling locations and requirements are outlined below:

<u>PFAS analysis: Dredge Areas 20 – 34 (Between Stations 910+00 and 1478+00)</u> 20% of samples to be collected 33 samples total – randomly select 7 samples for PFAS analysis

<u>Pesticide analysis (list attached)</u>: <u>Dredge Areas 2 – 23</u> (Between Stations 424+00 and 1072+00) 10% of samples to be collected

60 samples total – randomly select 6 samples for pesticide analysis

Biased sediment sampling locations are proposed as follows:

Site name	Dredge Area	Analytical parameters
1- Former Wealthy Street MGP	34	VOCs, PAHs, metals, ammonia, cyanide
2- 449 Market Avenue SW	34 (south of Wealthy St)	Aluminum
3- Former Koch Materials Co	33	VOCs, PAHs, arsenic
4- 851 Freeman Avenue SW and 1040 Market Avenue SW	32	VOCs, PAHs, metals, PFAS
5-Plaster Creek Outlet	32	VOCs, PAHs, metals, PFAS
6- Former Butterworth Landfill #2	31	VOCs, PAHs, metals, ammonia, 4-4'-DDT, PFAS
7- Former Grandville Dump	24	VOCs, PAHs, metals, PFAS
8-Former Fenske Landfill	23	VOCs, PAHs, metals, PFAS

A total of 87 samples is proposed. The number of samples proposed per dredge area is attached. The designated number of samples will be collected from random locations within each dredge area.

## **Grand River Waterway – Dredge Sampling Plan** 11-8-18

The number and location of proposed borings is designed to more than adequately characterize the dredge material. We would like to reserve the right to discuss a less rigorous sampling plan (ie number of samples), if at all possible.

#### **Pesticide Analytical Parameters**

	Water	Sediment/Soil	Water	Sediment/Soil
	Reporting	Reporting Limits ( ug/Kg	Containers	Containers
	Limits ( ug/L )	)	& Hold Times	& Hold Times
Method	8081	8081		
Aldrin	0.01	20	2 - 1000mL glass	1 - 8 ounce glass
a-BHC	0.02	10	amber bottles	14 days HT
b-BHC	0.02	20	7 days HT	н
d-BHC	0.02	20	"	II
g-BHC (lindane)	0.02	20	"	"
BP-6 (PBB)	0.05	250	"	II
a-Chlordane	0.01	20	"	н
g-Chlordane	0.01	20	"	"
4,4'-DDD	0.02	20	"	"
4,4'-DDE	0.02	20	"	"
2,4'-DDT	0.01	20	"	"
4,4'-DDT	0.02	20	"	"
Dieldrin	0.02	20	u	"
Endosulfan I	0.02	20	u	"
Endosulfan II	0.03	20	"	"
Endosulfan Sulfate	0.05	20	"	н
Endrin	0.02	20	"	н
Endrin Aldehyde	0.02	20	"	н
Endrin Ketone	0.02	20	"	н
Heptachlor	0.01	20	"	н
Heptachlor epoxide	0.01	20	"	н
Hexabromobenzene	0.02	100	"	н
Methoxychlor	0.05	50	u.	н
Mirex	0.02	50	"	н
Toxaphene	0.1	170	"	"

Average Water Level - 7' Proposed Dredge Areas					
	Approx. Dredge Area Center				
Dredge Area	Station	Latitude	Longitude	Soil Borings	
1	256+00	N43° 00' 26.94"	W85° 59' 38.21"	1	
2	446+00	N43° 00' 17.50"	W85° 55' 44.67"	5	
3	468+50	N43° 00' 07.25"	W85° 55' 17.88"	2	
4	475+50	N43° 00' 06.03"	W85° 55' 08.62"	1	
5	502+00	N43° 00' 06.73"	W85° 54' 33.25"	5	
6	522+00	N43° 00' 13.57"	W85° 54' 08.09"	2	
7	573+00	N42° 59' 47.29"	W85° 53' 17.87"	5	
8	596+00	N42° 59' 29.56"	W85° 52' 58.53"	5	
9	645+00	N42° 58' 48.59"	W85° 52' 31.73"	2	
10	668+50	N42° 58' 25.93"	W85° 52' 33.76"	1	
11	690+00	N42° 58' 04.22"	W85° 52' 34.96"	3	
12	707+50	N42° 57' 46.95"	W85° 52' 35.34"	3	
13	751+00	N42° 57' 06.38"	W85° 52' 22.03"	5	
14	819+00	N42° 56' 42.61"	W85° 51' 01.29"	6	
15	850+75	N42° 56' 38.11"	W85° 50' 19.18"	1	
16	863+00	N42° 56' 38.94"	W85° 50' 03.46"	2	
17	871+00	N42° 56' 42.33"	W85° 49' 53.84"	1	
18	879+00	N42° 56' 44.04"	W85° 49' 43.34"	1	
19	895+00	N42° 56' 49.21"	W85° 49' 23.01"	3	
20	949+00	N42° 56' 36.20"	W85° 48' 20.40"	3	
21	1015+00	N42° 55' 39.03"	W85° 48' 05.59"	1	
22	1029+00	N42° 55' 26.68"	W85° 47' 57.24"	2	
23	1066+00	N42° 54' 56.09"	W85° 47' 30.27"	1	
24	1150+50	N42° 55' 00.98"	W85° 45' 56.76"	5	
25	1208+00	N42° 55' 46.38"	W85° 45' 25.69"	2	
26	1222+00	N42° 55' 50.58"	W85° 45' 07.79"	2	
27	1264+00	N42° 55' 56.17"	W85° 44' 13.92"	1	
28	1287+50	N42° 56' 09.79"	W85° 43' 48.63"	2	
29	1309+15	N42° 56' 15.41"	W85° 43' 20.65"	1	
30	1343+25	N42° 56' 41.06"	W85° 42' 51.80"	1	
31	1363+50	N42° 56' 53.44"	W85° 42' 31.28"	2	
32	1385+00	N42° 56' 57.00"	W85° 42' 02.80"	2	
33	1400+00	N42° 57' 00.04"	W85° 41' 43.08"	6	
34	1455+00	N42° 57' 33.17"	W85° 40' 46.97"	2	

Notes:

87 total

1.) Stationing and centerpoints are approximations for sediment testing locations only and are not intended for construction layout.

2.) Proposed dredge areas were calculated at a depth of AWL-7'. Average

Water Level (AWL) is calculated during boating season only (May - October).

## FW: Completed Permit and Plans #WRP014388

## Broadwater, Bonnie (DEQ) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=979DC5A49E2A47DC8A7ACF3D155740CE-BROADWATER>

Fri 11/16/2018 1:12 PM

To: Klemans, Diana (DEQ) <KLEMANSD@michigan.gov>Cc: Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>; Fish, Kim (DEQ) <FISHK@michigan.gov>

1 attachments (8 MB)

Completed Permit and Plans.pdf;

Good Afternoon Dina,

The Grand River Waterway Sediment Testing Permit was issued this afternoon. A copy is attached for your convenience.

Thanks,

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163



From: McIntyre, Nicole (DEQ)

Sent: Friday, November 16, 2018 1:06 PM

To: polktontwp@altelco.net; clerk@allendale-twp.org; lcook@tallmadge.com; rvanderklok@georgetownmi.gov; countyclerk@miottawa.org; waterresourcescommissioner@miottawa.org; mallen@miottawa.org; ottawacd@macd.org; jbraxmaier@miottawa.org; 'kim.perry@kentcountymi.gov' <kim.perry@kentcountymi.gov>; 'brad.boomstra@kentcountymi.gov' <brad.boomstra@kentcountymi.gov>; 'brad.boomstra@kentcountymi.gov' <adam.london@kentcountymi.gov>; 'brad.boomstra@kentcountymi.gov' <adam.london@kentcountymi.gov>; Simmonds,Sara <sara.simmonds@kentcountymi.gov>; sbydalek@ci.walker.mi.us; poleym@cityofgrandville.com; cityclerk@grcity.us; Schulz, Nathan T CIV USARMY CELRE (US) <Nathan.T.Schulz@usace.army.mil>; Hanshue, Scott (DNR) <HanshueS1@michigan.gov>; Crook, Michelle (DNR) <CrookM@michigan.gov>; jessica\_pruden@fws.gov; mmacgregor@king-macgregor.com; Petersen, Paul (DNR) <PetersenP@michigan.gov>; Olson, Ron (DNR) <OLSONR@michigan.gov> Cc: Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>; Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>

Good afternoon,

Attached you will find a copy of the Permit and Plans that was issued for a project located at 70-Grand River Waterway Project-Grand Haven. Please print the attached documents for your records. <u>Once the project is completed</u>, the applicant will need to contact Bonnie Broadwater by Email, stating everything is completed and include any required photos.

Kind Regards,

## Nicole McIntyre

District Secretary for the Water Resources Division 350 Ottawa Avenue, Unit #10 Grand Rapids, Michigan 49503 616-356-0286 I mcintyren@michigan.gov

## FW: Please approve the attached Refund HNG-R3RS-62YVS-Olson, Ron

Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov> Fri 11/30/2018 10:02 AM To: DEQ-WRD-Refunds <DEQ-WRD-Refunds@michigan.gov> Cc: McIntyre, Nicole (DEQ) <McIntyreN@michigan.gov>; Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>

1 attachments (2 MB)
 MiWaters - Refund HNG-R3RS-62YVS-Olson, Ron.pdf;

Please process this refund request. Thank you.

From: McIntyre, Nicole (DEQ)
Sent: Wednesday, November 28, 2018 4:02 PM
To: Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>
Cc: Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>
Subject: Please approve the attached Refund HNG-R3RS-62YVS-Olson, Ron

## FW: Draft Grand River Waterway Soil Sampling Permit Application Review

## Broadwater, Bonnie (DEQ) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=979DC5A49E2A47DC8A7ACF3D155740CE-BROADWATER>

#### Wed 10/31/2018 2:06 PM

**To:** 'Matt MacGregor' <mmacgregor@king-macgregor.com> **Cc:** Crook, Michelle (DNR) <CrookM@michigan.gov>

#### 1 attachments (40 KB)

FW: Draft Grand River Waterway Soil Sampling Permit Application Review (Please);

#### Good Afternoon Matt,

Thank you for taking the time to discuss the Grand River Waterway Sediment Sampling Project and your correction request response from Monday. As requested, the email from Mike Alexander detailing the sampling parameters is provided below. During our call, we discussed the following items:

- The updated Joint Permit Application (JPA) project description (Section 3) does not include the PFAS or pesticide sampling parameters identified Mike Alexander's email below.
- The updated JPA project description (Section 3) identifies that only 10 samples would be required per the WRD-048 policy and inquires about a reduction in the number of samples. We discussed the need to circle back with Mike Alexander if reductions or changes to the sampling protocol are proposed as this was discussed at length prior to application submittal.
- The correction request response included a single Lat/Long for each proposed sampling reach on a table uploaded with the revised JPA. The plan view sheets uploaded do not identify the proposed sampling locations or the limits of the proposed dredging reaches in which randomized samples are proposed to be collected. Only the cross sections, identify sampling locations with an x relative to station numbers. This simply does not provide sufficient detail for the necessary Threatened & Endangered Species (T&E) review. The T&E review is critical to determine if the project, as proposed, will meet the criteria for General Permit Category. We discussed two potential options to resolve this:
  - 1) Include a Lat/ Long for each proposed sampling location

2) If randomized sampling locations are proposed within each reach, clearly indicate the limits of each proposed sampling area along with the number of samples within that reach on the plans and cross sections.

• The RRD-Grand Rapids District developed the attached list of locations where biased sediment sampling may be appropriate due to the presence of sites with known groundwater contamination that has potential to discharge to the Grand River. This list was developed based on the sediment sampling plan submitted with the original application. Please review these locations and update the sampling plan with any additional locations as applicable.

Thanks,

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163



From: Alexander, Michael (DEQ)
Sent: Friday, August 31, 2018 3:37 PM
To: Petersen, Paul (DNR) ; Klemans, Diana (DEQ)
Cc: McGhee, Vicki (DNR) ; Mooney, Anna (DNR) ; Saldivia, Luis (DEQ) ; Howes, Sarah (DEQ) ; DEQ-Legislative-Contact ; Fish, Kim (DEQ) ; Seidel, Teresa (DEQ) ; Smith, Laura (DEQ)
Subject: RE: Draft Grand River Waterway Soil Sampling Permit Application Review (Please)

Hi Paul,

We have reviewed the draft sediment sampling permit application and while the proposed sample locations and quantity should be adequate in allowing us to evaluate potential impact acts to aquatic life, we would like to request PFAS and pesticide samples be added to the analyte list within some reaches. For PFAS we would like to see approximately 20% of the samples collected between station reach 910 + 00 to 9640 + 00 to station reach 1450 + 00 to 1478 + 00 analyzed for PFAS. Within those reaches you are proposing to collect 33 sample so please randomly select 7 of those samples for PFAS analysis. For pesticides we would like to see approximately 10% of the samples between station reach 424 + 00 478 + 00 to station reach 1018 + 00 to 1072 + 00 analyzed for pesticides. Within those reaches you are proposing to collect 62 sample so please randomly select 6 of those samples for pesticide analysis.

If you have any questions about this request, laboratory analysis or sediment collection standard operating procedures for these or other parameters please feel free to contact me and I will glad to answer your questions. We are also willing to review any draft sampling plans developed by your contractor prior to sample collection.

Thanks

Mike

Michael Alexander, Supervisor Lakes Erie, Huron and Superior Unit Surface Water Assessment Section Water Resources Division Department of Environmental Quality Phone 517-449-7971 <u>alexanderm2@michigan.gov</u>

## **Re: Grand River Waterway Project**

Jefferson Seaver <jefferson@seaverlink.com>

Thu 1/3/2019 11:02 AM

To: Petersen, Paul (DNR) <PetersenP@michigan.gov>

Dear Mr. Petersen,

Please consider this a formal request for the following:

• Withdrawal of the permit application for boring soil samples from the Grand River between Grand Rapids and Bass River

• To hold any and all public hearings that may be required or allowed by law or at the discretion of state employees and officials regarding the permit application, future permit applications, and any and all other activities associated with planning and carrying out dredging activity on the Grand River between Grand Rapids and Bass River

• An investigation into a potential conflict of interest between Edgewater Resources and other parties that would call into question whether their work would be impartial, scientifically sound, and in the public interest

• An investigation into a potential conflict of interest between Dan Hibma, Grand River Waterways, Land and Company, and other parties that includes but is not limited to whether Mr. Hibma is illegally using a non-profit entity to access public funds for the financial gain of himself personally and for companies and commercial interests in which he has ownership interest

• A freeze on all public funding of related activities until such time as a thorough investigation of these matters be completed

• That in the event the permit is granted and work proceeds, that a contractor other than Edgewater Resources is used and that the State has verified has no potential financial or other commercial interest in the outcome of the testing

• That in the event that a permit is granted, and Edgewater Resources is used to conduct the work, a DNR representative be physically present to supervise boring, specimen collection, specimen storage, specimen testing, and chain of custody to ensure that all work is reliable, scientifically valid, and performed in the public interest

If the above is not under your purview, please provide this request to any and all state employees, elected officials, appointed officials, and departments who have oversight of these matters.

Sincerely,

Jeff Seaver 10721 52nd Avenue Allendale, MI 49401

Jefferson Seaver I 616-262-0345 www.facebook.com/jefferson.seaver

On Jan 3, 2019, at 8:52 AM, Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>> wrote:

Hello Jeff:

The Department of Natural Resources is working with the Department of Technology Management and Budget and Edgewater Resources to acquire a joint application permit for sediment testing and the actual sediment testing, collecting, and analysis along the section of the Grand River from Fulton Street in Grand Rapids to the Bass River inlet/confluence. The proposed sediment testing borings (approximately 90 samples) are located along an approximately 50'x 23 mile section of the river.

Currently the Department of Environment Quality permit has been acquired for the sediment testing and the permit from the Army Corps of Engineers (ACOE) is in process. When the ACOE permit is in hand the collection of the sediment sampling may begin and it is anticipated to take 3-5 weeks depending on weather conditions and 3 days to analysis the sediment samples.

Jeff, I hope this answers some of your questions.

Paul

From: Jefferson Seaver <jefferson@seaverlink.com> Sent: Monday, December 31, 2018 12:58 PM To: Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>> Subject: Re: Grand River Waterway Project Importance: High

Hi Paul,

I understand that the legislature approved \$2MM in lame duck session for the dredging project. Have there been any developments with your department such as permit applications, environmental studies, etc.?

I'm working to build a coalition of people and orgs to oppose the project.

Thanks and Happy New Year!

Jeff

Jefferson Seaver | 616-262-0345 www.facebook.com/jefferson.seaver

On Jan 18, 2018, at 5:49 PM, Jefferson Seaver <jefferson@seaverlink.com> wrote:

Paul,

Thank you very much for the call today and the helpful info.

Jeff

Jefferson Seaver | 616-262-0345

On Jan 18, 2018, at 1:43 PM, Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>> wrote:

Hello Mr. Seaver:

The DTMB contact is <u>WatkinsB1@michigan.gov</u>, 517-242-7882.

Thank you!

Paul

-----Original Message-----From: Jefferson Seaver [<u>mailto:jefferson@seaverlink.com</u>] Sent: Thursday, January 18, 2018 1:01 PM To: Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>> Subject: Grand River Waterway Project

Paul,

I'm an Allendale resident and frequent boater on the Grand River. I was looking into the Grand River Waterway project and came across your name in an Mlive article from a couple years ago.

Could you tell me what the status is of the project, and what steps need to be gone through for permits, public hearings, and other approvals if the project moves forward?

I'm also an avid local historian and am researching some of the old Grand River riverboat landing sites including docks and associated structures that still have remains along and in the river. What is the possibility of being able to view the sonar images taken as part of the feasibility study?

Thanks for your help.

Jeff

Jefferson Seaver | 616-262-0345

## FW: Grand River Waterway Project

Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>

Wed 1/9/2019 11:45 AM

**To:** Sanders, Jerrod (DEQ) <SANDERSJ3@michigan.gov> **Cc:** Lounds, Amy (DEQ) <LOUNDSA@michigan.gov>; Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>

1 attachments (126 KB)
 Re: Grand River Waterway Project;

Bonnie Broadwater and I worked on reviewing and issuing this permit for the collection of the soil samples.

Questions about the DEQ permit can be directed to Bonnie.

Luis.

From: Sanders, Jerrod (DEQ) <SANDERSJ3@michigan.gov> Sent: Wednesday, January 09, 2019 10:39 AM To: Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov> Cc: Lounds, Amy (DEQ) <LOUNDSA@michigan.gov> Subject: FW: Grand River Waterway Project

Who should the WRD contact be for the attached inquiry?

From: Crook, Michelle (DNR) <<u>CrookM@michigan.gov</u>> Sent: Wednesday, January 9, 2019 8:46 AM To: Sanders, Jerrod (DEQ) <<u>SANDERSJ3@michigan.gov</u>> Subject: FW: Grand River Waterway Project

Jerrod,

We received an inquiry from a constituent regarding the dredging project. DTMB will be responding to the inquiry but we wanted to provide a contact at DEQ for the questions regarding permits rather than answering permit related questions. Who would you like us to direct them to?

Thanks! Michelle

From: Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>>
Sent: Friday, January 4, 2019 10:01 AM
To: Watkins, Bruce (DTMB) <<u>WatkinsB1@michigan.gov</u>>
Cc: Crook, Michelle (DNR) <<u>CrookM@michigan.gov</u>>; Colin Hassenger
(chassenger@edgewaterresources.com) <<u>chassenger@edgewaterresources.com</u>>
Subject: FW: Grand River Waterway Project

FYI Paul

From: Jefferson Seaver <<u>jefferson@seaverlink.com</u>> Sent: Thursday, January 3, 2019 10:18 AM To: Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>> Subject: Re: Grand River Waterway Project

Paul,

Thanks for your timely reply. I have a number of questions as well as a potential conflict of interest to raise.

What processes and procedures are in place for citizens to request public hearings, oppose the permit application, or otherwise weigh in with their opposition to this project moving forward?

Who is in charge of authorizing the the permit application, awarding of the testing contract, and proceeding with the work?

Who has oversight to ensure that the testing is adequate and to interpret the results?

Is there a website or other mechanism for informing citizens of development?

What process was used to award Edgewater Resources the work to do the testing? Were competitive bids solicited from other contractors?

Has a conflict of interest check been done to make sure there is an arms length relationship between Edgewater Resources, Dan Hibma, Land and Company, and Grand River Waterway? It has come to my attention that the owner of Edgewater Resources owns other businesses involved in real estate development and real estate project financing. This raises the prospect that Edgewater may have a financial interest in the results of an environmental survey being favorable to move forward with the dredging project. For example:

see <u>http://www.edgewaterrealtymi.com/</u> and <u>https://www.edgewaterresources.com/edgewater-capital</u>. Additionally, the Edgewater Resources website specifically identifies that their activities include investing in and funding marina projects. Ron Shultz, owner of Edgewater, also owns a number of companies such as Abonmarche Development, Abonmarche Realty Partners of Manistee, Concord Ridge Development, Edgewater Development Company, Edgewater Group MI, Edgewater Marina Management, Edgewater Port Caribe, Harbor Villages at Harbor Shores II, Lakeside Sports Center, and Waterfront Crossing.

What is the mechanism for making formal complaints about potential conflicts of interest?

Thanks for your help.

Jeff

Jefferson Seaver I 616-262-0345 www.facebook.com/jefferson.seaver

On Jan 3, 2019, at 8:52 AM, Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>> wrote:

Hello Jeff:

The Department of Natural Resources is working with the Department of Technology Management and Budget and Edgewater Resources to acquire a joint application permit for sediment testing and the actual sediment testing, collecting, and analysis along the section of the Grand River from Fulton Street in Grand Rapids to the Bass River inlet/confluence. The proposed sediment testing borings (approximately 90 samples) are located along an approximately 50'x 23 mile section of the river.

Currently the Department of Environment Quality permit has been acquired for the sediment testing and the permit from the Army Corps of Engineers (ACOE) is in process. When the ACOE permit is in hand the collection of the sediment sampling may begin and it is anticipated to take 3-5 weeks depending on weather conditions and 3 days to analysis the sediment samples.

Jeff, I hope this answers some of your questions.

Paul

From: Jefferson Seaver <jefferson@seaverlink.com> Sent: Monday, December 31, 2018 12:58 PM To: Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>> Subject: Re: Grand River Waterway Project Importance: High

Hi Paul,

I understand that the legislature approved \$2MM in lame duck session for the dredging project. Have there been any developments with your department such as permit applications, environmental studies, etc.?

I'm working to build a coalition of people and orgs to oppose the project.

Thanks and Happy New Year!

Jeff

Jefferson Seaver I 616-262-0345 www.facebook.com/jefferson.seaver

On Jan 18, 2018, at 5:49 PM, Jefferson Seaver <jefferson@seaverlink.com> wrote:

Paul,

Thank you very much for the call today and the helpful info.

Jeff

Jefferson Seaver | 616-262-0345

On Jan 18, 2018, at 1:43 PM, Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>> wrote:

Hello Mr. Seaver:

The DTMB contact is <u>WatkinsB1@michigan.gov</u>, 517-242-7882.

Thank you!

Paul

-----Original Message-----From: Jefferson Seaver [mailto:jefferson@seaverlink.com] Sent: Thursday, January 18, 2018 1:01 PM To: Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>> Subject: Grand River Waterway Project

Paul,

I'm an Allendale resident and frequent boater on the Grand River. I was looking into the Grand River Waterway project and came

across your name in an Mlive article from a couple years ago.

Could you tell me what the status is of the project, and what steps need to be gone through for permits, public hearings, and other approvals if the project moves forward?

I'm also an avid local historian and am researching some of the old Grand River riverboat landing sites including docks and associated structures that still have remains along and in the river. What is the possibility of being able to view the sonar images taken as part of the feasibility study?

Thanks for your help.

Jeff

—

Jefferson Seaver | 616-262-0345

## **Fwd: Grand River Waterway**

Storey, Michelle (DEQ) <STOREYM@michigan.gov>

Thu 1/10/2019 1:35 PM

**To:** DEQ-Legislative-Contact <DEQ-Legislative-Contact@michigan.gov>; Seidel, Teresa (DEQ) <SEIDELT@michigan.gov>; Fish, Kim (DEQ) <FISHK@michigan.gov>; Sanders, Jerrod (DEQ) <SANDERSJ3@michigan.gov>; Argiroff, Phil (DEQ) <ARGIROFFP@michigan.gov>; Smith, Laura (DEQ) <SMITHL16@michigan.gov>; Worm, Michael (DEQ) <WORMM@michigan.gov>; Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>; Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>

Rep. Rachel Hood reached out to me today by phone requesting information on a possible feasibility study and permit information regarding the Grand River Waterway project.

Per her request I replied by text message and sent her an email with the requested information. The text message is attached and the email is noted below.

Michelle

Michelle Storey Senior Environmental Quality Analyst DEQ-WRD Grand Rapids District Office 616-401-1282

Sent from my iPhone

Begin forwarded message:

From: "Storey, Michelle (DEQ)" <<u>STOREYM@michigan.gov</u>> Date: January 10, 2019 at 10:39:08 AM EST To: "Rep. Rachel Hood" <<u>rachelhood@house.mi.gov</u>> Cc: "Saldivia, Luis (DEQ)" <<u>SALDIVIAL@michigan.gov</u>>, "Broadwater, Bonnie (DEQ)" <<u>BroadwaterB@michigan.gov</u>> Subject: Re: Grand River Waterway

Rep. Hood,

Per your request, here is the information our office currently has on the Grand River Waterway project. The documents can be accessed at the link below. The applicant is the Michigan DNR.

Bonnie Broadwater can answer any questions related to the permit, her contact information is noted below. Bonnie will be in the office today if you have additional questions about the permit.

Please let me know if you need any other assistance.

Thanks, Michelle

Sent from my iPhone

On Jan 10, 2019, at 9:57 AM, Broadwater, Bonnie (DEQ) < BroadwaterB@michigan.gov >

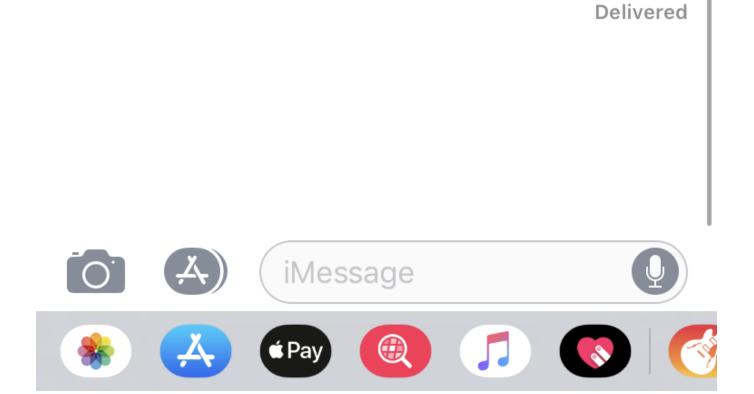
Good Morning Michelle,

#### Thanks,



Today 10:28 AM

I have information on the dredging project I'll send you via email. The permit applicant is the Michigan DNR. Bonnie Broadwater from our GR District Office is assigned to the project and will review all permit applications We do not have the feasibility study. If one was done MDNR will have it. I spoke to Bonnie and she will be in the office all day today if you have questions related to the permitting process. She will be copied on the email



## **RE: Legislative Response Regarding Grand River Waterway**

Seidel, Teresa (DEQ) <SEIDELT@michigan.gov> Fri 1/11/2019 11:29 AM To: Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov> Thanks Bonnie!

From: Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>
Sent: Friday, January 11, 2019 11:03 AM
To: DEQ-Legislative-Office <DEQ-Legislative-Office@michigan.gov>; Seidel, Teresa (DEQ)
<SEIDELT@michigan.gov>; Fish, Kim (DEQ) <FISHK@michigan.gov>; Sanders, Jerrod (DEQ)
<SANDERSJ3@michigan.gov>; Argiroff, Phil (DEQ) <ARGIROFFP@michigan.gov>; Smith, Laura
(DEQ) <SMITHL16@michigan.gov>; Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>
Cc: Storey, Michelle (DEQ) <STOREYM@michigan.gov>
Subject: Legislative Response Regarding Grand River Waterway

Good Morning,

At approximately 10:30 AM today I returned a voicemail left vesterday afternoon at 5PM by Representative Rachel Hood. She called to inquire about the Grand River Waterway Project, specifically, inquiring about Shana Schroll's involvement in the project up to this point and if the department had received a copy of the feasibility study. I indicated that Shana Scholl was copied on the pre-application meeting letter sent on September 11, 2017. Representative Hood already had a copy of that letter which she had downloaded via MiWaters site explorer. We briefly discussed that DNR was the applicant for the Sediment Testing Permit, though Dan Hibma of Grand River Waterway, LLC and his Agent Matt MacGregor of King & Macgregor submitted the request for the pre-application meeting back in 2017. Representative Hood also asked if the department had a copy of the feasibility study. I responded that a copy had not been provided to the department as part of the pre-application meeting request or the application materials for sediment testing issued on November 16, 2018 and that all documents provided as part of the application and pre-application meeting request as well as any correspondence with applicants is uploaded to MiWaters and available to review via the site explorer tool. As we concluded our conversation, Representative Hood mentioned that she would be compiling a list of concerns in preparation for a meeting with the Governor to discuss the project in the coming days or weeks.

Thanks,

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163





IN REPLY REFER TO:

## United States Department of the Interior

FISH AND WILDLIFE SERVICE Michigan Field Office (ES) 2651 Coolidge Road, Suite 101 East Lansing, Michigan 48823-6316

February 11, 2019

Kerrie E. Kuhne Engineering and Technical Services Regulatory Office Detroit District, Corps of Engineers 477 Michigan Avenue Detroit, Michigan 48226-2550

# RE: Endangered Species Act Section 7 Consultation on the issuance of U.S. Army Corps of Engineers Permit No. LRE-2018-01015-50-N18.

Dear Ms. Kuhne:

Thank you for your request of January 30, 2019, for informal consultation pursuant to section 7 of the Endangered Species Act (ESA) for proposed soil borings in the Grand River, Michigan. The proposed work by the Michigan Department of Natural Resources includes 87 soil borings at 34 locations within a 23-mile stretch of the Grand River in Kent and Ottawa Counties. The boring holes will measure up to 4 feet below the river bottom and have an outside diameter of 8 inches. The barge used to conduct the borings will apply virtual anchor functions, which will avoid any anchoring/ disturbance to the river bottom. The virtual anchor system is a GPS-guided propulsion/ autopilot (Minn Kota-Spot-Lock). All borings will be completed within a 48-hour period and any excess soils will be disposed of in an upland location.

Your analysis addresses potential effects to the endangered snuffbox mussel (*Epioblasma triquetra*). You have determined that the project may affect, but is not likely to adversely affect snuffbox mussel and are requesting U.S. Fish and Wildlife Service (Service) concurrence with your determination.

## Snuffbox Mussel (Epioblasma triquetra)

The snuffbox mussel is found in small to medium-sized creeks to large rivers. It occurs in swift currents of riffles and shoals over gravel and sand with occasional cobble and boulders. Individuals generally burrow deep into the substrate, except when spawning or attempting to attract a host. In 2018, the Michigan Mussel Survey Protocols and Relocation Procedures

were finalized. The purpose of the Protocols is to provide guidance on standardized survey and relocation procedures to minimize impacts to state and federally listed mussels in Michigan. The Protocols group rivers and streams as either Group 1, 2, or 3, according to existing knowledge of mussel distribution and individual species conservation status.

- Group 1 are streams and rivers known to support mussels considered to be special concern by the State, but lacking mussel occurrence data at the project site;
- Group 2 are streams and rivers known to support populations of State threatened and endangered mussels; and
- Group 3 is divided into a and b according to size
  - Group 3a are small and medium streams and rivers with a drainage area less than 300 mi<sup>2</sup> that support populations of federally listed mussels and
  - Group 3b are large rivers (drainage area greater than 300 mi<sup>2</sup>) that support populations of federally listed mussels.

Parts of the Grand River in Kent and Ottawa Counties are designated as Group 3b indicating that federally listed snuffbox mussels are expected.

You have requested our concurrence with your determination that the proposed project may affect, but is unlikely to adversely affect snuffbox mussels based on the estimated total area of impact (29 square feet) over a 23-mile stretch of the river. We concur with your determination based on the following analysis:

- The probability of affecting one individual within the proposed action area given the size of the area of direct impact and the estimated density of nearby snuffbox populations is .537%. The calculations below outline how we determine the probability of affecting 1 individual.
  - Theoretical probability of impacting 1 individual snuffbox mussel (i.e., P) (Smith et al. 2006): P = 1-e^(-1\*BaT/A); B= detectability, a=sampling area/ area of direct impact, T= theoretical abundance, A= study area.
    - B=1 (assume all are detected)
    - $a = 2.82 \text{ m}^2$ 
      - 87 8 inch in diameter bore holes: 4\*4 = 16 \* 3.14 = 50.26 area of one bore hole; 87\*50.26 = 4,372.62 square inches = 30.365 square feet = 2.82 m<sup>2</sup>
      - total area of direct impact: 2.82 m<sup>2</sup> total
    - T = 28 snuffbox (based on salvage operation for the I-196 bridge project, which represents the closest complete survey and relocation data available for the proposed project)
    - A = 14,689 (the total salvage area for the I-196 bridge project

## P=1-e<sup>(-1\*1\*2.82\*28/14689)</sup> = 0.00537\* 100 = 0.537% Probability of Impacting 1 Individual

Given that the probability of impacting 1 individual is 0.537%, any effects to snuffbox mussel associated with the proposed project are discountable.

## Conclusion

The Army Corps of Engineers (ACOE) – Michigan Department of Environmental Quality Joint Permit Application notes that soil boring activities are proposed to collect samples that will be analyzed to assess dredge spoil disposal alternatives for a dredging project being proposed by the Grand River Waterway organization. According to the permit application, Grand River Waterway is pursuing the potential dredging of the Grand River to establish a recreational navigation channel to connect Grand Rapids to Lake Michigan. Our concurrence is limited to the proposed soil borings activities. Any future dredging or related construction activities associated with a recreational channel in the Grand River will be subject to further section 7 consultation with the Service.

This precludes the need for further action on this project as required by section 7 of the ESA. If the project is modified or new information about the project becomes available that indicates listed species or critical habitat may be affected in a manner or to an extent not previously considered, you should reinitiate consultation with this office.

If you have any questions regarding these comments, please contact Jessica Pruden, of this office, at (517) 351-8245 or jessica\_pruden@fws.gov.

Sincerely,

## JOHN DINGLEDINE DINGLEDINE 12:13:48 -05'00'

Acting For, Scott Hicks Field Supervisor

cc: ACOE, Shea Michigan DNR, Hanshue Michigan DEQ, Broadwater, Gyekis

## REPLY TO ATTENTION OF:

DEPARTMENT OF THE ARMY CORPS OF ENGINEERS, DETROIT DISTRICT REGULATORY OFFICE 477 MICHIGAN AVENUE DETROIT, MICHIGAN 48226-2550

February 13, 2019

Engineering & Technical Services Regulatory Office File Number LRE-2018-01015-50-N18

Ronald Olson Michigan Department of Natural Resources PO Box 30028 Lansing, Michigan 48909

Dear Mr. Olson:

Please refer to your application for a Department of the Army (DA) permit to conduct soil borings in the Grand River, near Grand Rapids, Michigan. We have verified that the project is authorized by Nationwide Permit 6 as published in the Federal Register.

You may proceed with the work per the following project description, attached drawings, and attached general and special conditions:

Conduct 87 soil borings at 34 locations within a 23 mile stretch of the Grand River as shown on the plans. The borings will measure up to 4 feet below the river bottom and have an outside diameter of 8 inches. Total amount of material removed will be 4.5 cubic yards.

**Special Conditions:** 

1. If you discover any unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately stop work in that area and notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

2. All sediment removed from sampling will be disposed of in upland location(s) landward of the Ordinary High Water Mark with no placement in, or return to, any waterway or wetland.

Any construction activity other than that shown on the plans may not qualify for the authorization. If you contemplate any changes or additional activities from those depicted on the plans, please submit them to this office for authorization review prior to any construction. On completion of the work, you must fill in and return the enclosed COMPLETION REPORT.

This verification is invalid until you obtain an appropriate state permit/certification or waiver thereof. You must not initiate activities authorized under the NWP until all required State authorizations have been received. If local approvals are required, we

recommend you contact the appropriate local government body directly.

We are obligated to provide recipients of permit verifications with a jurisdictional determination (JD) when requested to do so. The Corps of Engineers has the following options with respect to JDs: (1) Approved Jurisdictional Determinations (AJD), which are considered "official" JDs and can be administratively appealed; (2) Preliminary Jurisdictional Determinations (PJD), which are non-binding JDs and advise an affected party that the Corps of Engineers believes there may be waters of the United States on the property that fall under the Corps' regulatory authority and enables the Corps and a permit applicant or other affected party to resolve certain jurisdiction and permit issues without expending time on making an official determination of the Corps' jurisdiction; and (3) No Jurisdiction Determination (NJD), which is used in situations where issuance of a JD is deemed unnecessary by a permit applicant or other affected party because Corps' jurisdiction is undisputed (e.g., work is in a navigable water of the United States) or not subject to question. The NJD option requires less documentation than a PJD and likewise enables the Corps and a permit applicant or other affected party to resolve jurisdiction and permit issues without expending time on an official determination of the Corps' jurisdiction.

Per the information in your application, we have determined that the work described in this permit verification will occur in a navigable water of the United States subject to the Detroit District, U.S. Army Corps of Engineers' regulatory authority under Section 10 of the Rivers and Harbors Act. Per Clean Water Act (CWA) regulations, waters under Section 10 jurisdiction also fall under the Corps' jurisdiction under Section 404 of the CWA. Our listing of navigable waters under the Corps' regulatory authority within the Detroit District's geographic area can be found at:

<u>http://www.lre.usace.army.mil/Missions/Regulatory-Program-and-Permits</u>. As the work in this case is occurring in a navigable water of the U.S., we do not intend to provide a JD with this permit verification. Our intent to not issue a JD in this instance does not preclude an applicant or other affected party from requesting a PJD or an AJD at any time. As noted above, an AJD would provide an official determination of jurisdictional waters on a site and can be administratively appealed.

This verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to be modified, reissued, or revoked prior to March 18, 2022. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit.

As per 33 CFR 325, Appendix A, representatives from this office are allowed to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of the Nationwide Permit.

Should you have any questions, please contact Lucas Shea at the above address, by E-Mail at Lucas.P.Shea@usace.army.mil, or by telephone at (313) 226-5386. In all communications, please refer to File Number LRE-2018-01015-50-N18.

We are interested in your thoughts and opinions concerning your experience with the Detroit District, Corps of Engineers Regulatory Program. If you are interested in letting us know how we are doing, you can complete an electronic Customer Service Survey from our web site at: <u>http://corpsmapu.usace.army.mil/cm\_apex/f?p=regulatory\_survey</u>. Alternatively, you may contact us and request a paper copy of the survey that you may complete and return to us by mail or fax. Thank you for taking the time to complete the survey, we appreciate your feedback.

Sincerely,

Kerrie E. Kuhne Chief, Permit Evaluation Western Branch Regulatory Office

Enclosures

Copy Furnished

MDEQ, 70-Grand River Waterway Project-Grand Haven John Vigna, (Contractor) Grand Haven Field Office NOAA (via e-mail)

#### A. Nationwide Permit General Conditions:

To qualify for NWP authorization, the permittee must comply with the following general conditions, as appropriate. These conditions are selected from those published in the Federal Register that are particularly relevant to the construction and/or operation of this particular authorized activity. The complete text is available at our website http://www.lre.usace.army.mil/Missions/RegulatoryPro gramandPermits.aspx under "Detroit Regulatory Quick" select "Detroit District General Permit Types" and then choose "Nationwide Permits with Michigan Regional Conditions" OR "Nationwide Permits with Indiana Regional Conditions"; or, you may contact the Detroit District directly for the information. We have done our best to verify that your project complies with the others, where applicable.

1. <u>Navigation</u>. (b) Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States.

(c) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

6. <u>Suitable Material</u>. No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see section 307 of the Clean Water Act).

9. <u>Management of Water Flows</u>. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre- construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

11. <u>Equipment</u>. Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.

12. <u>Soil Erosion and Sediment Controls</u>. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow, or during low tides.

13. <u>Removal of Temporary Fills</u>. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate.

14. <u>Proper Maintenance</u>. Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance with applicable NWP general conditions, as well as any activity-specific conditions added by the district engineer to an NWP authorization.

17. <u>Tribal Rights</u>. No NWP activity may cause more than minimal adverse effects on tribal rights (including treaty rights), protected tribal resources, or tribal lands.

18. Endangered Species. (a) No activity is authorized under any NWP which is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat of such species. No activity is authorized under any NWP which "may affect" a listed species or critical habitat, unless ESA section 7 consultation addressing the effects of the proposed activity has been completed. Direct effects are the immediate effects on listed species and critical habitat caused by the NWP activity. Indirect effects are those effects on listed species and critical habitat that are caused by the NWP activity and are later in time, but still are reasonably certain to occur.

(e) Authorization of an activity by an NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the FWS or the NMFS, the Endangered Species Act prohibits any person subject to the jurisdiction of the United States to take a listed species, where "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The word "harm" in the definition of "take" means an act which actually kills or injures wildlife. Such an act may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.

19. <u>Migratory Birds and Bald and Golden Eagles</u>. The permittee is responsible for ensuring their action complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting appropriate local office of the U.S. Fish and Wildlife Service to determine applicable measures to reduce impacts to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity.

20. Historic Properties. (e) Prospective permittees should be aware that section 110k of the NHPA (54 U.S.C. 306113) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/ THPO, appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

21. <u>Discovery of Previously Unknown Remains and</u> <u>Artifacts</u>. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

29. <u>Transfer of Nationwide Permit Verifications</u>. If the permittee sells the property associated with a nationwide permit verification, the permittee may transfer the nationwide permit verification to the new owner by submitting a letter to the appropriate Corps district office to validate the transfer. A copy of the nationwide permit verification must be attached to the letter, and the letter must contain the following statement and signature:

When the structures or work authorized by this nationwide permit are still in existence at the time the property is transferred, the terms and conditions of this nationwide permit, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this nationwide permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

#### (Transferee)

(Date)

30. <u>Compliance Certification</u>. Each permittee who receives an NWP verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. The success of any required permittee-responsible mitigation, including the achievement of ecological performance standards, will be addressed separately by the district engineer. The Corps will provide the permittee the certification document with the NWP verification letter. The certification document will include:

(a) A statement that the authorized activity was done in accordance with the NWP authorization, including any general, regional, or activity-specific conditions;

(b) A statement that the implementation of any required compensatory mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(I)(3) to confirm that the permittee secured the appropriate number and resource type of credits; and

(c) The signature of the permittee certifying the completion of the activity and mitigation. The completed certification document must be submitted to the district engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.

### **B.** Further Information

1. District Engineers have authority to determine if an activity complies with the terms and conditions of an NWP.

2. NWPs do not obviate the need to obtain other federal, state, or local permits, approvals, or authorizations required by law.

3. NWPs do not grant any property rights or exclusive privileges.

4. NWPs do not authorize any injury to the property or rights of others.

5. NWPs do not authorize interference with any existing or proposed Federal project.

## NATIONWIDE PERMIT COMPLETION REPORT

CELRE-ERW

Chief, Compliance and Enforcement Branch Regulatory Office U.S. Army Corps of Engineers 477 Michigan Avenue Room 603 Detroit, MI 48226-2550

Dear Sir:

You are hereby notified that work verified as qualifying for Nationwide Permit 6 under File No. LRE-2018-01015-50-N18 to conduct soil borings in the Grand River, near Grand Rapids, Ottawa and Kent Counties, Michigan, issued to MDNR was completed in accordance with the verification on:

(Date work completed)

(Permittee's Signature)

## <u>I M P O R T A N T</u>

1. This <u>COMPLETION REPORT MUST BE MAILED</u> to the above addressee within <u>10</u> <u>days after completion of work</u> covered by the NATIONWIDE PERMIT to insure an accurate Government record of data affecting navigation.

2. Where dredging soundings are made of projects which include dredging, a copy of the soundings should accompany this report. If the soundings are measured from the water surface and have not been corrected to International Great Lakes Datum plane, the hour and date soundings was made should be noted on sounding reports.

## Grand River Waterway – Dredge Sampling Plan 11-8-18

The borings will be installed and samples collected and analyzed in accordance with MDEQ policy and procedure WRD-048 (Sediment Testing for Dredging Projects) as follows:

1-Obtain sediment sample for sieve analysis at each soil boring location. If 90% or more of the material is retained on a No. 200 sieve, on average across each station range identified on Table 2 attached to this application, then no further analysis will be performed on samples collected from the dredge area(s) within that station range.

2-Obtain sediment sample for analysis at each soil boring location. If the dredge area does not meet the sieve analysis exemptions, then the following default parameters will be analyzed:

Heavy metals (nine total): As, Cd, Cr, Cu, Pb, Hg, Ni, Se, and Zn PAH's (Table 1 list found in WRD-048 guidance) BOD

Additional specific sediment sampling locations and requirements are outlined below:

PFAS analysis: Dredge Areas 20 – 34 (Between Stations 910+00 and 1478+00)

20% of samples to be collected

33 samples total - randomly select 7 samples for PFAS analysis

Pesticide analysis (list attached): Dredge Areas 2 – 23 (Between Stations 424+00 and 1072+00) 10% of samples to be collected

60 samples total - randomly select 6 samples for pesticide analysis

Biased sediment sampling locations are proposed as follows:

Site name	Dredge Area	Analytical parameters
1- Former Wealthy Street MGP	34	VOCs, PAHs, metals, ammonia, cyanide
2- 449 Market Avenue SW	34 (south of Wealthy St)	Aluminum
3- Former Koch Materials Co	33	VOCs, PAHs, arsenic
4- 851 Freeman Avenue SW and 1040 Market Avenue SW	32	VOCs, PAHs, metals, PFAS
5-Plaster Creek Outlet	32	VOCs, PAHs, metals, PFAS
6- Former Butterworth Landfill #2	31	VOCs, PAHs, metals, ammonia, 4-4'-DDT, PFAS
7- Former Grandville Dump	24	VOCs, PAHs, metals, PFAS
8-Former Fenske Landfill	23	VOCs, PAHs, metals, PFAS

A total of 87 samples is proposed. The number of samples proposed per dredge area is attached. The designated number of samples will be collected from random locations within each dredge area.

## Grand River Waterway – Dredge Sampling Plan 11-8-18

The number and location of proposed borings is designed to more than adequately characterize the dredge material. We would like to reserve the right to discuss a less rigorous sampling plan (ie number of samples), if at all possible.

## **Pesticide Analytical Parameters**

	Water	Sediment/Soil	Water	Sediment/Soil
	Reporting	Reporting Limits ( ug/Kg	Containers	Containers
	Limits ( ug/L )	)	& Hold Times	& Hold Times
Method	8081	8081		
Aldrin	0.01	20	2 - 1000mL glass	1 - 8 ounce glass
a-BHC	0.02	10	amber bottles	14 days HT
b-BHC	0.02	20	7 days HT	н
d-BHC	0.02	20	н	н
g-BHC (lindane)	0.02	20	н	н
BP-6 (PBB)	0.05	250	н	п
a-Chlordane	0.01	20	п	п
g-Chlordane	0.01	20	н	n
4,4'-DDD	0.02	20	н	"
4,4'-DDE	0.02	20	н	n
2,4'-DDT	0.01	20	н	n
4,4'-DDT	0.02	20	п	н
Dieldrin	0.02	20	п	п
Endosulfan I	0.02	20	н	п
Endosulfan II	0.03	20	н	п
Endosulfan Sulfate	0.05	20	н	п
Endrin	0.02	20	н	п
Endrin Aldehyde	0.02	20	н	п
Endrin Ketone	0.02	20	н	п
Heptachlor	0.01	20	н	н
Heptachlor epoxide	0.01	20	н	н
Hexabromobenzene	0.02	100	н	н
Methoxychlor	0.05	50	н	"
Mirex	0.02	50	н	н
Toxaphene	0.1	170	Ш	н

Average Water Level - 7' Proposed Dredge Areas				
Approx. Dredge Area Center Number of			Number of	
Dredge Area	Station	Latitude	Longitude	Soil Borings
1	256+00	N43° 00' 26.94"	W85° 59' 38.21"	1
2	446+00	N43° 00' 17.50"	W85° 55' 44.67"	5
3	468+50	N43° 00' 07.25"	W85° 55' 17.88"	2
4	475+50	N43° 00' 06.03"	W85° 55' 08.62"	1
5	502+00	N43° 00' 06.73"	W85° 54' 33.25"	5
6	522+00	N43° 00' 13.57"	W85° 54' 08.09"	2
7	573+00	N42° 59' 47.29"	W85° 53' 17.87"	5
8	596+00	N42° 59' 29.56"	W85° 52' 58.53"	5
9	645+00	N42° 58' 48.59"	W85° 52' 31.73"	2
10	668+50	N42° 58' 25.93"	W85° 52' 33.76"	1
11	690+00	N42° 58' 04.22"	W85° 52' 34.96"	3
12	707+50	N42° 57' 46.95"	W85° 52' 35.34"	3
13	751+00	N42° 57' 06.38"	W85° 52' 22.03"	5
14	819+00	N42° 56' 42.61"	W85° 51' 01.29"	6
15	850+75	N42° 56' 38.11"	W85° 50' 19.18"	1
16	863+00	N42° 56' 38.94"	W85° 50' 03.46"	2
17	871+00	N42° 56' 42.33"	W85° 49' 53.84"	1
18	879+00	N42° 56' 44.04"	W85° 49' 43.34"	1
19	895+00	N42° 56' 49.21"	W85° 49' 23.01"	3
20	949+00	N42° 56' 36.20"	W85° 48' 20.40"	3
21	1015+00	N42° 55' 39.03"	W85° 48' 05.59"	1
22	1029+00	N42° 55' 26.68"	W85° 47' 57.24"	2
23	1066+00	N42° 54' 56.09"	W85° 47' 30.27"	1
24	1150+50	N42° 55' 00.98"	W85° 45' 56.76"	5
25	1208+00	N42° 55' 46.38"	W85° 45' 25.69"	2
26	1222+00	N42° 55' 50.58"	W85° 45' 07.79"	2
27	1264+00	N42° 55' 56.17"	W85° 44' 13.92"	1
28	1287+50	N42° 56' 09.79"	W85° 43' 48.63"	2
29	1309+15	N42° 56' 15.41"	W85° 43' 20.65"	1
30	1343+25	N42° 56' 41.06"	W85° 42' 51.80"	1
31	1363+50	N42° 56' 53.44"	W85° 42' 31.28"	2
32	1385+00	N42° 56' 57.00"	W85° 42' 02.80"	2
33	1400+00	N42° 57' 00.04"	W85° 41' 43.08"	6
34	1455+00	N42° 57' 33.17"	W85° 40' 46.97"	2

Notes:

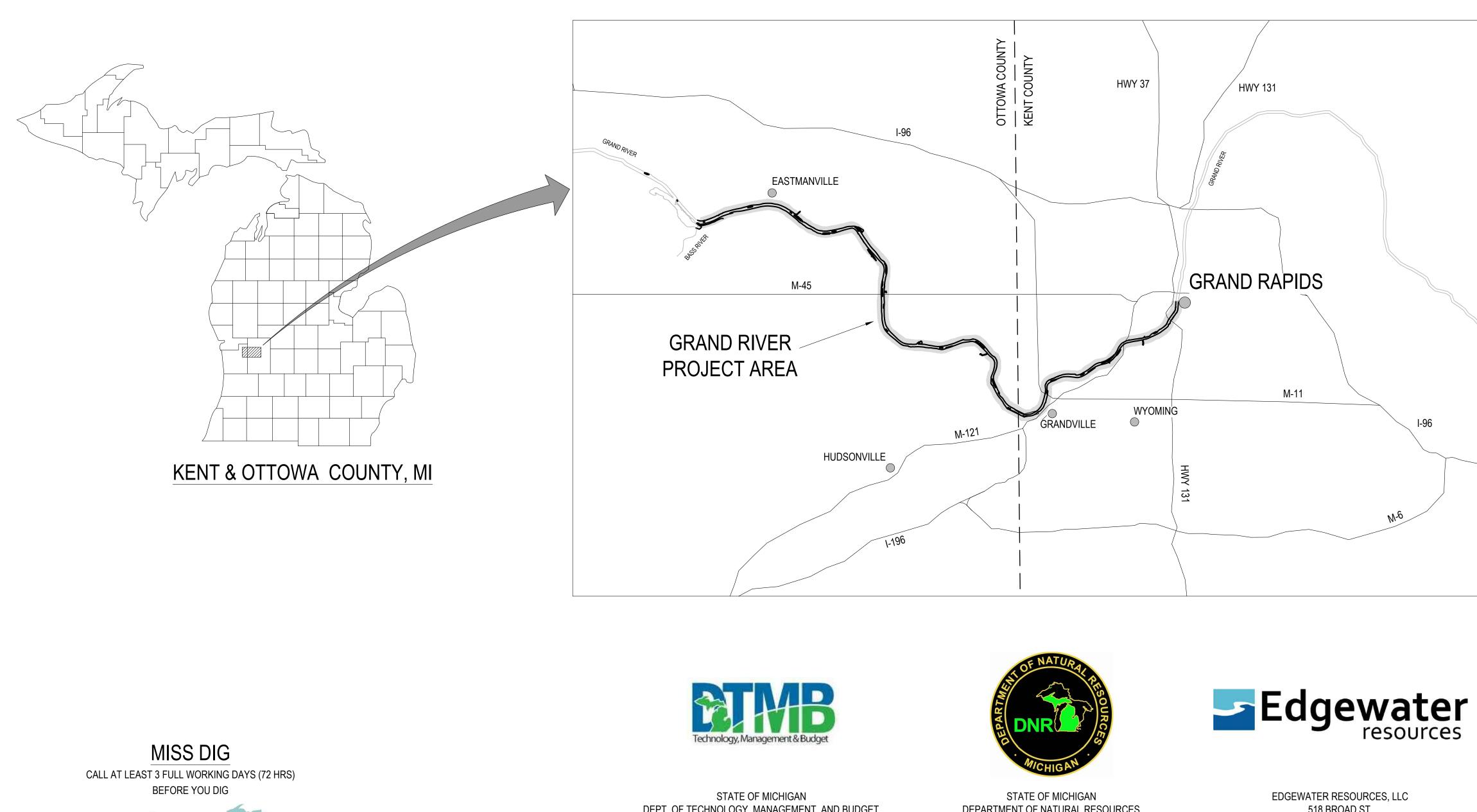
87 total

1.) Stationing and centerpoints are approximations for sediment testing locations only and are not intended for construction layout.

2.) Proposed dredge areas were calculated at a depth of AWL-7'. Average

Water Level (AWL) is calculated during boating season only (May - October).





DEPT. OF TECHNOLOGY, MANAGEMENT, AND BUDGET FACILITIES AND BUSINESS ADMINISTRATION DESIGN AND CONSTRUCTION DIVISION DAVID B. BEHEN, DIRECTOR

# STATE OF MICHIGAN DEPARTMENT OF NATURAL RESOURCES **GRAND RIVER WATERWAY STUDY** FINAL SURVEY DRAWINGS

FILE #: 751/16038 BDW INDEX #: 50900

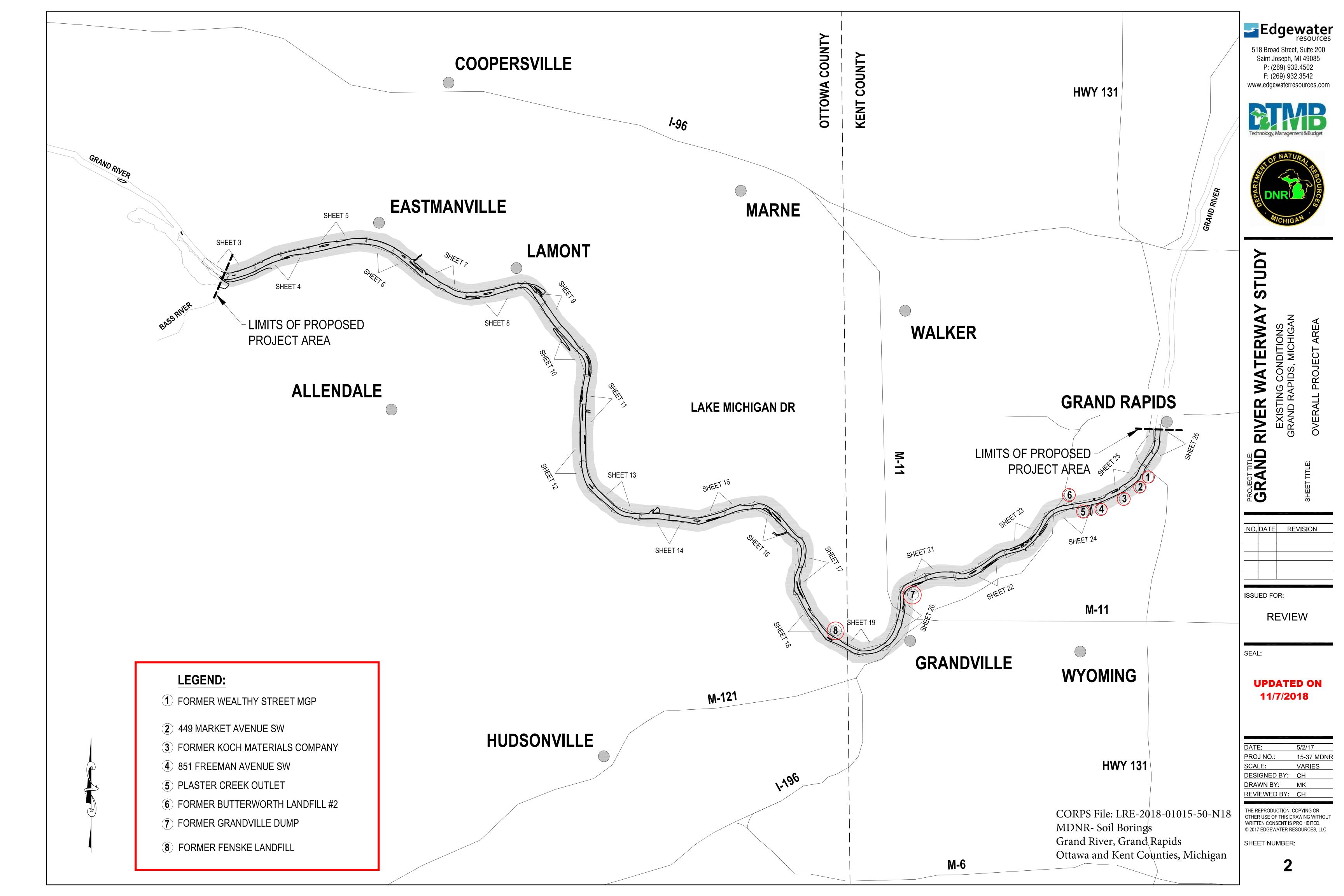
> DEPARTMENT OF NATURAL RESOURCES KEITH CREAGH, DIRECTOR

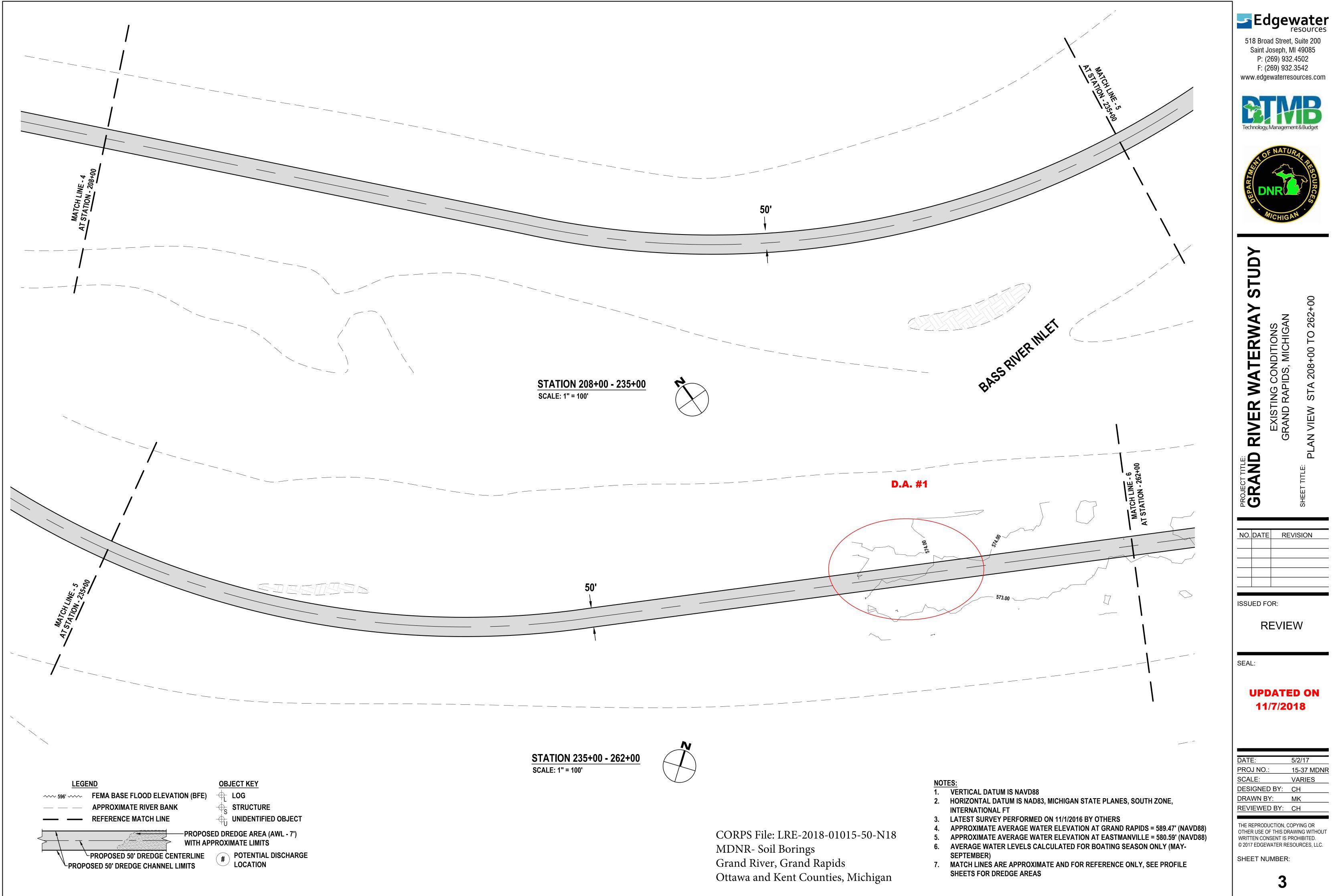
518 BROAD ST. ST. JOSEPH, MI 49085

## **UPDATED ON 11/7/18**

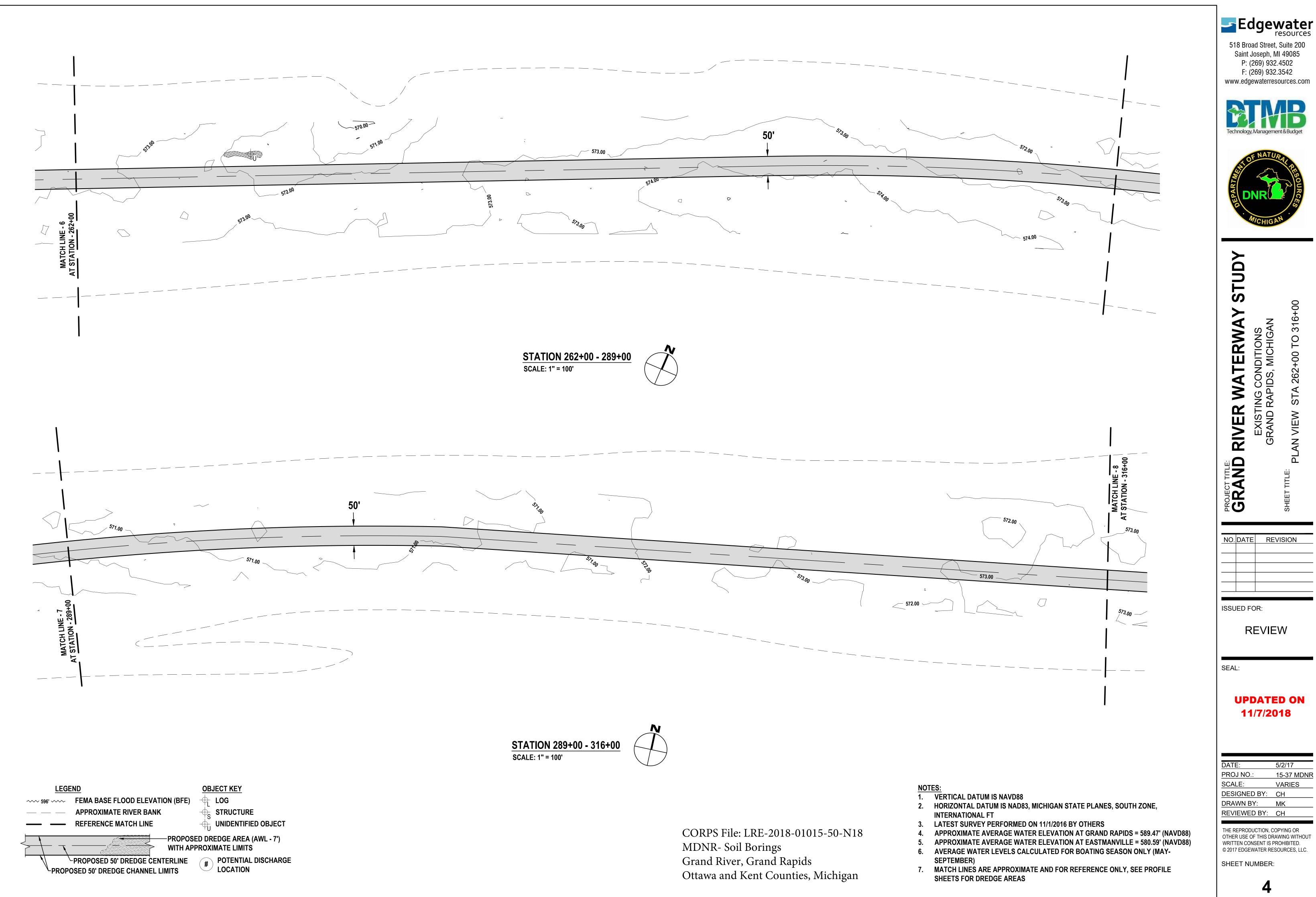
## **PROPOSED DREDGE AREAS SHOWN IN RED (D.A. #)**

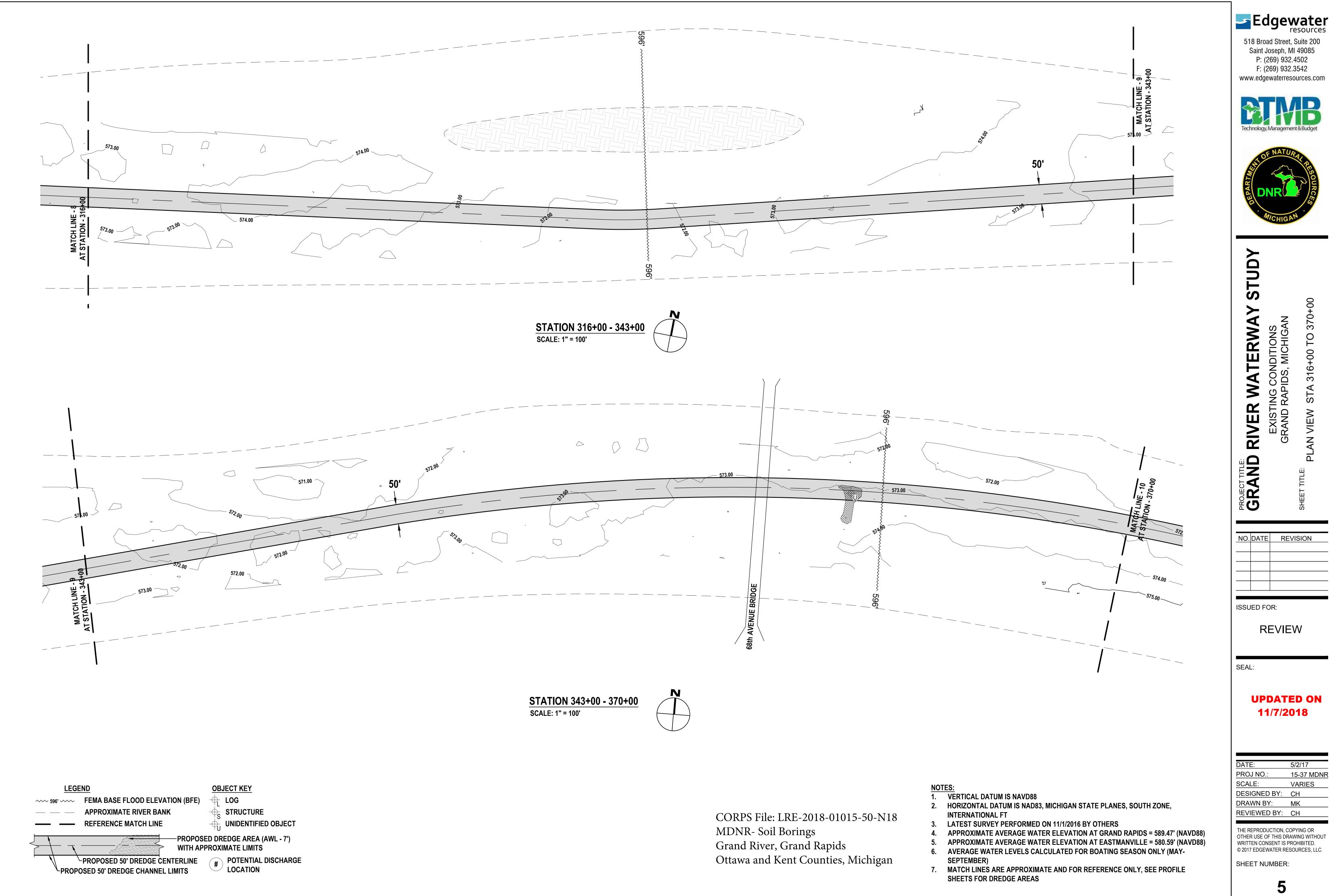
	Sheet List Table		
Sheet Number	Sheet Title		
1	COVER SHEET		
2	PROJECT AREA		
3	PLAN VIEW STA 208+00 TO 262+00		
4	PLAN VIEW STA 262+00 TO 316+00		
5	PLAN VIEW STA 316+00 TO 370+00		
6	PLAN VIEW STA 370+00 TO 424+00		
7	PLAN VIEW STA 424+00 TO 478+00		
8	PLAN VIEW STA 478+00 TO 532+00		
9	PLAN VIEW STA 532+00 TO 586+00		
10	PLAN VIEW STA 586+00 TO 640+00		
11	PLAN VIEW STA 640+00 TO 694+00		
12	PLAN VIEW STA 694+00 TO 748+00		
13	PLAN VIEW STA 748+00 TO 802+00		
14	PLAN VIEW STA 802+00 TO 856+00		
15	PLAN VIEW STA 856+00 TO 910+00		
16	PLAN VIEW STA 910+00 TO 964+00		
17	PLAN VIEW STA 964+00 TO 1018+00		
18	PLAN VIEW STA 1018+00 TO 1072+00		
19	PLAN VIEW STA 1072+00 TO 1126+00		
20	PLAN VIEW STA 1126+00 TO 1180+00		
21	PLAN VIEW STA 1180+00 TO 1234+00		
22	PLAN VIEW STA 1234+00 TO 1288+00		
23	PLAN VIEW STA 1288+00 TO 1342+00		
24	PLAN VIEW STA 1342+00 TO 1396+00		
25	PLAN VIEW STA 1396+00 TO 1450+00		
26	PLAN VIEW STA 1450+00 TO 1478+80		
27	PROFILE VIEW STA 254 - 421		
28	PROFILE VIEW STA 421 - 589		
29	PROFILE VIEW STA 589 - 757		
30	PROFILE VIEW STA 757 - 925		
31	PROFILE VIEW STA 925 - 1093		
32	PROFILE VIEW STA 1093 - 1261		
33	PROFILE VIEW STA 1261 - 1429		
34	PROFILE VIEW STA 1429 - 1472		
35	CROSS SECTION SAMPLE AWL- 6'		
36	GAUGE STATION DATA		

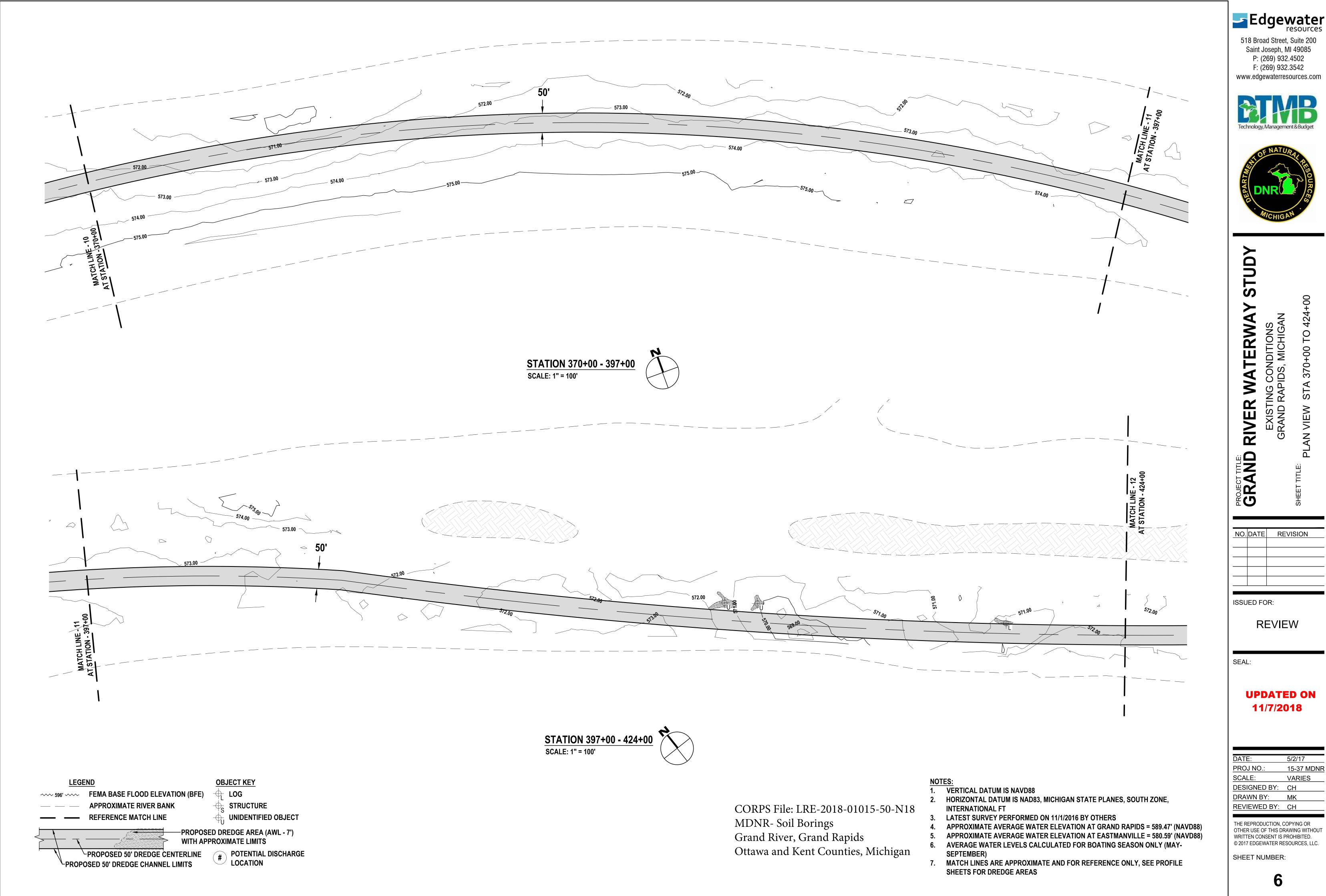




DATE:	5/2/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	MK
REVIEWED BY:	СН







## STUDY 00 **RIVER WATERWAY** 370+00 TO 424 CONDITIONS DS, MICHIGA STA EXISTI RAND | N VIEW Ċ **GRA** NO. DATE REVISION ISSUED FOR: REVIEW SEAL:

518 Broad Street, Suite 200 Saint Joseph, MI 49085

P: (269) 932.4502 F: (269) 932.3542

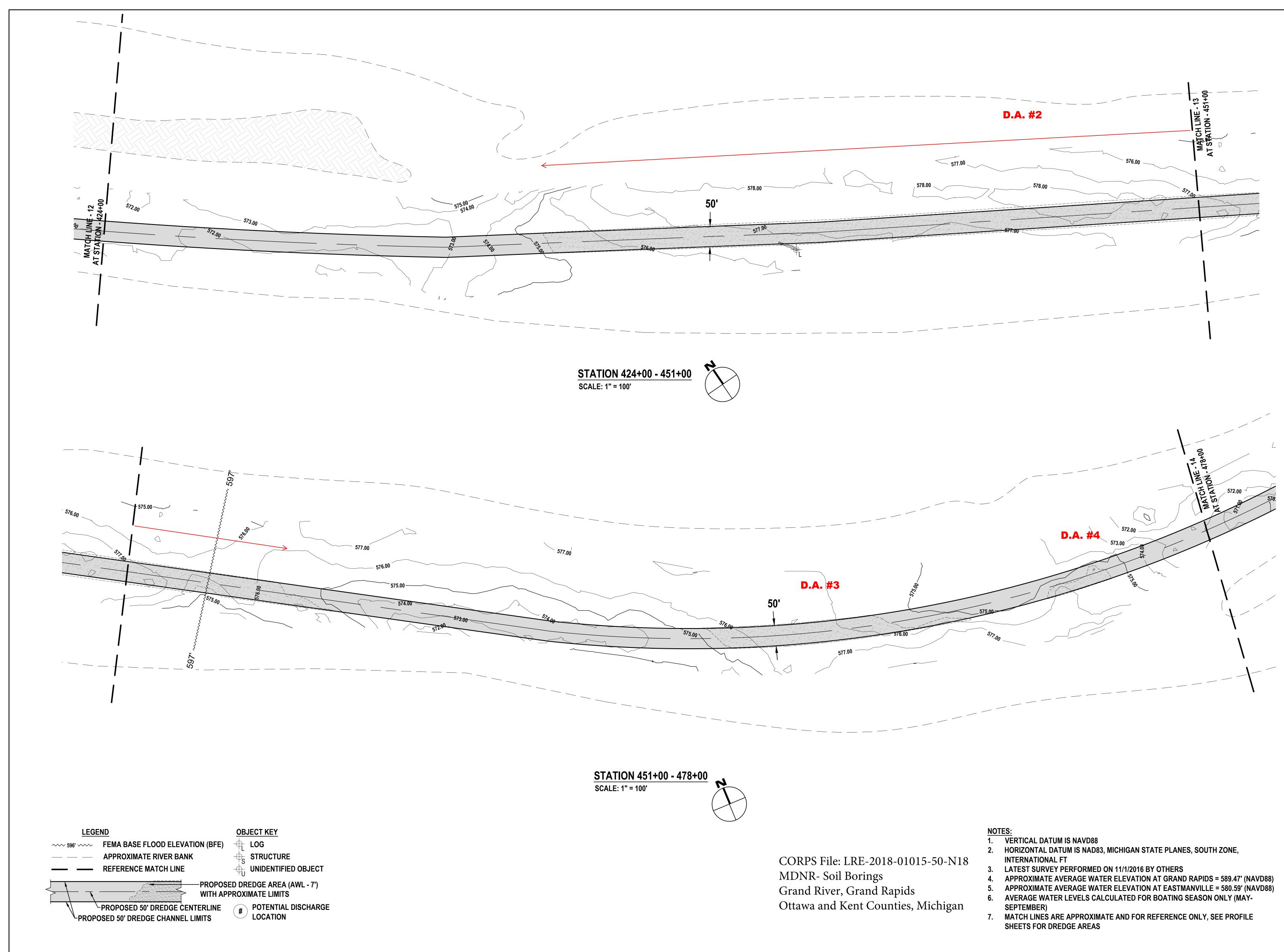
# 11/7/2018

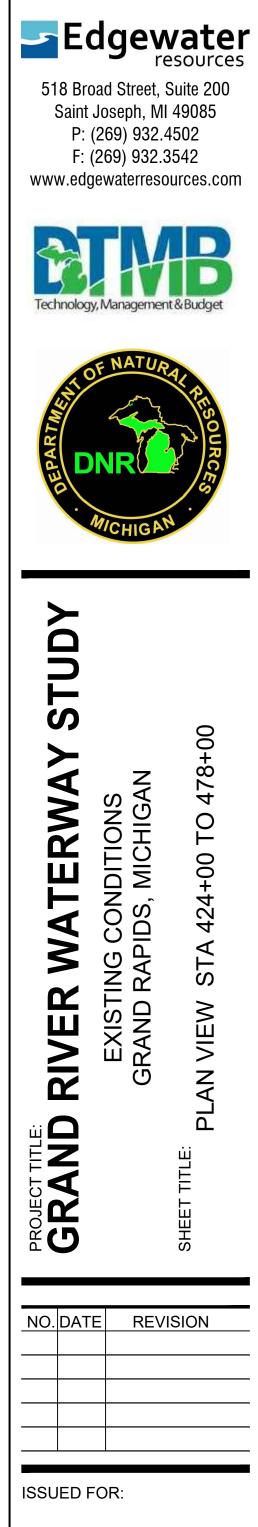
UPDATED ON

DATE:	5/2/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	MK
REVIEWED BY:	СН

THE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED. © 2017 EDGEWATER RESOURCES, LLC.







REVIEW

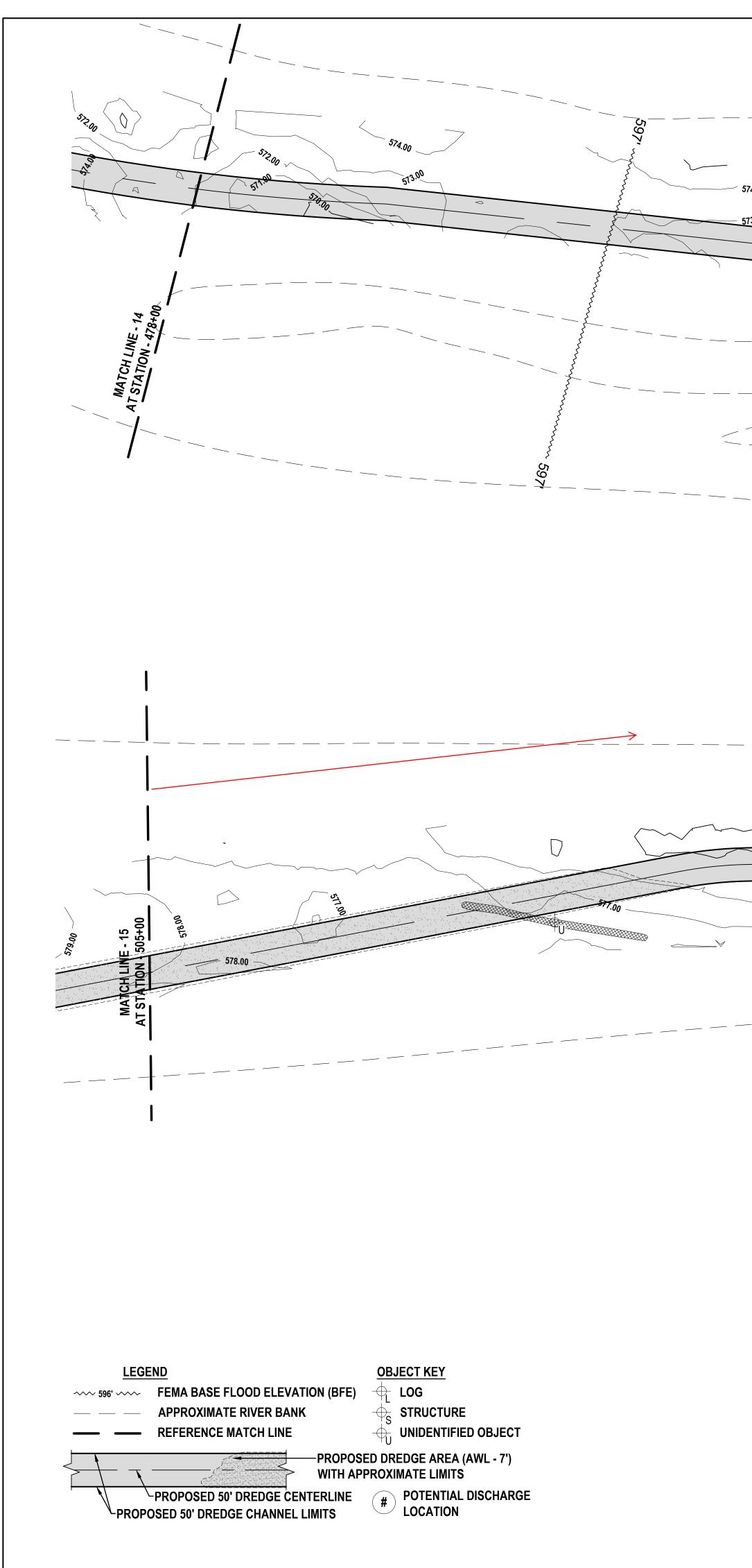
SEAL:

## **UPDATED ON** 11/7/2018

DATE:	9/7/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	MK
<b>REVIEWED BY:</b>	СН

THE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED. © 2017 EDGEWATER RESOURCES, LLC.

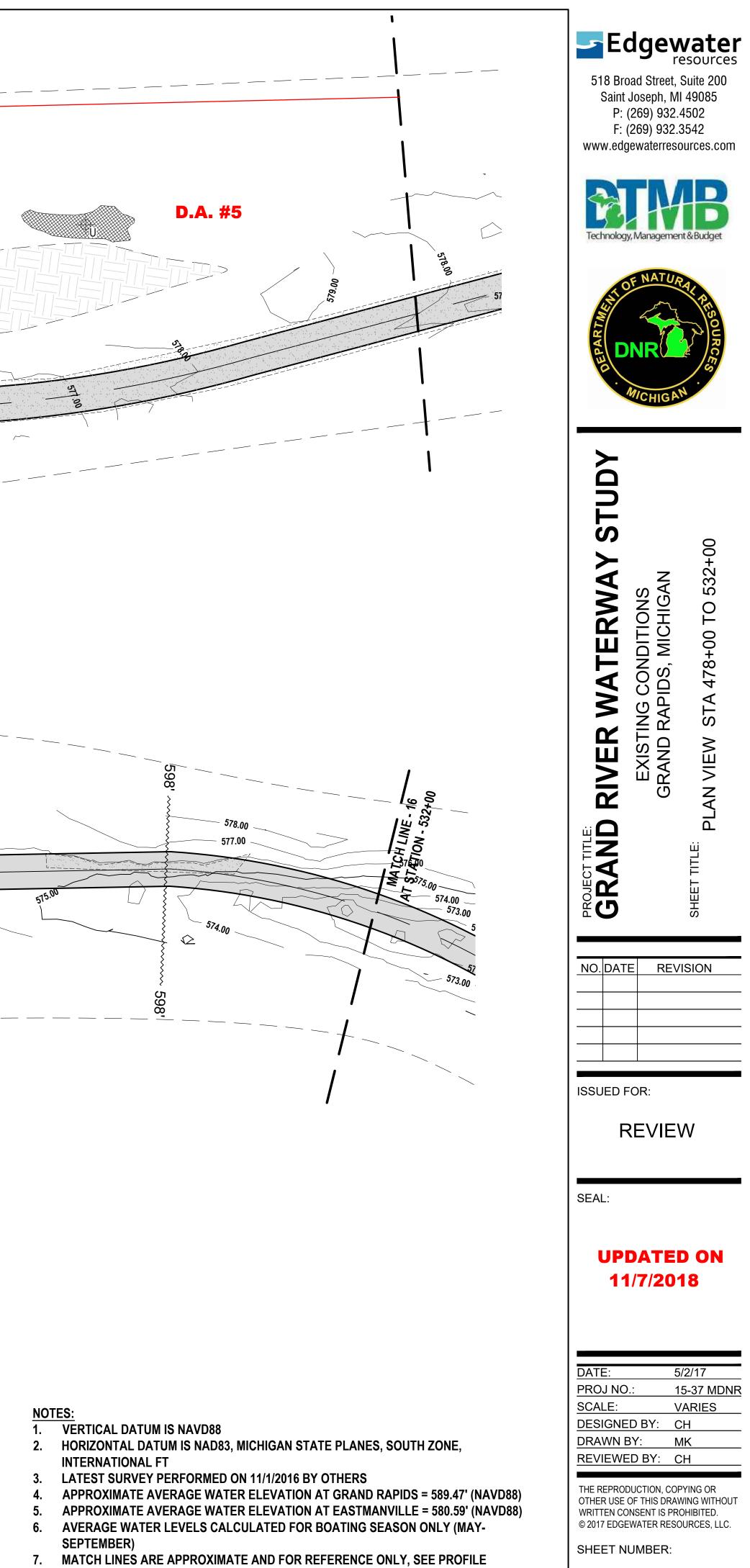




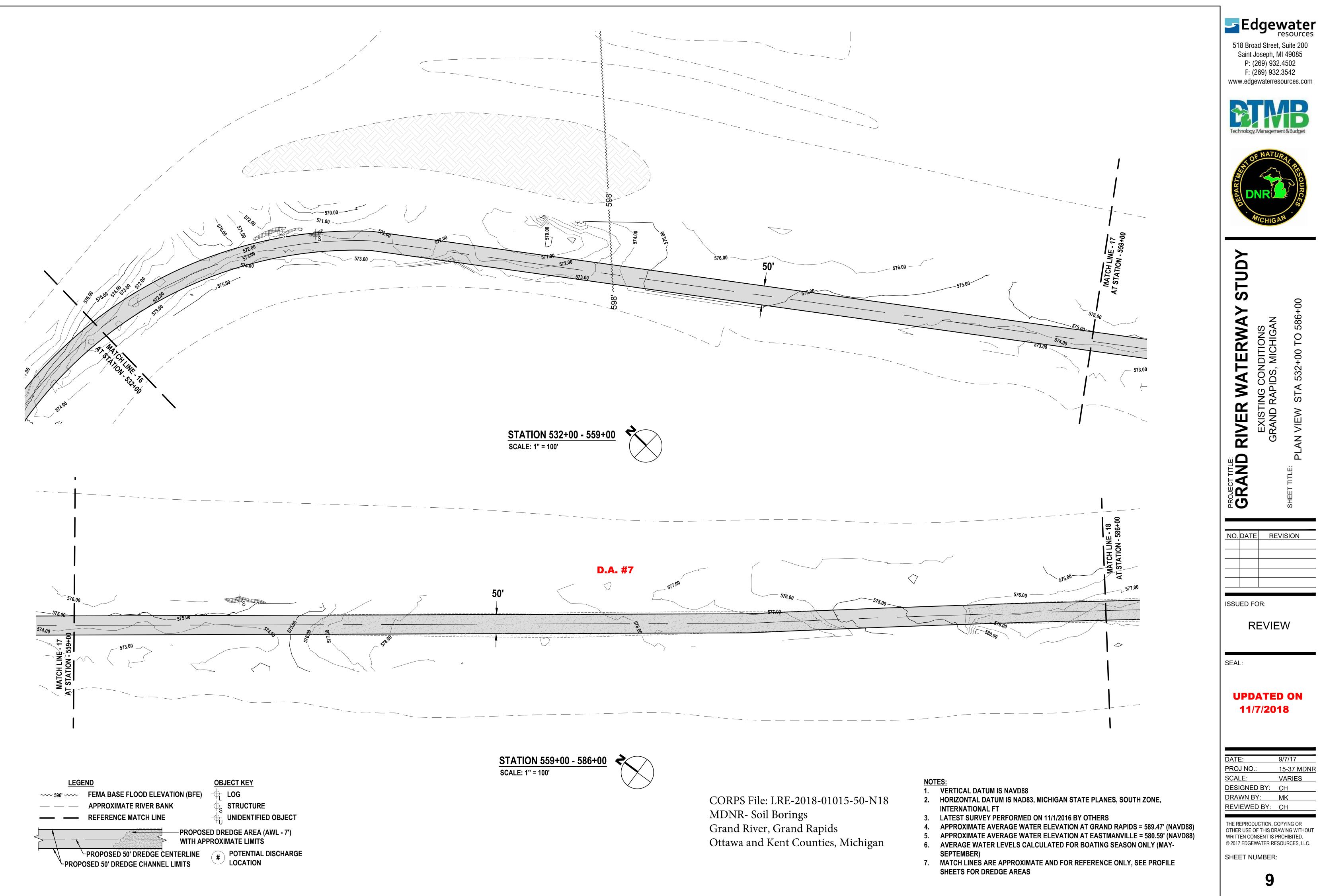
578.00  $\leq \geq$ STATION 478+00 - 505+00 SCALE: 1" = 100' **D.A. #6** 576.00 

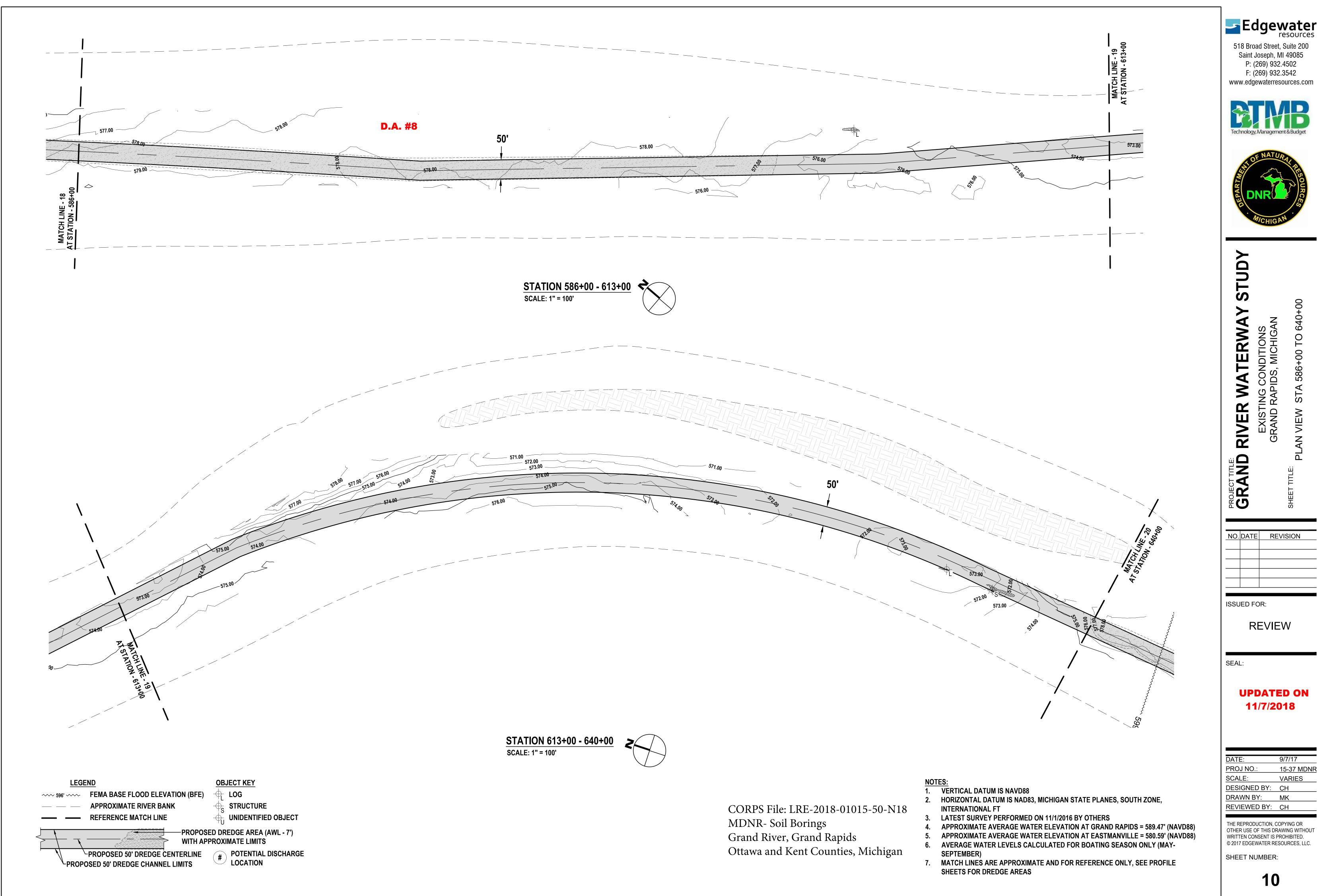
STATION 505+00 - 532+00	$\langle$
SCALE: 1" = 100'	$\left( \right)$

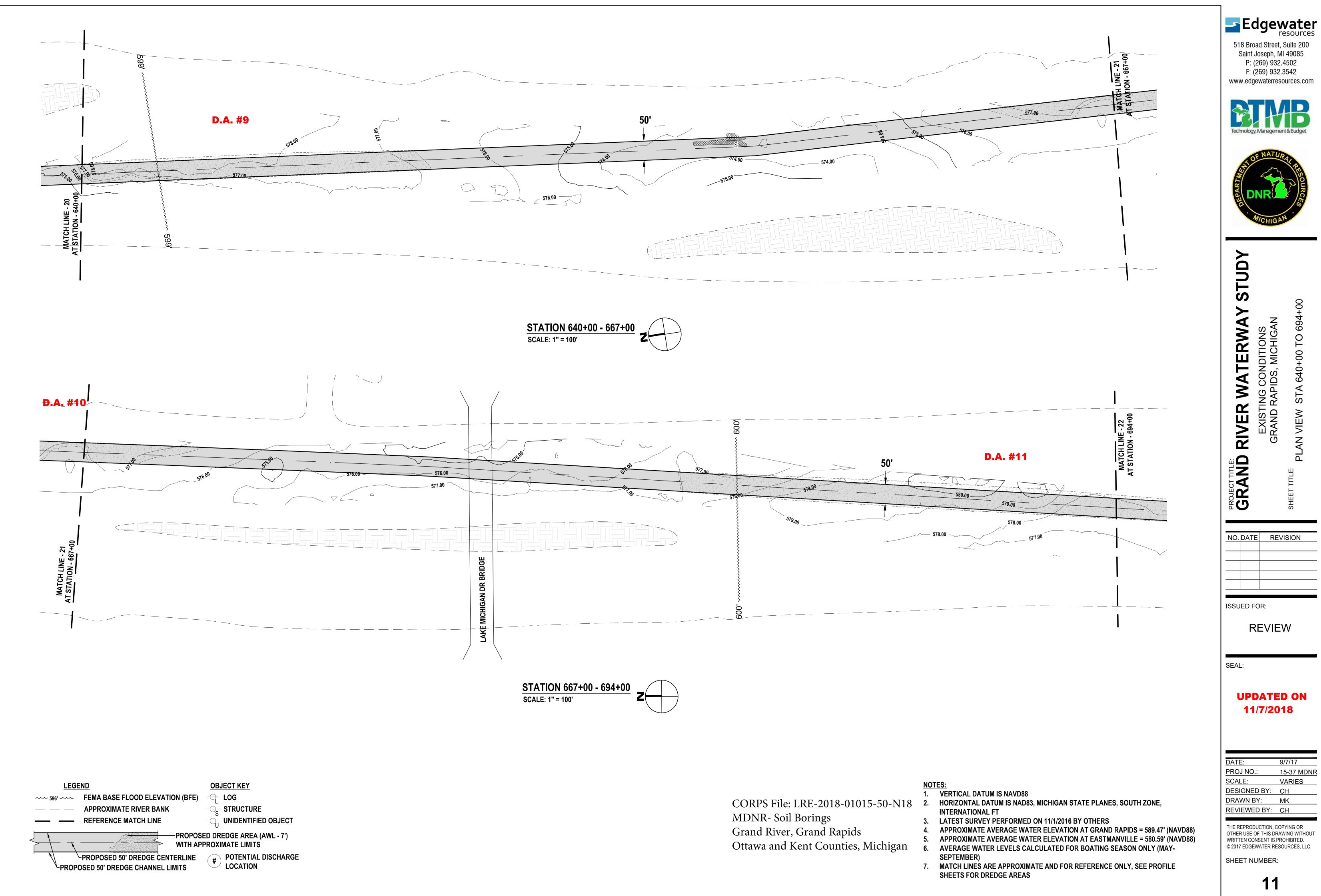
CORPS File: LRE-2018-01015-50-N18 MDNR- Soil Borings Grand River, Grand Rapids Ottawa and Kent Counties, Michigan



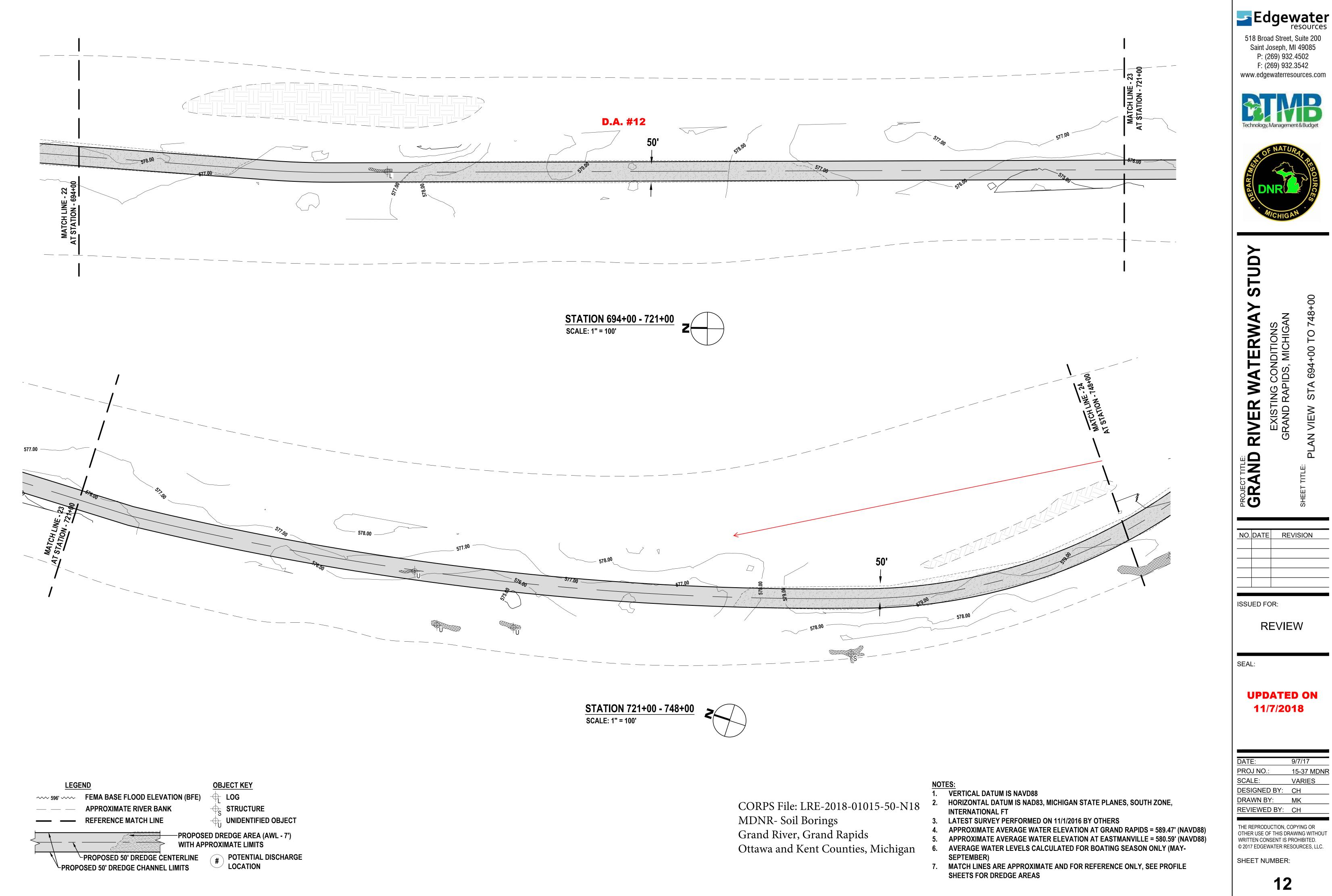
MATCH LINES ARE APPROXIMATE AND FOR REFERENCE ONLY, SEE PROFIL SHEETS FOR DREDGE AREAS

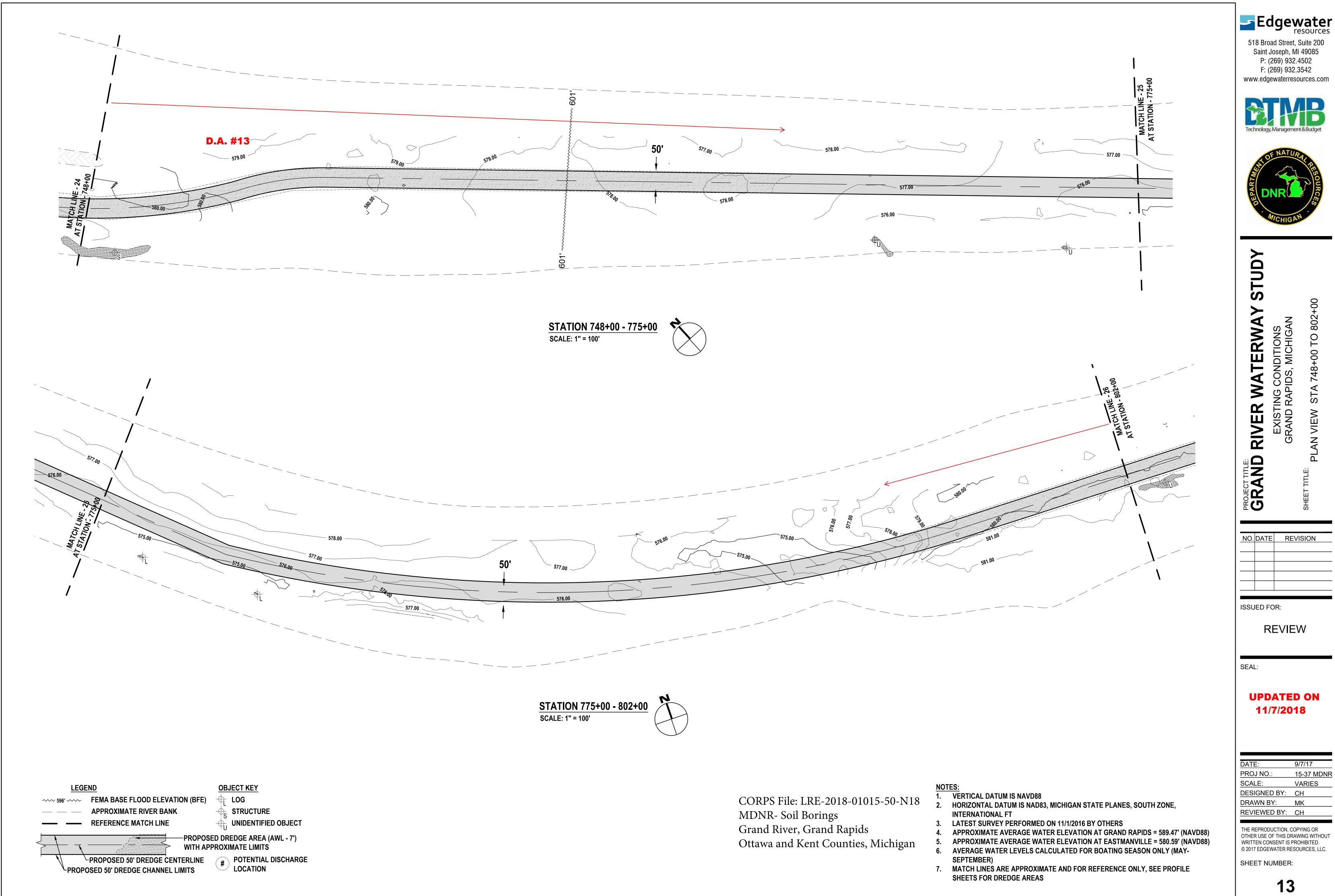






1	

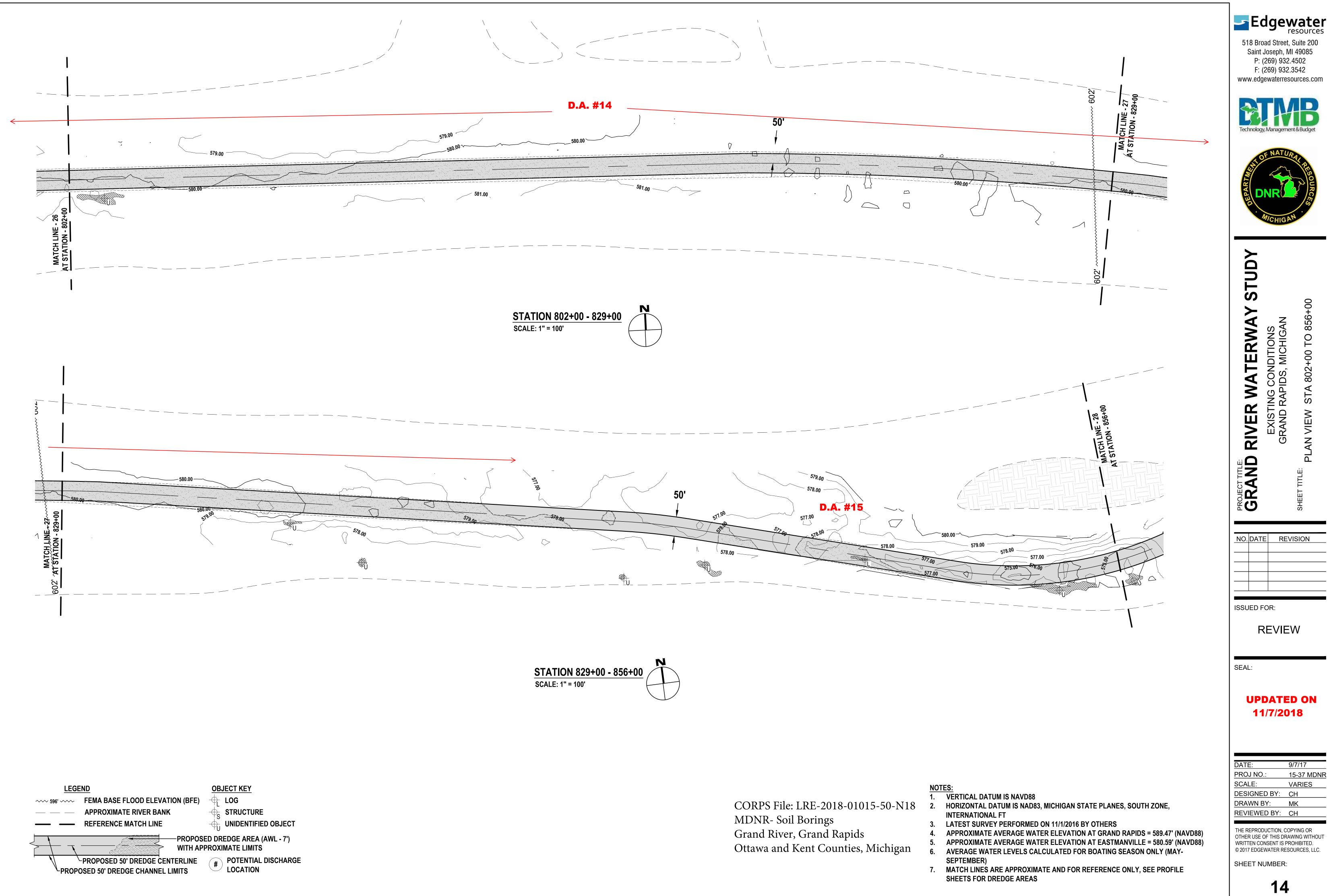




B

STA 748+00 TO 802

N VIEW



# www.edgewaterresources.com STUDY 8 **RIVER WATERWAY** CONDITIONS DS, MICHIGAN STA 802+00 TO 856 EXISTING CO RAND RAPIDS N VIEW **GRA** NO. DATE REVISION ISSUED FOR: REVIEW

Saint Joseph, MI 49085 P: (269) 932.4502 F: (269) 932.3542

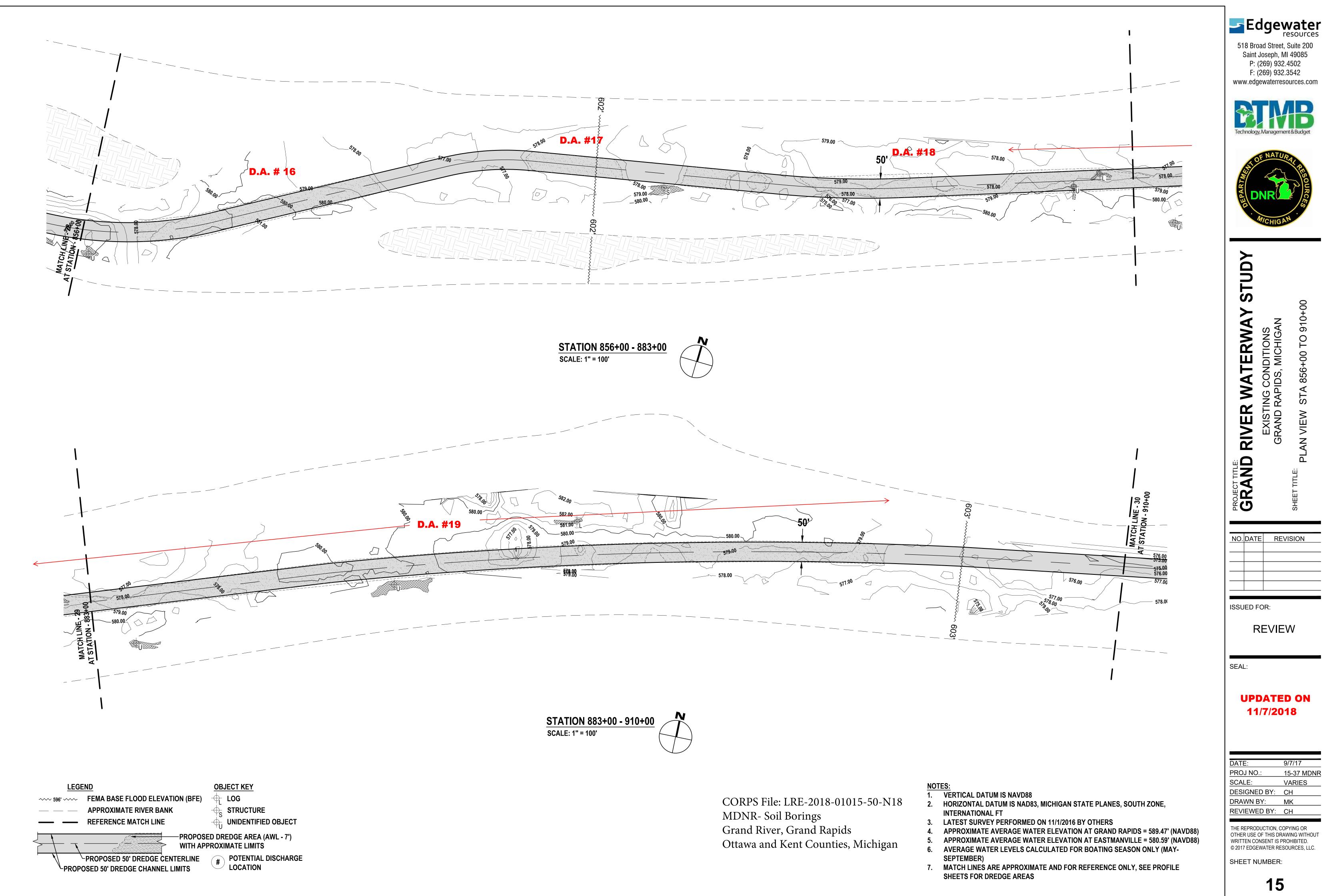
SEAL:

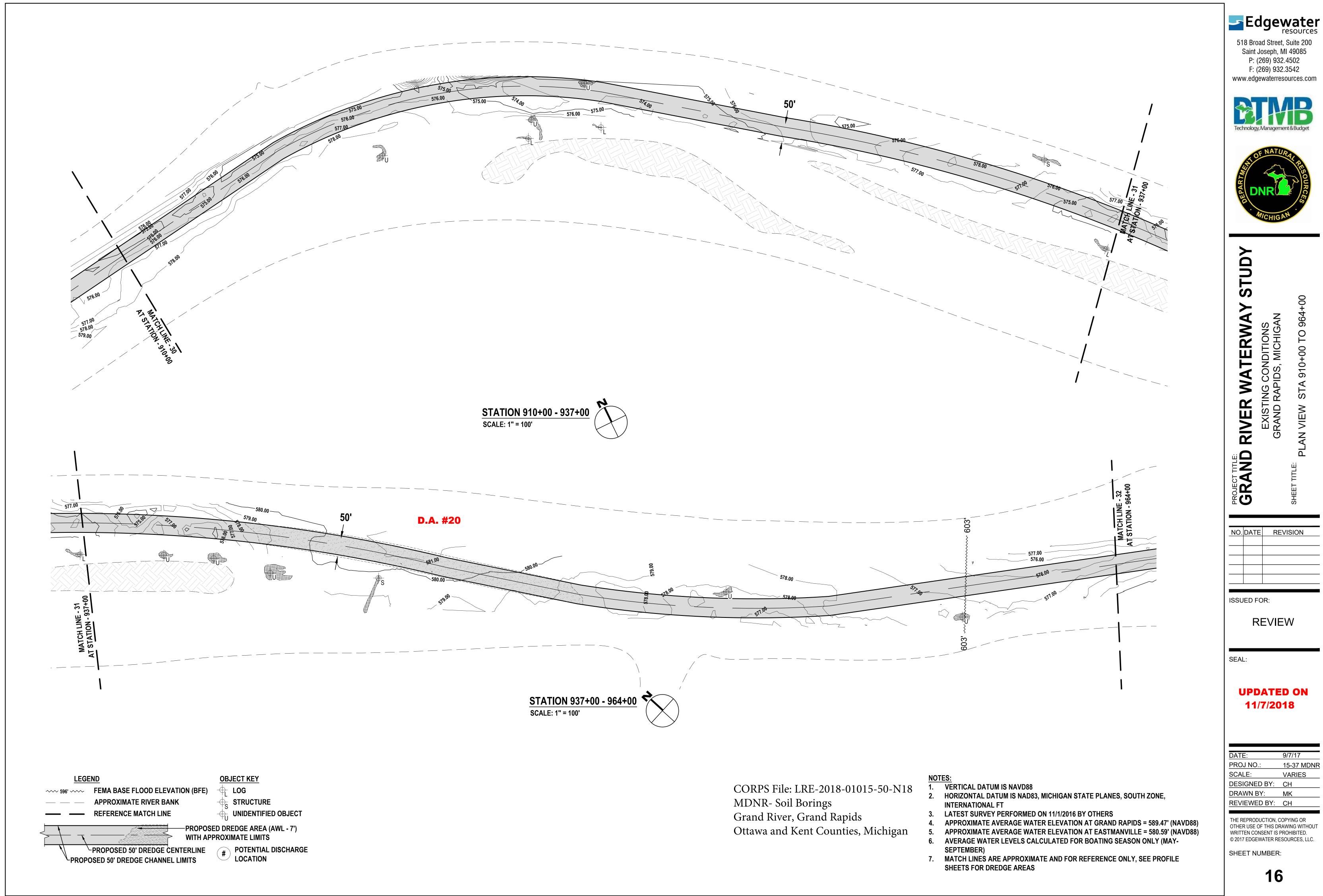
## UPDATED ON 11/7/2018

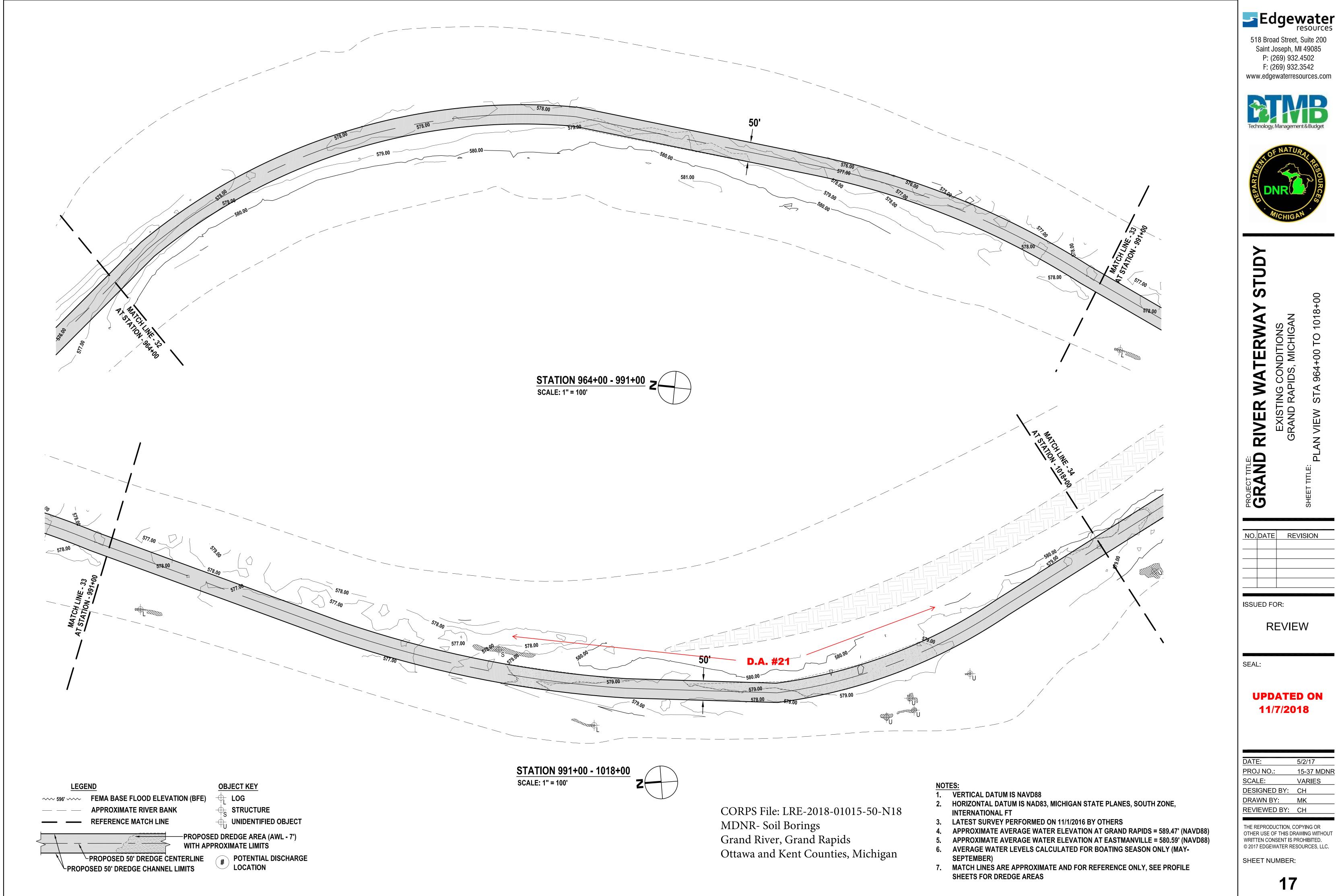
DATE:	9/7/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	MK
<b>REVIEWED BY:</b>	СН

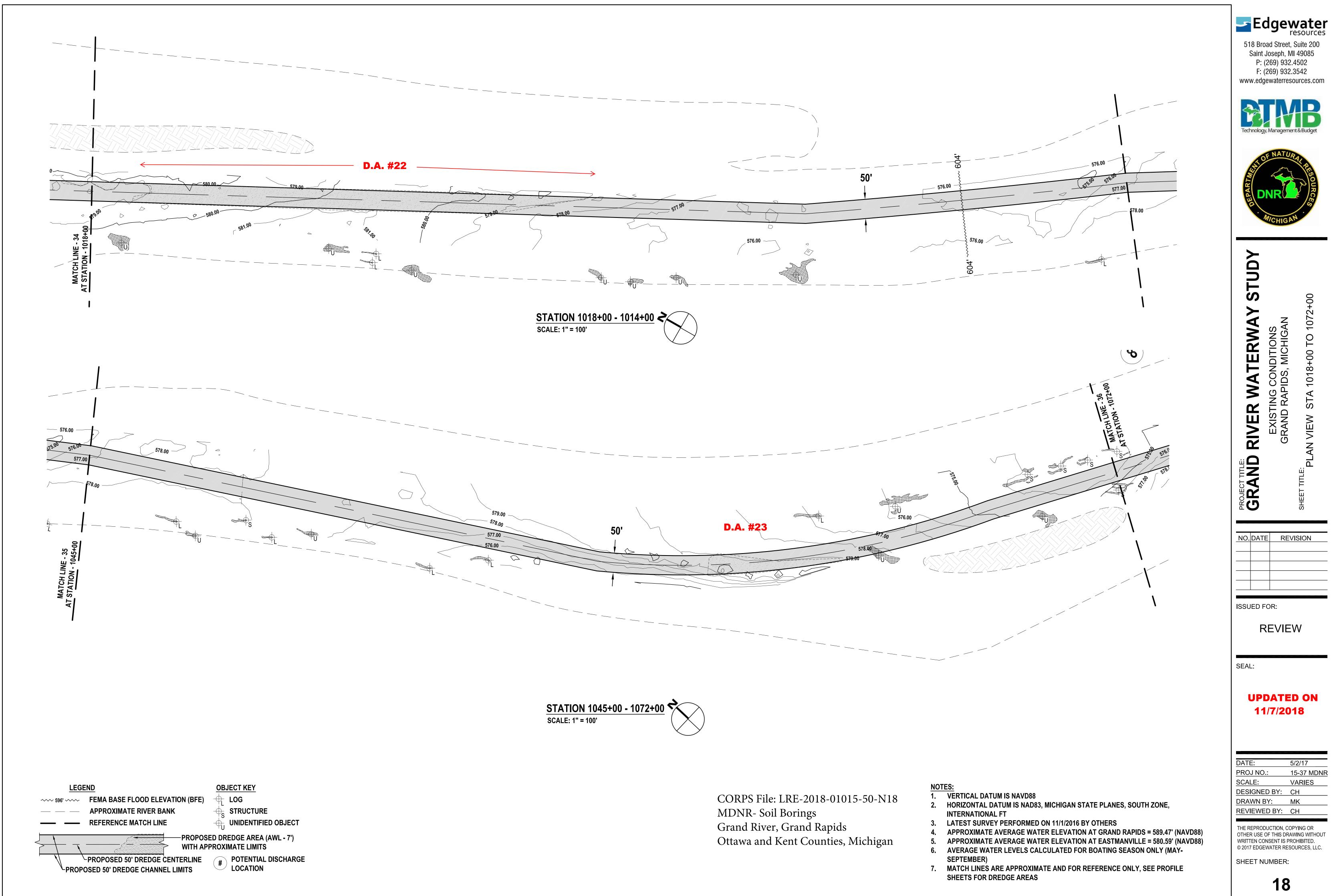
THE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED. © 2017 EDGEWATER RESOURCES, LLC.







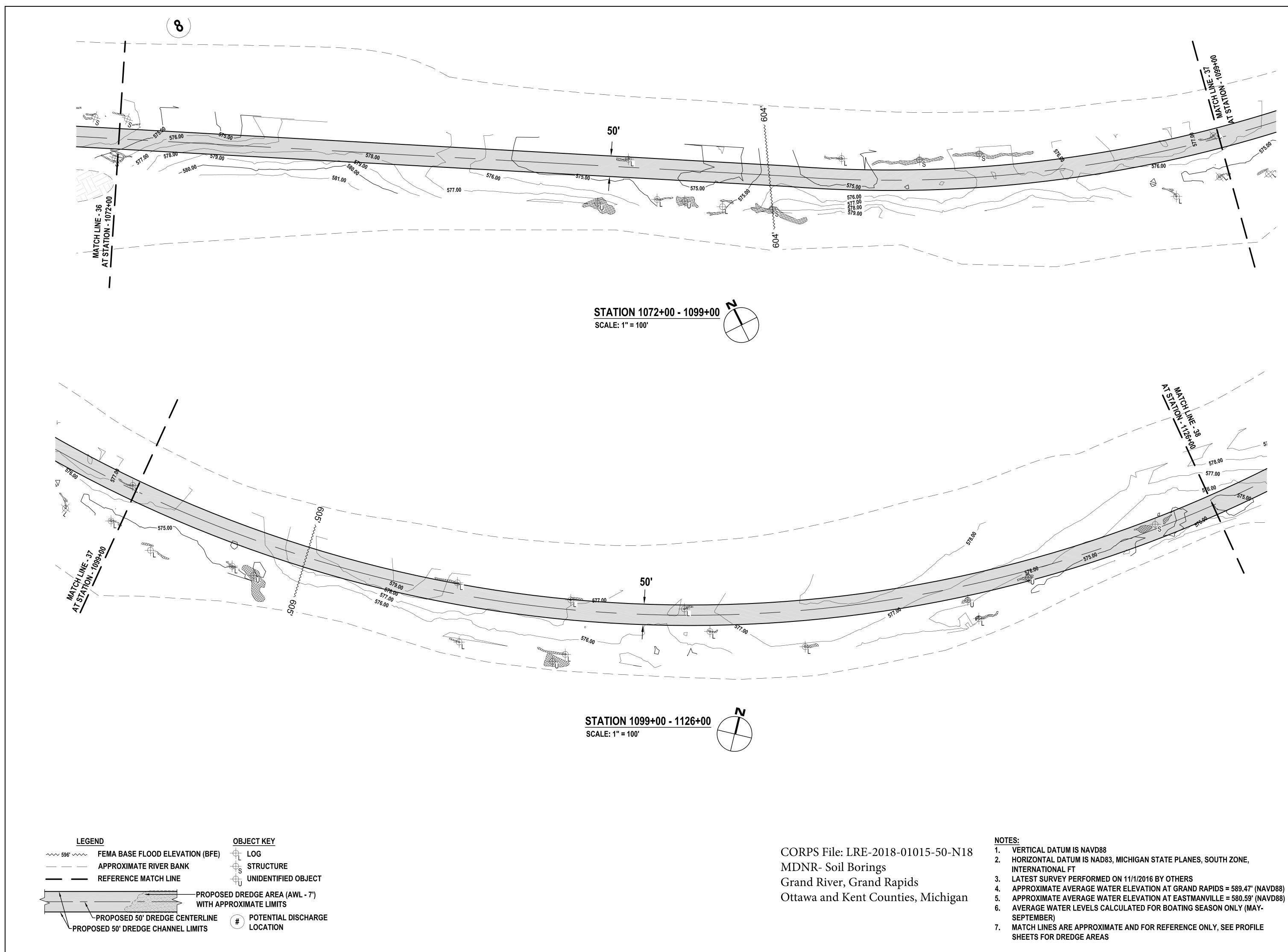




107

STA 1018+00 TO

VIEW



STUDY 00 ND RIVER WATERWAY VIEW STA 1072+00 TO 1126 EXISTING CONDITIONS GRAND RAPIDS, MICHIGAN

518 Broad Street, Suite 200

Saint Joseph, MI 49085 P: (269) 932.4502 F: (269) 932.3542

www.edgewaterresources.com

Technology, Manage

NO. DATE REVISION

**ISSUED FOR:** 

**GRAI** 

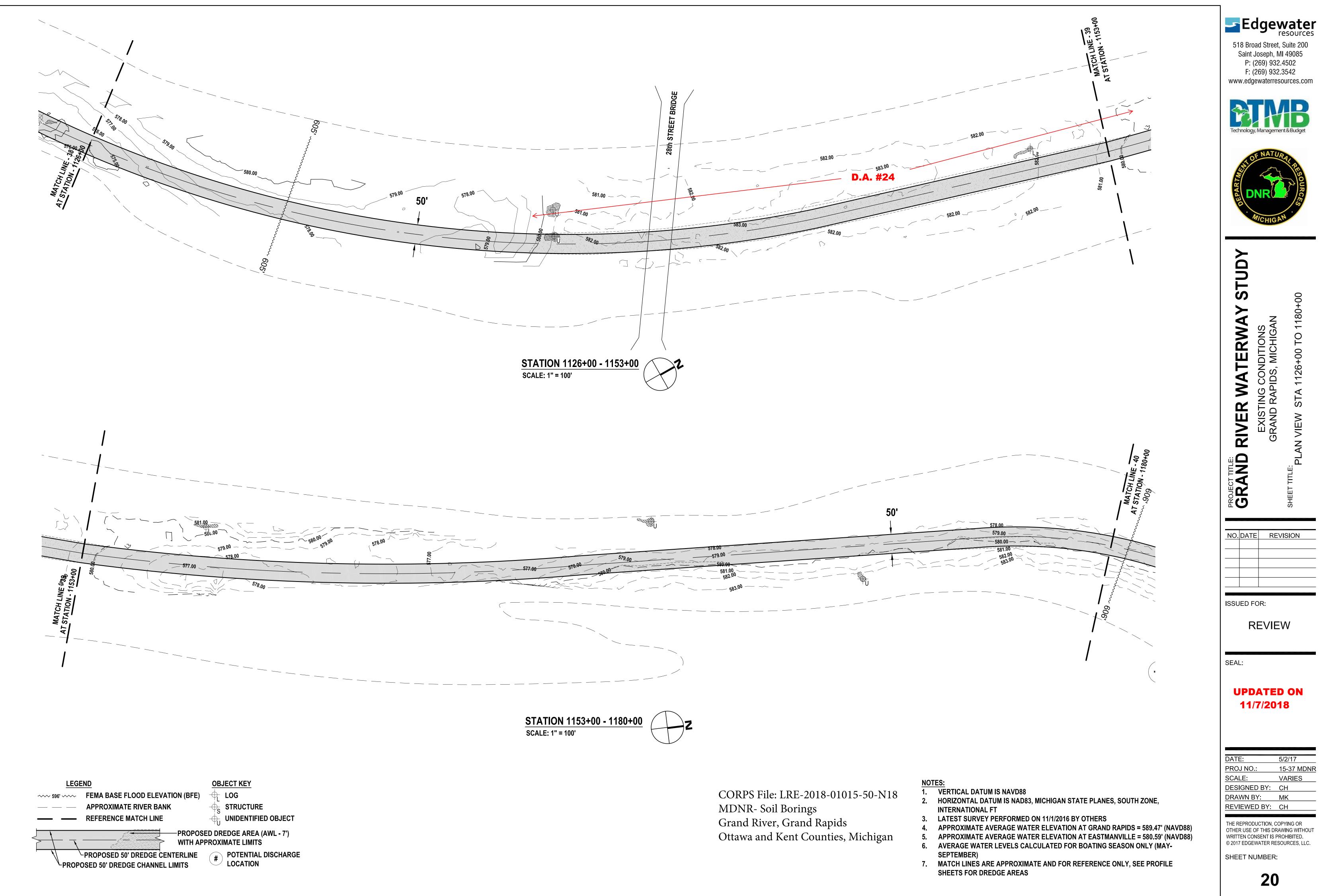
REVIEW

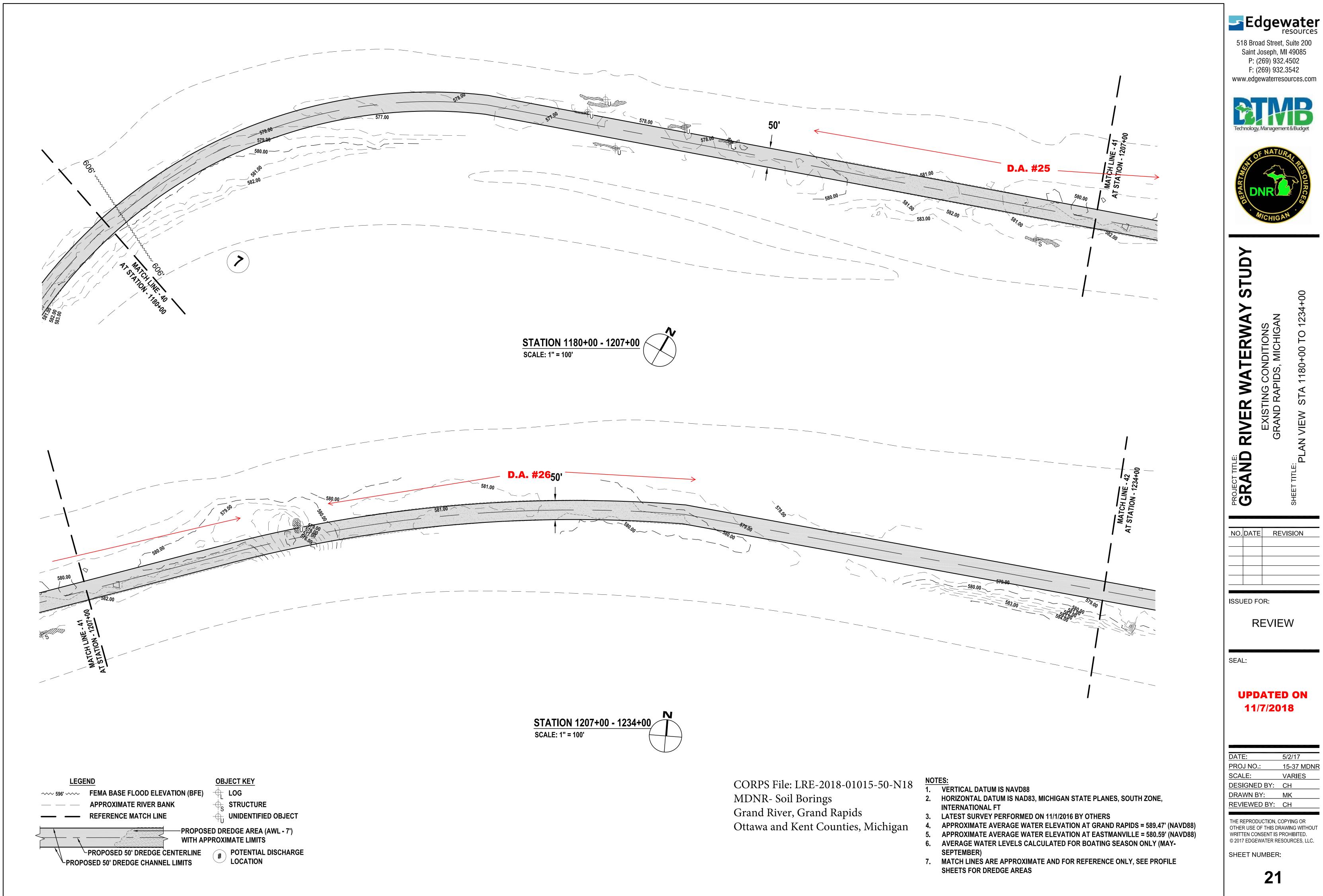
SEAL:

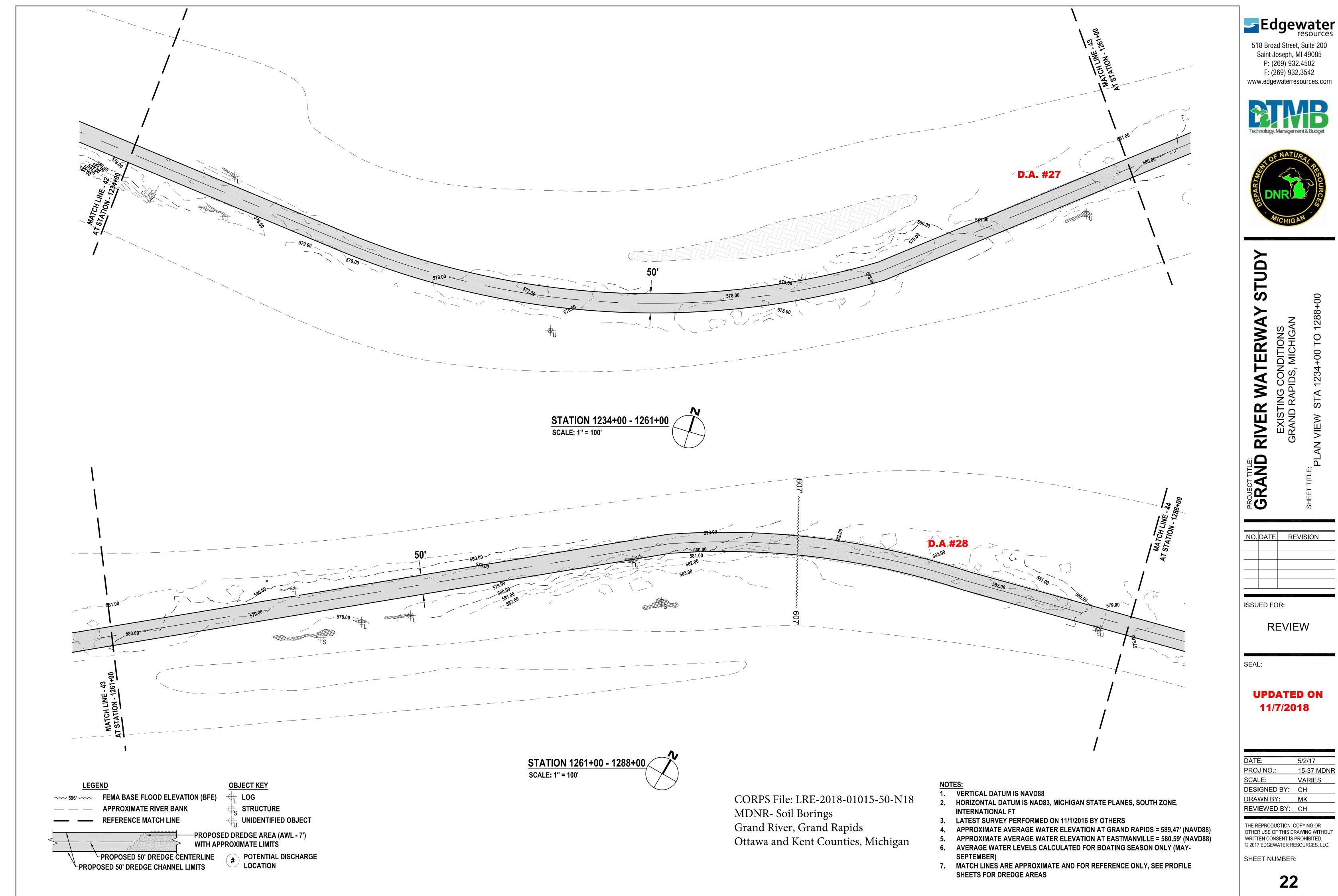
## **UPDATED ON** 11/7/2018

DATE:	5/2/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	МК
REVIEWED BY:	СН

THE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED. © 2017 EDGEWATER RESOURCES, LLC.







00

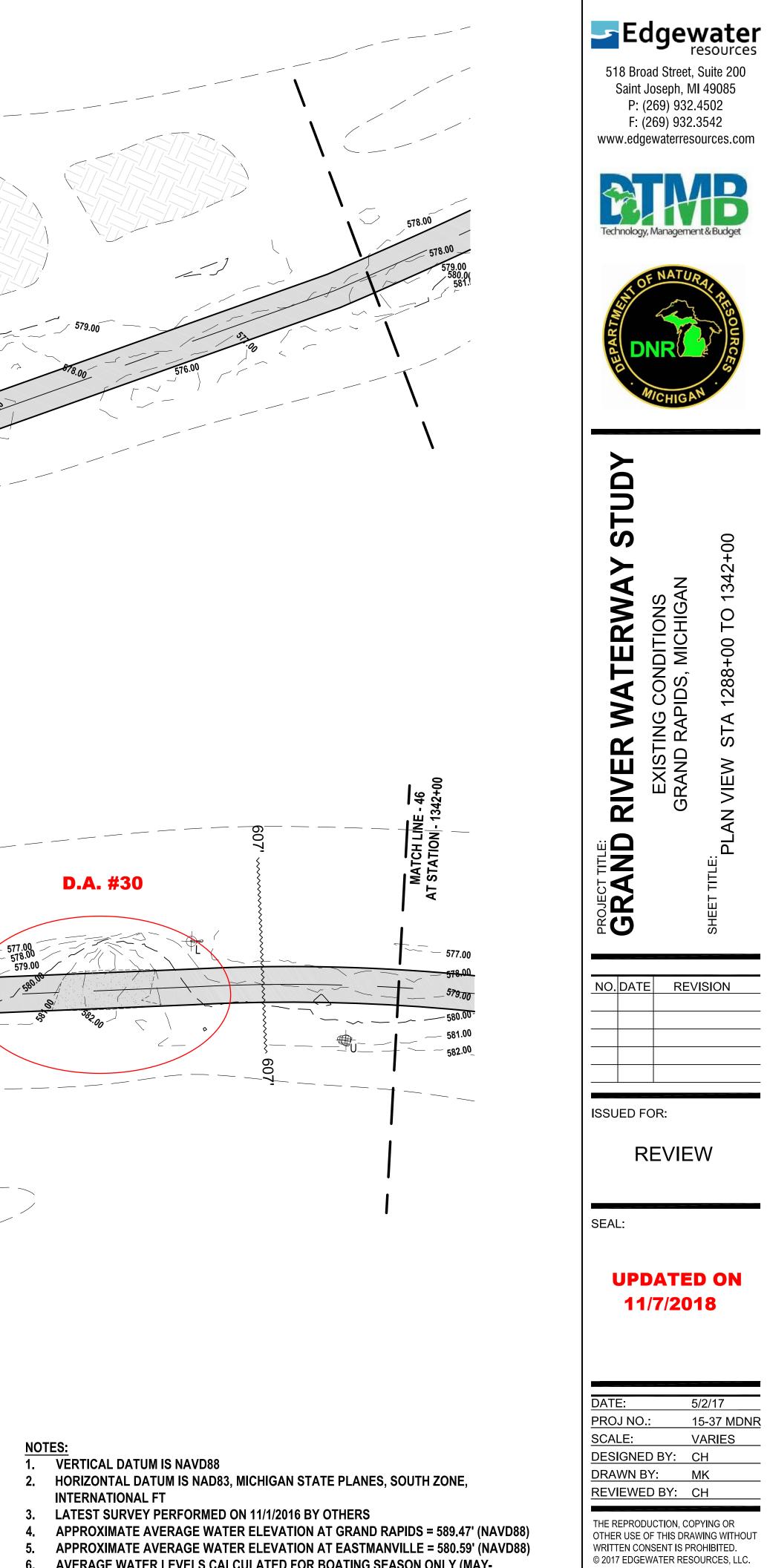
STA 1234+00 TO 1288

VIEW



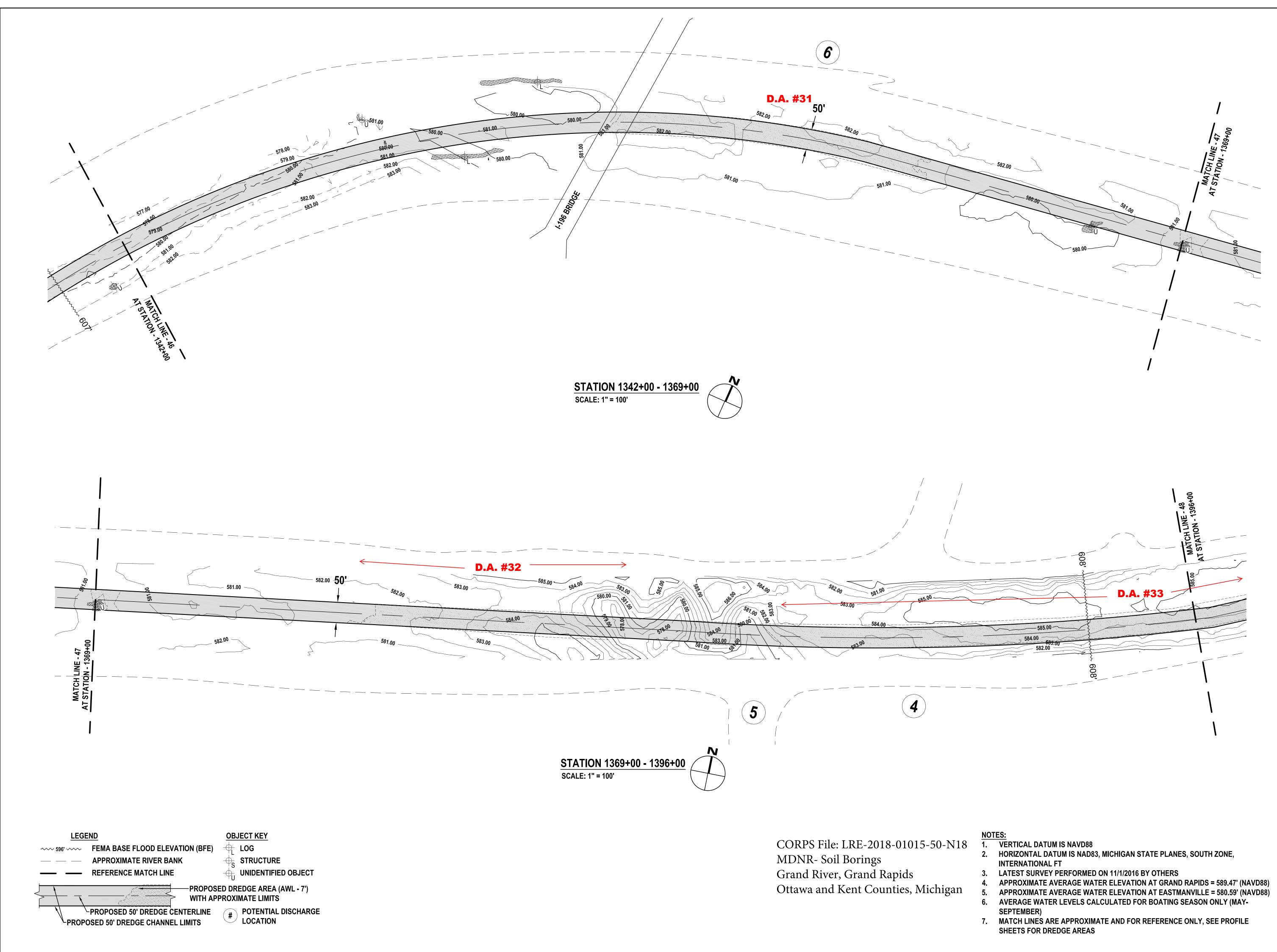
KENT STATION 1288+00 - 1315+00 SCALE: 1" = 100' 578.00 STATION 1315+00 - 1342+00 SCALE: 1" = 100'

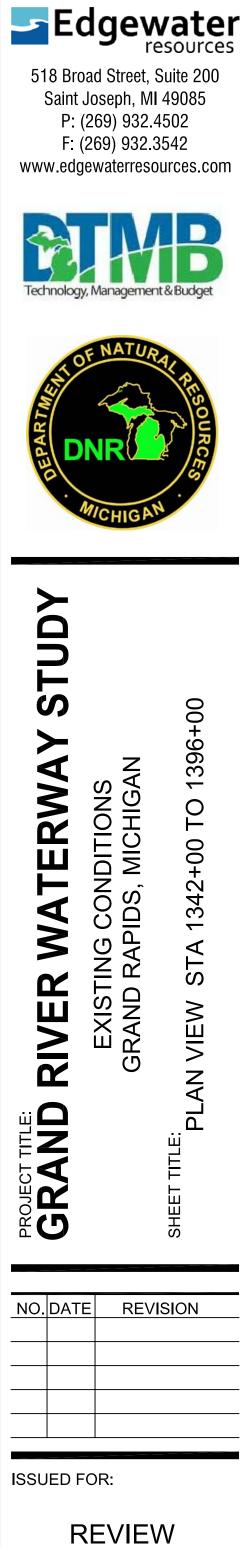
CORPS File: LRE-2018-01015-50-N18 MDNR- Soil Borings Grand River, Grand Rapids Ottawa and Kent Counties, Michigan



- 5. APPROXIMATE AVERAGE WATER ELEVATION AT EASTMANVILLE = 580.59' (NAVD88) 6. AVERAGE WATER LEVELS CALCULATED FOR BOATING SEASON ONLY (MAY-
- SEPTEMBER)
- 7. MATCH LINES ARE APPROXIMATE AND FOR REFERENCE ONLY, SEE PROFILE SHEETS FOR DREDGE AREAS

23





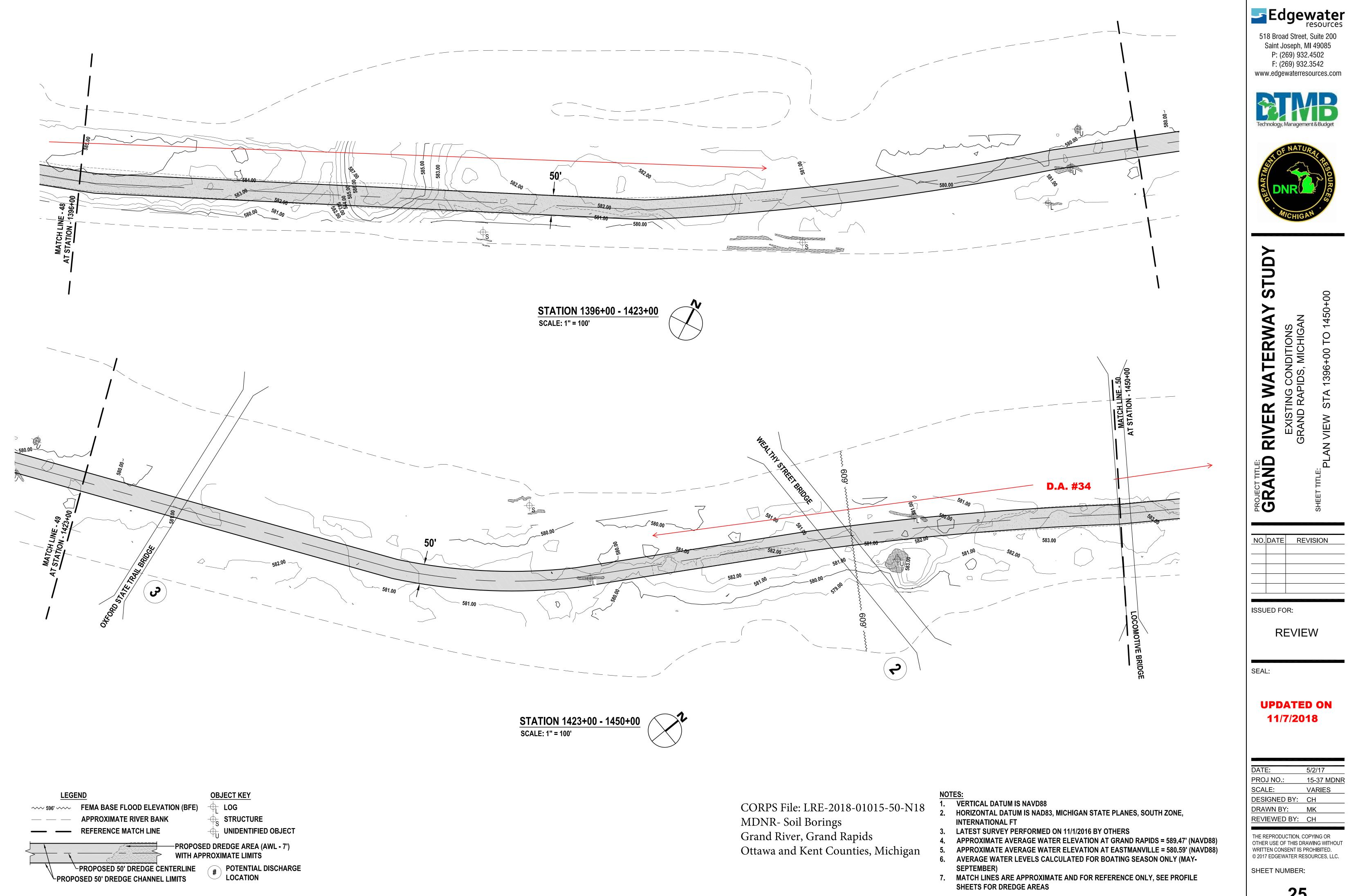
SEAL:

## **UPDATED ON** 11/7/2018

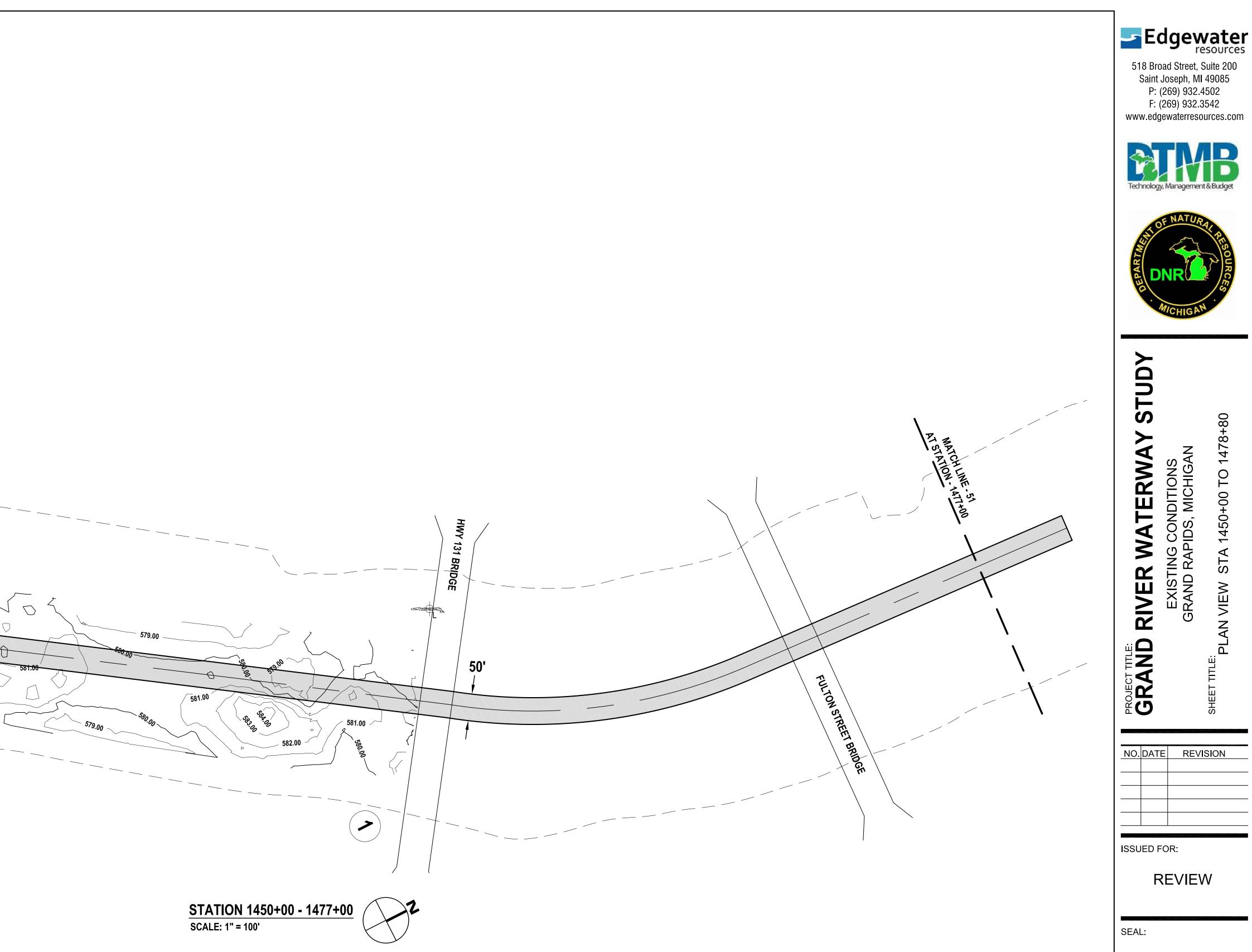
DATE:	5/2/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	MK
REVIEWED BY:	СН

THE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED. © 2017 EDGEWATER RESOURCES, LLC.





LOCOMOTIVE BRIDGE		
ц 420+00 	582.00 582.00 582.00	580.00 587.00 587.00
MATCH LINE - 50 AI STATION - 1450H00	580.00	
LEGEND         ~~~ 596' ~~~       FEMA BASE FLOOD ELEVATIO         —       —         APPROXIMATE RIVER BANK         —       —         REFERENCE MATCH LINE	-PROPOSED DREDGE AREA (AWL - 7')	
PROPOSED 50' DREDGE CENT PROPOSED 50' DREDGE CHANNEL LI	WITH APPROXIMATE LIMITS ERLINE # POTENTIAL DISCHARGE	



CORPS File: LRE-2018-01015-50-N18 MDNR- Soil Borings Grand River, Grand Rapids Ottawa and Kent Counties, Michigan

## **UPDATED ON** 11/7/2018

DATE:	5/2/17
PROJ NO.:	15-37 MDNR
SCALE:	VARIES
DESIGNED BY:	СН
DRAWN BY:	MK
REVIEWED BY:	СН

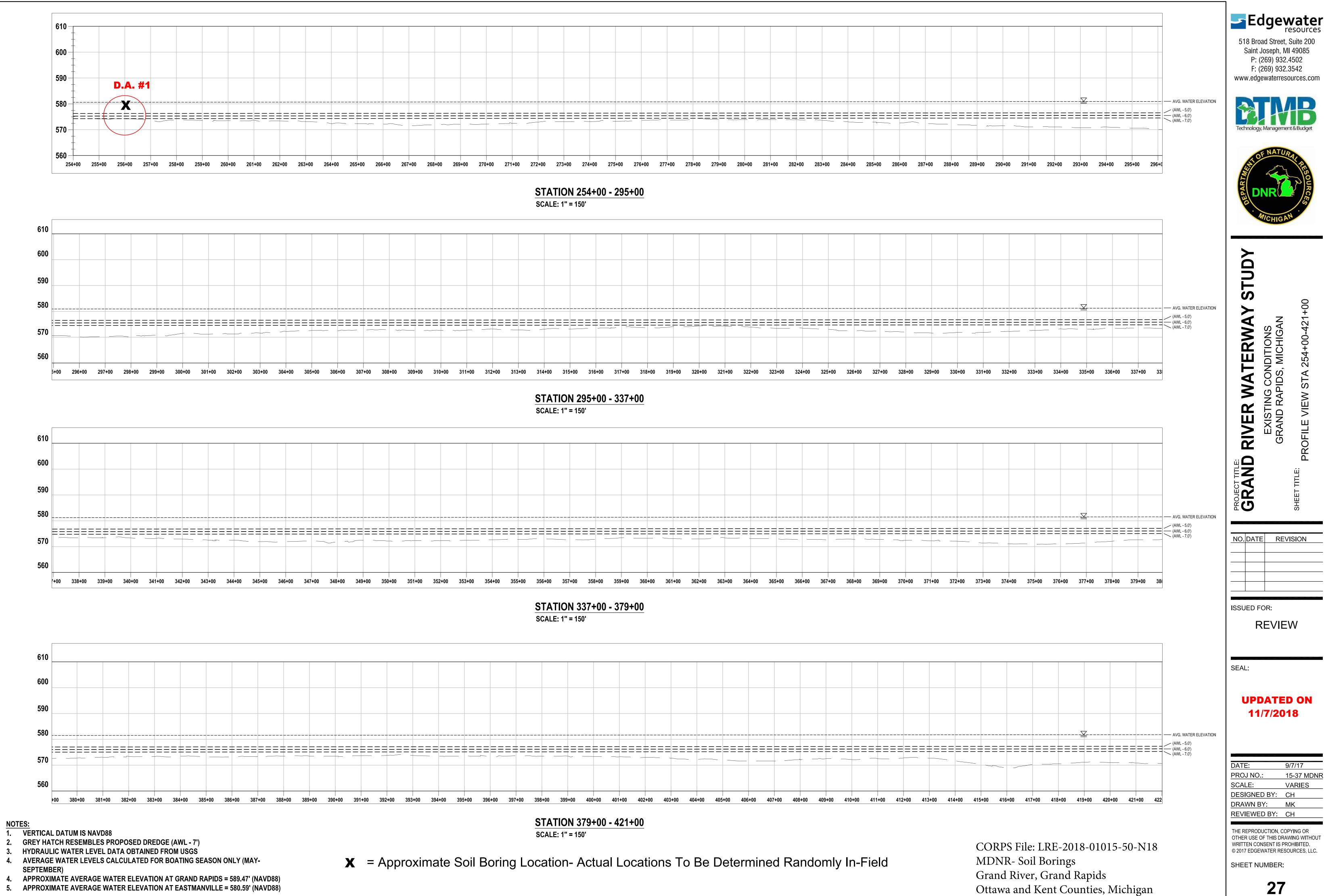
THE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED. © 2017 EDGEWATER RESOURCES, LLC.

SHEET NUMBER:

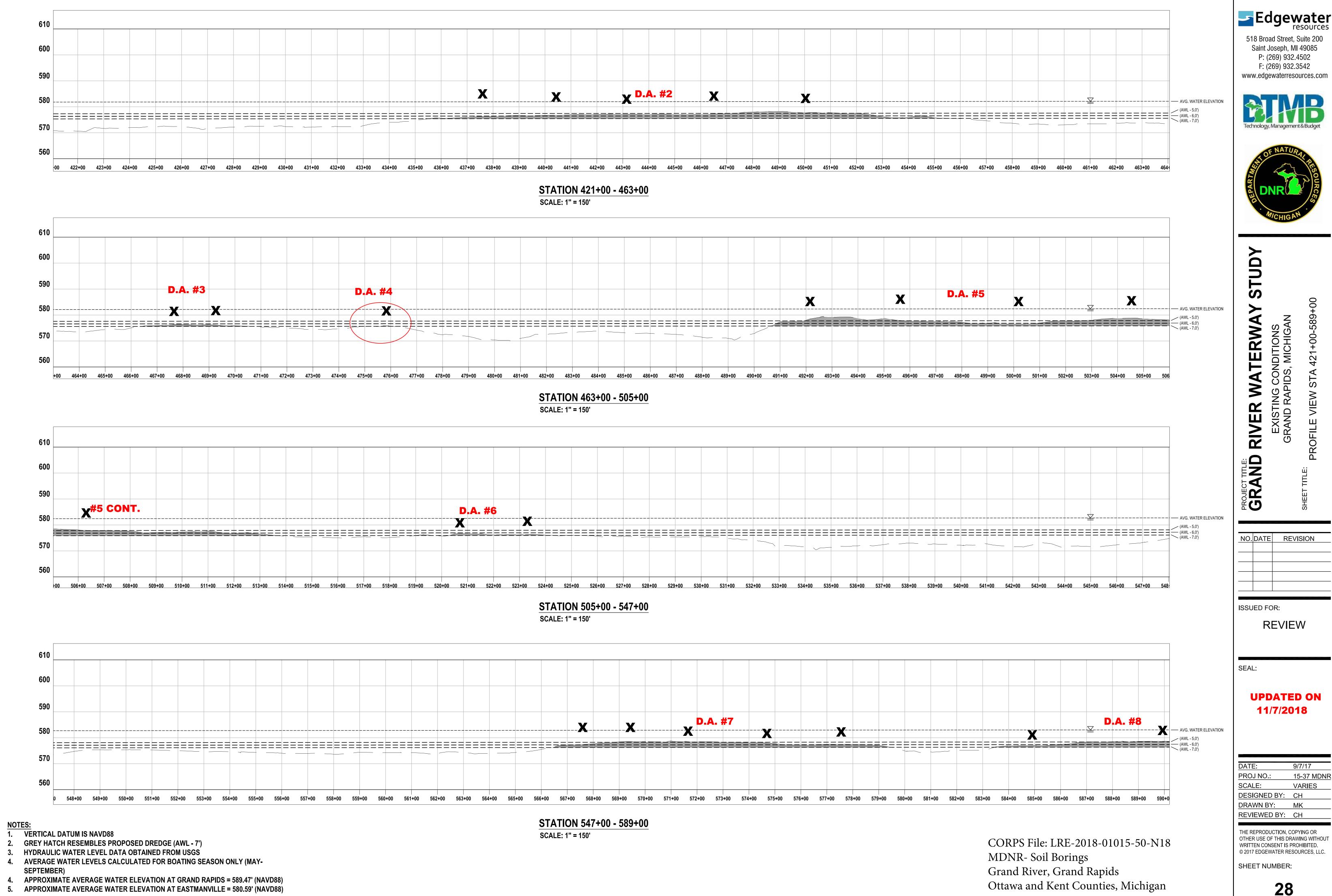
NOTES:

- VERTICAL DATUM IS NAVD88 HORIZONTAL DATUM IS NAD83, MICHIGAN STATE PLANES, SOUTH ZONE, INTERNATIONAL FT
- 3. LATEST SURVEY PERFORMED ON 11/1/2016 BY OTHERS
- APPROXIMATE AVERAGE WATER ELEVATION AT GRAND RAPIDS = 589.47' (NAVD88)
   APPROXIMATE AVERAGE WATER ELEVATION AT EASTMANVILLE = 580.59' (NAVD88)
   AVERAGE WATER LEVELS CALCULATED FOR BOATING SEASON ONLY (MAY-SEPTEMBER) 7. MATCH LINES ARE APPROXIMATE AND FOR REFERENCE ONLY, SEE PROFILE
- SHEETS FOR DREDGE AREAS

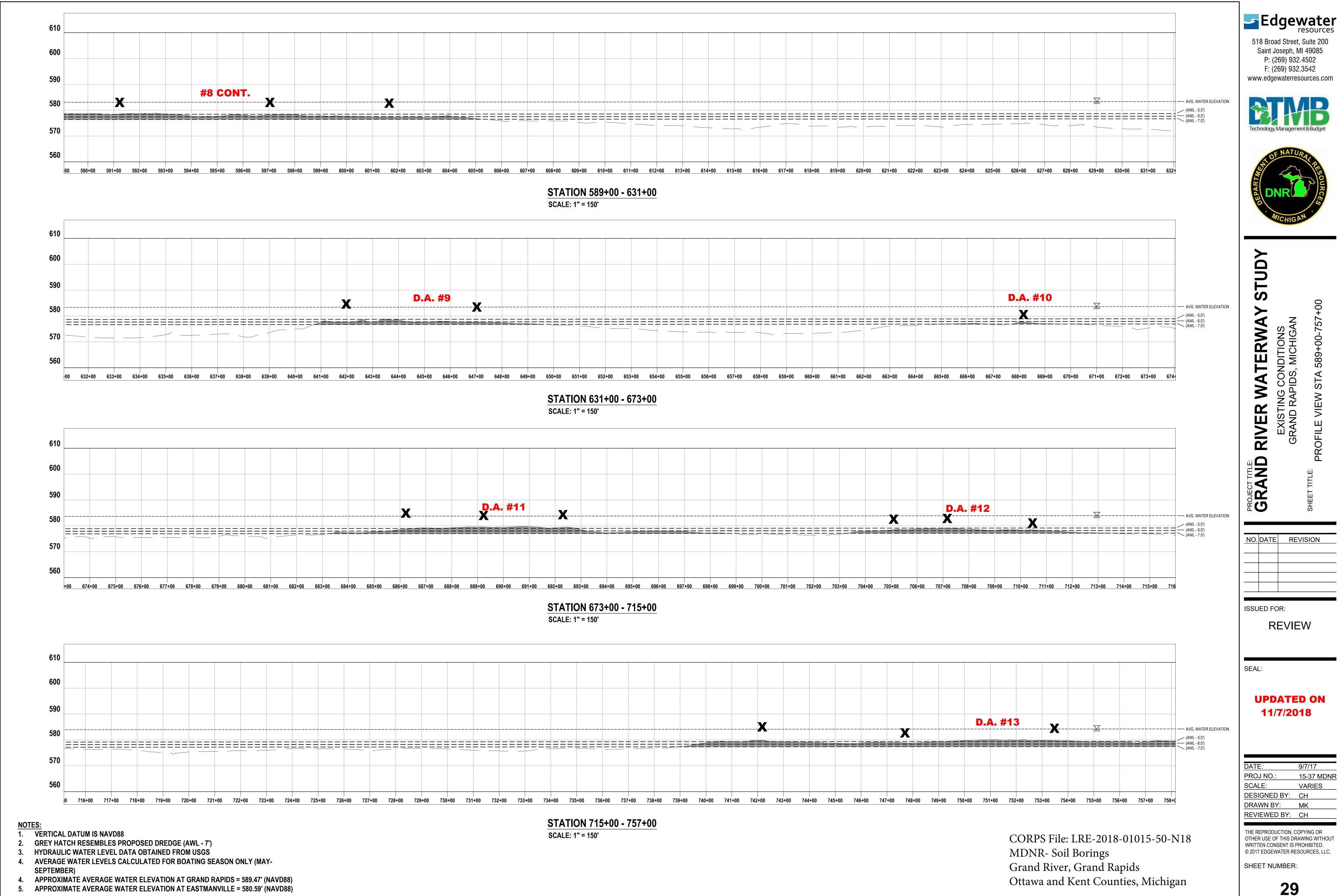
26

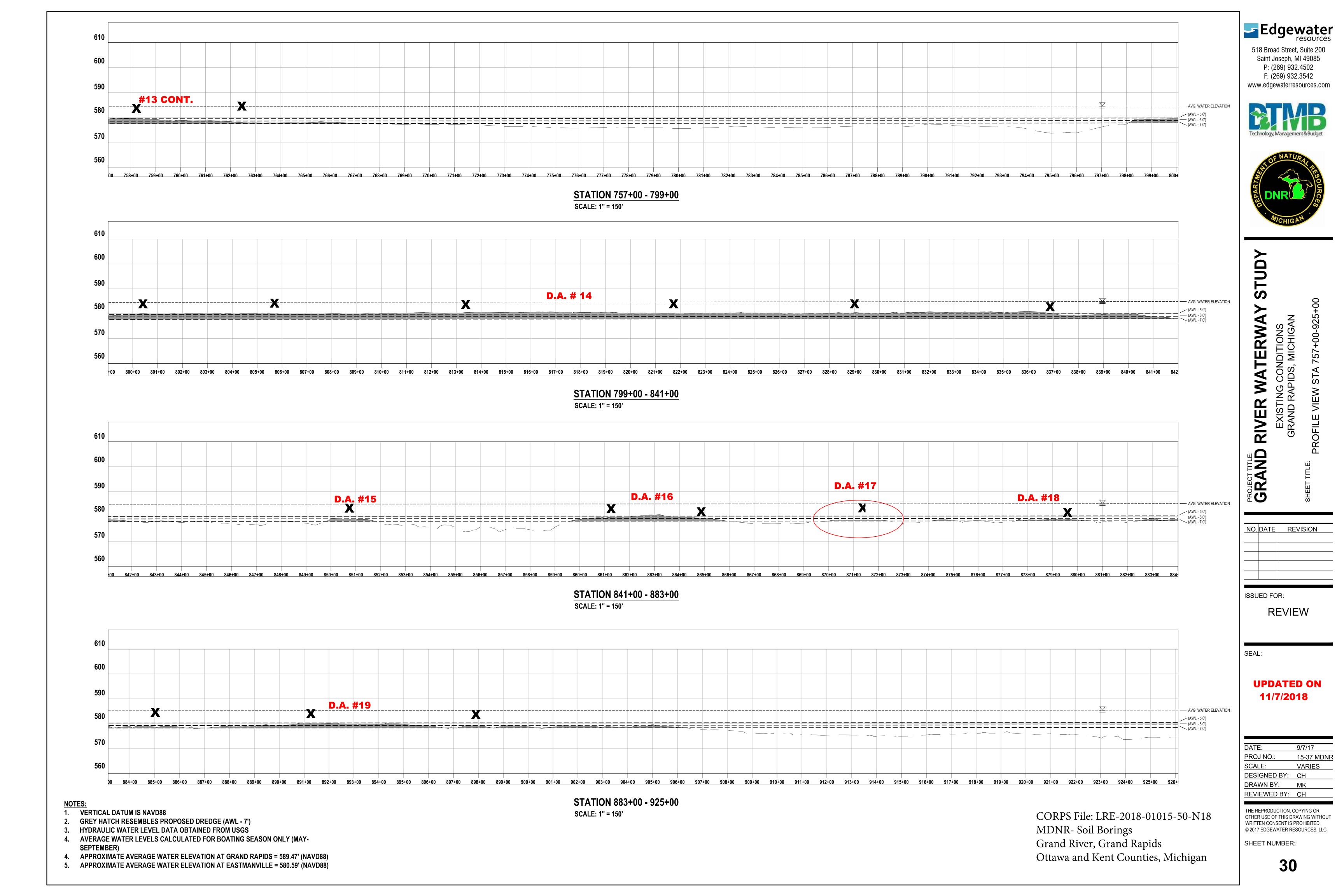


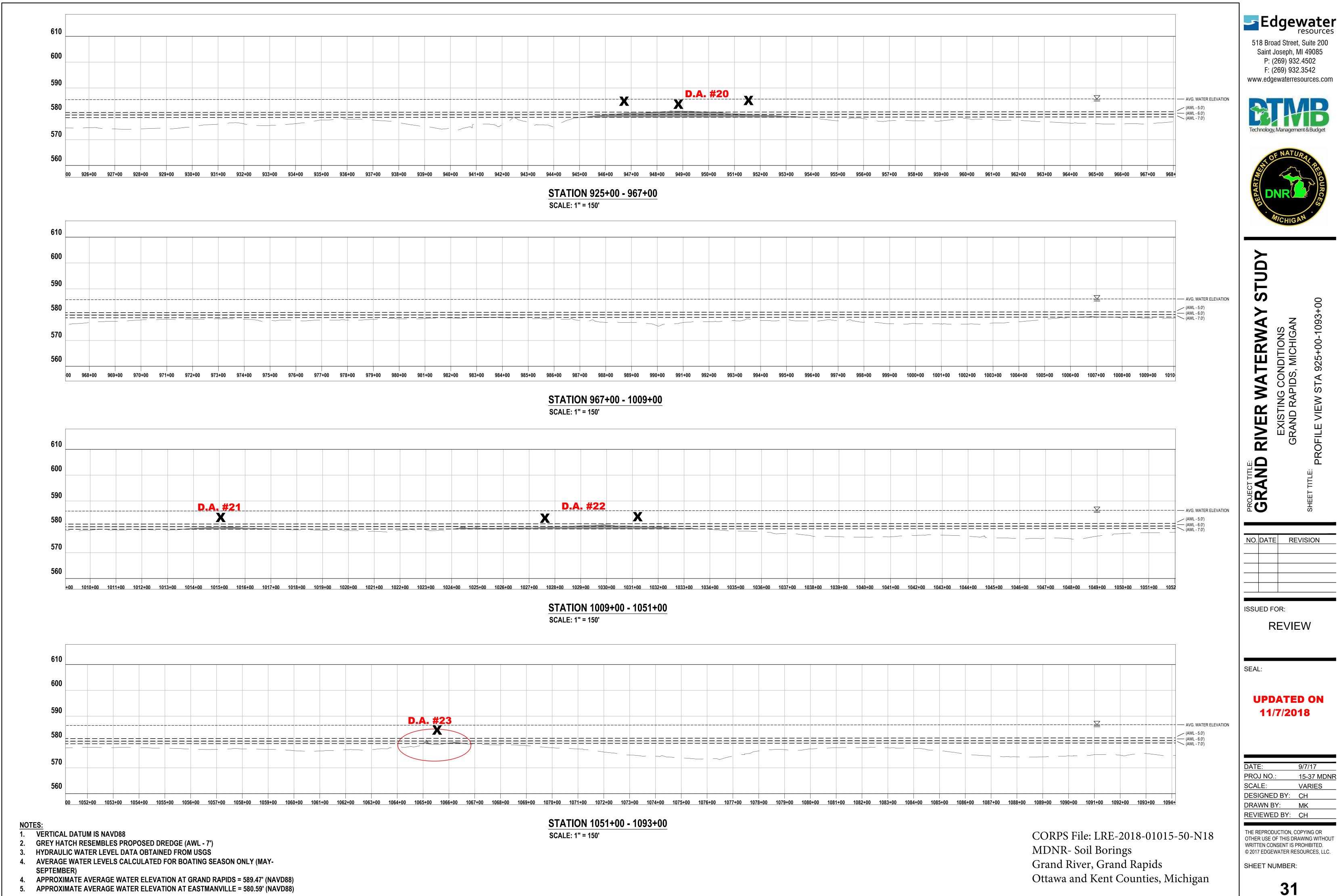
5. APPROXIMATE AVERAGE WATER ELEVATION AT EASTMANVILLE = 580.59' (NAVD88)

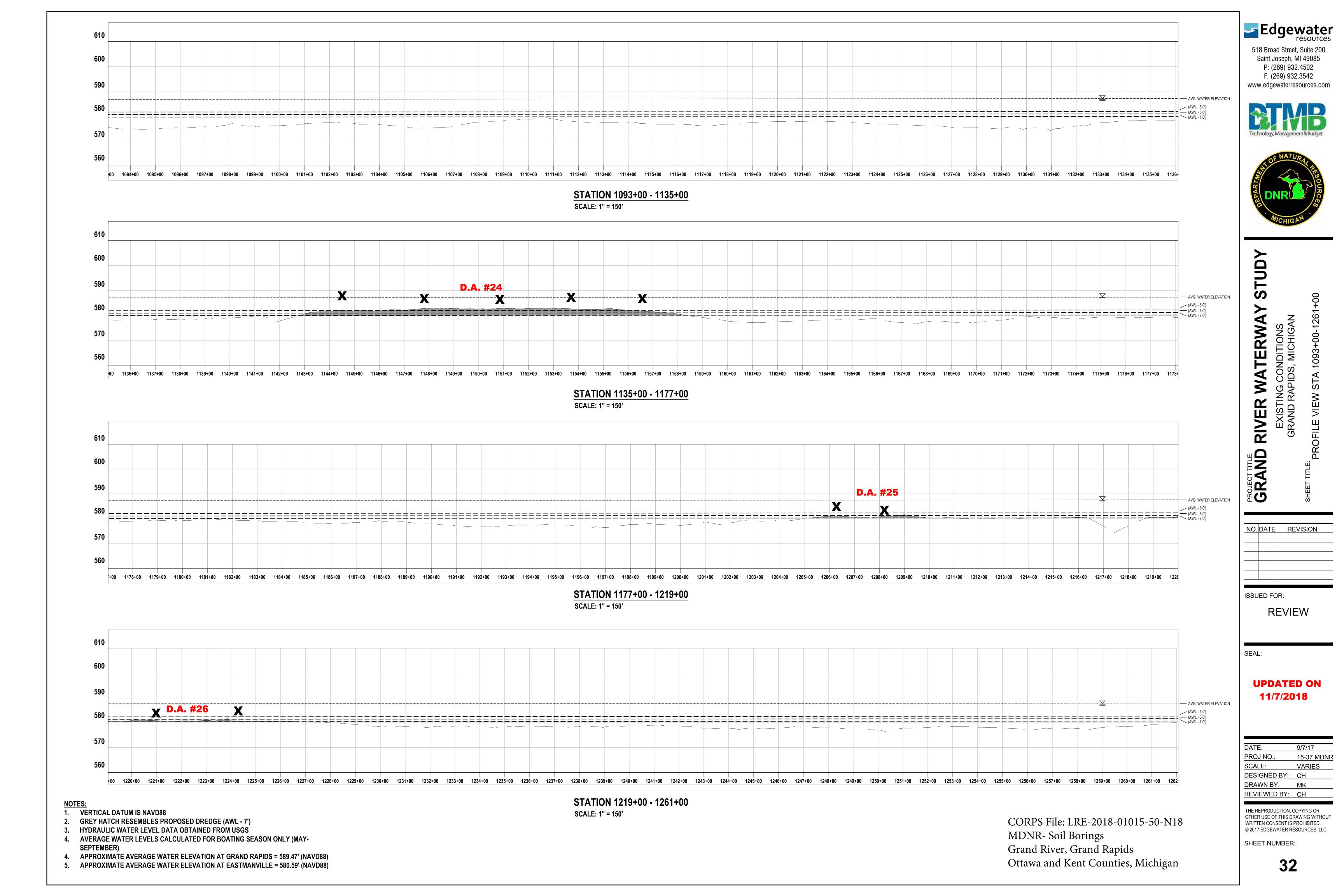


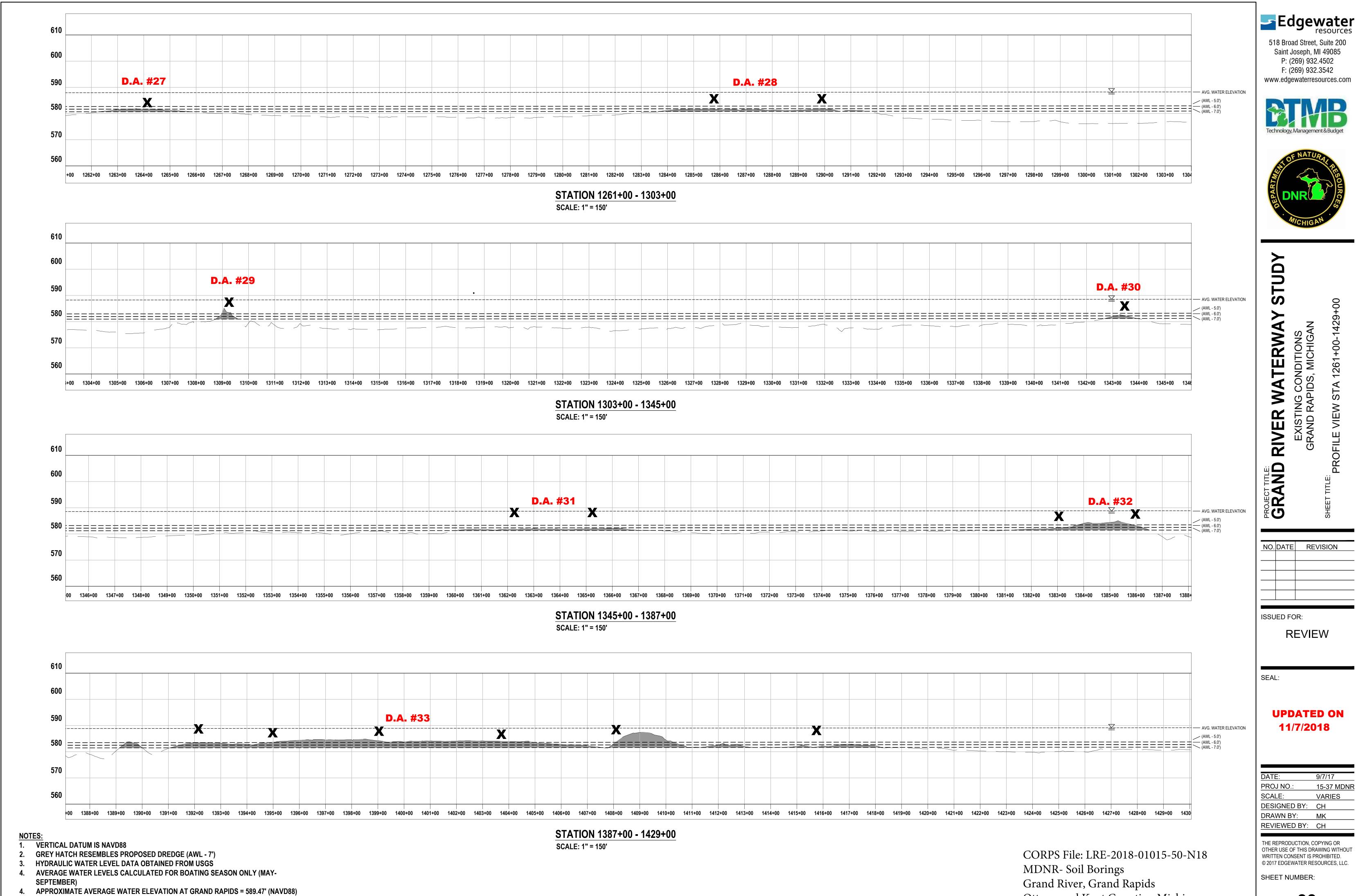
5. APPROXIMATE AVERAGE WATER ELEVATION AT EASTMANVILLE = 580.59' (NAVD88)







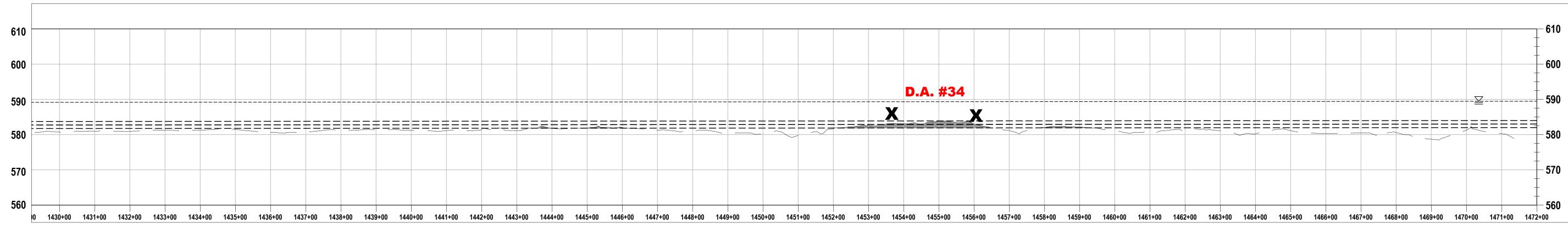




<sup>5.</sup> APPROXIMATE AVERAGE WATER ELEVATION AT EASTMANVILLE = 580.59' (NAVD88)

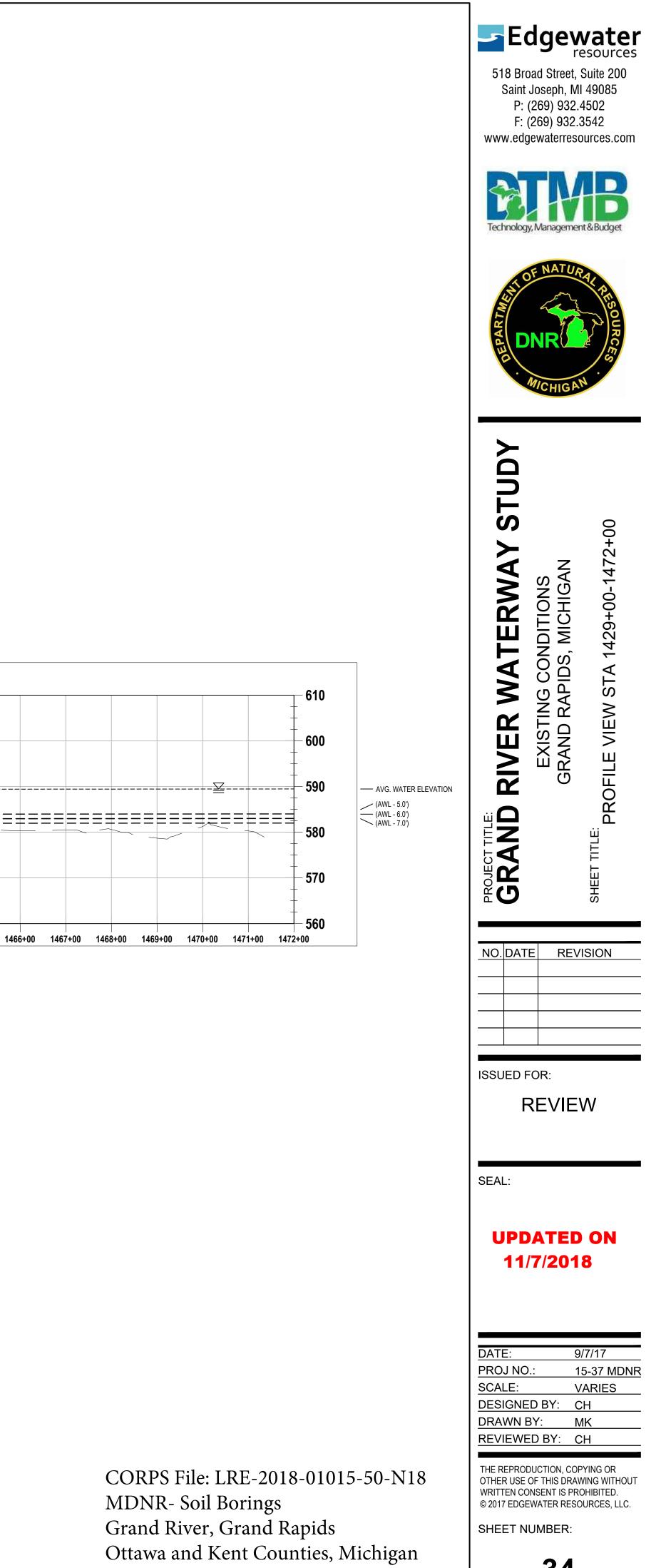
Ottawa and Kent Counties, Michigan

33

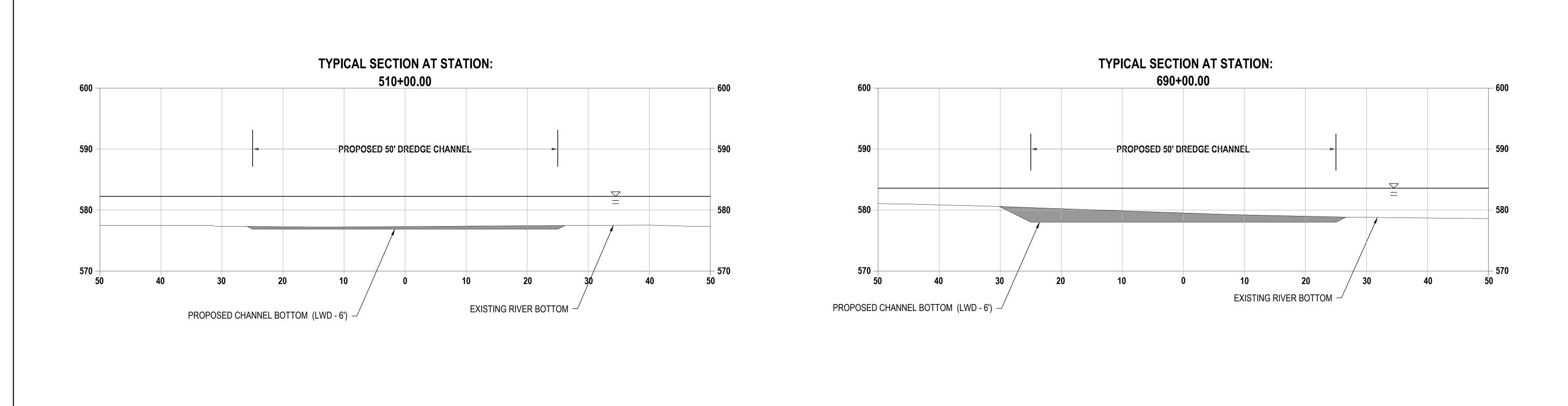


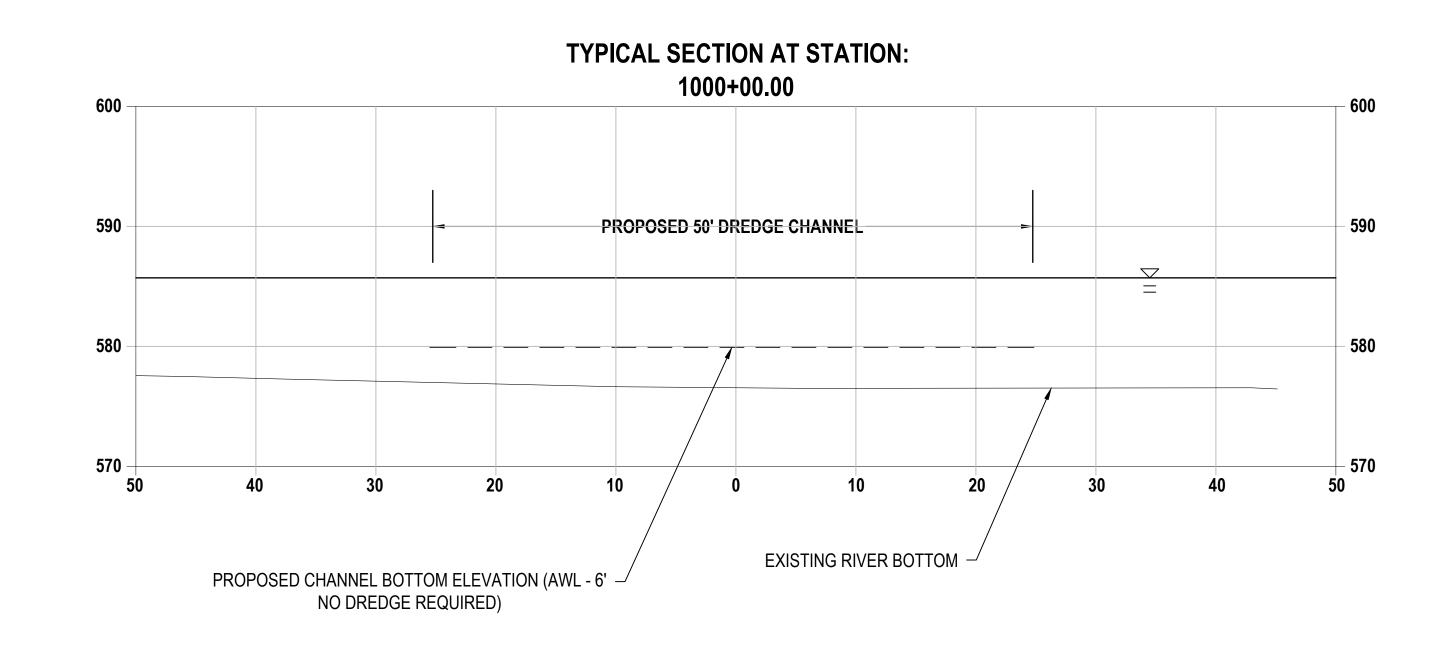
## STATION 1429+00 - 1472+00

SCALE: 1" = 150'



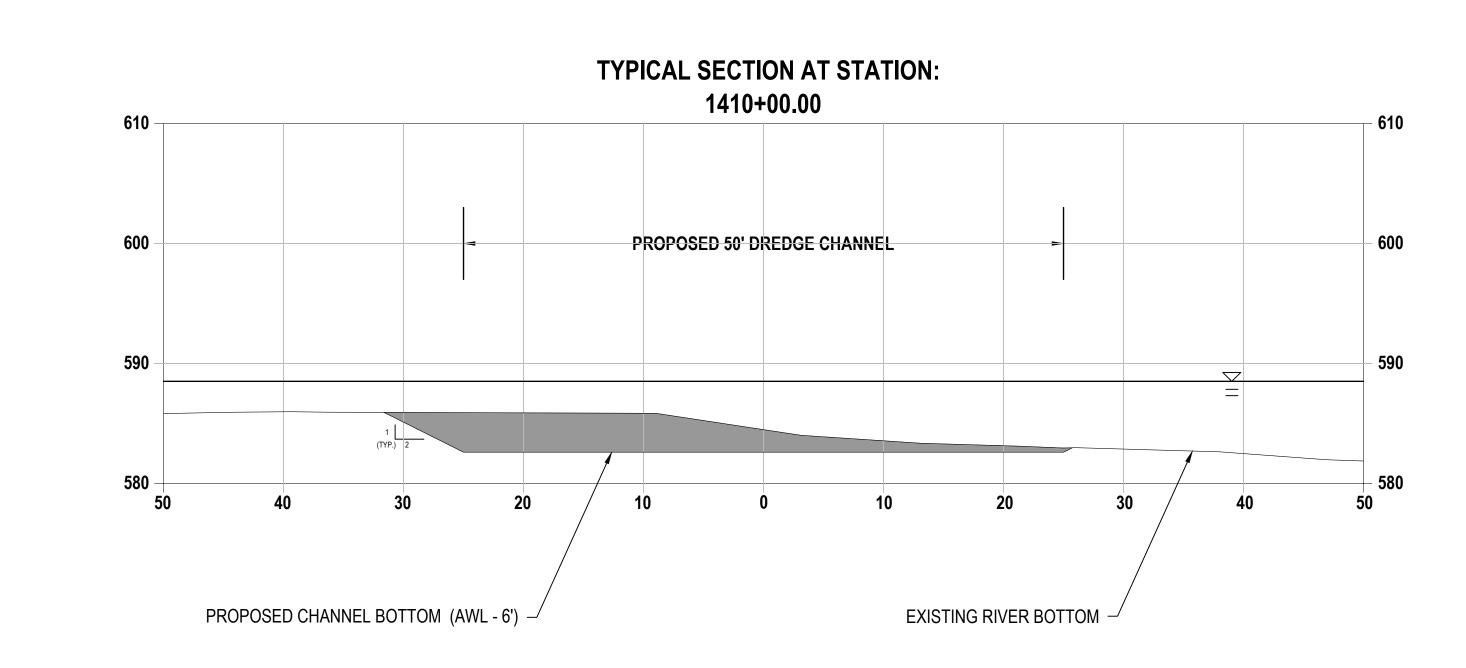
34





### NOTES:

- 1. VERTICAL DATUM IS NAVD88
- 2. GREY HATCH RESEMBLES PROPOSED DREDGE (AWL 7')
- 3. HYDRAULIC WATER LEVEL DATA OBTAINED FROM USGS
- 4. AVERAGE WATER LEVELS CALCULATED FOR BOATING SEASON ONLY (MAY-SEPTEMBER)
- 4. APPROXIMATE AVERAGE WATER ELEVATION AT GRAND RAPIDS = 589.47' (NAVD88)
- 5. APPROXIMATE AVERAGE WATER ELEVATION AT EASTMANVILLE = 580.59' (NAVD88)

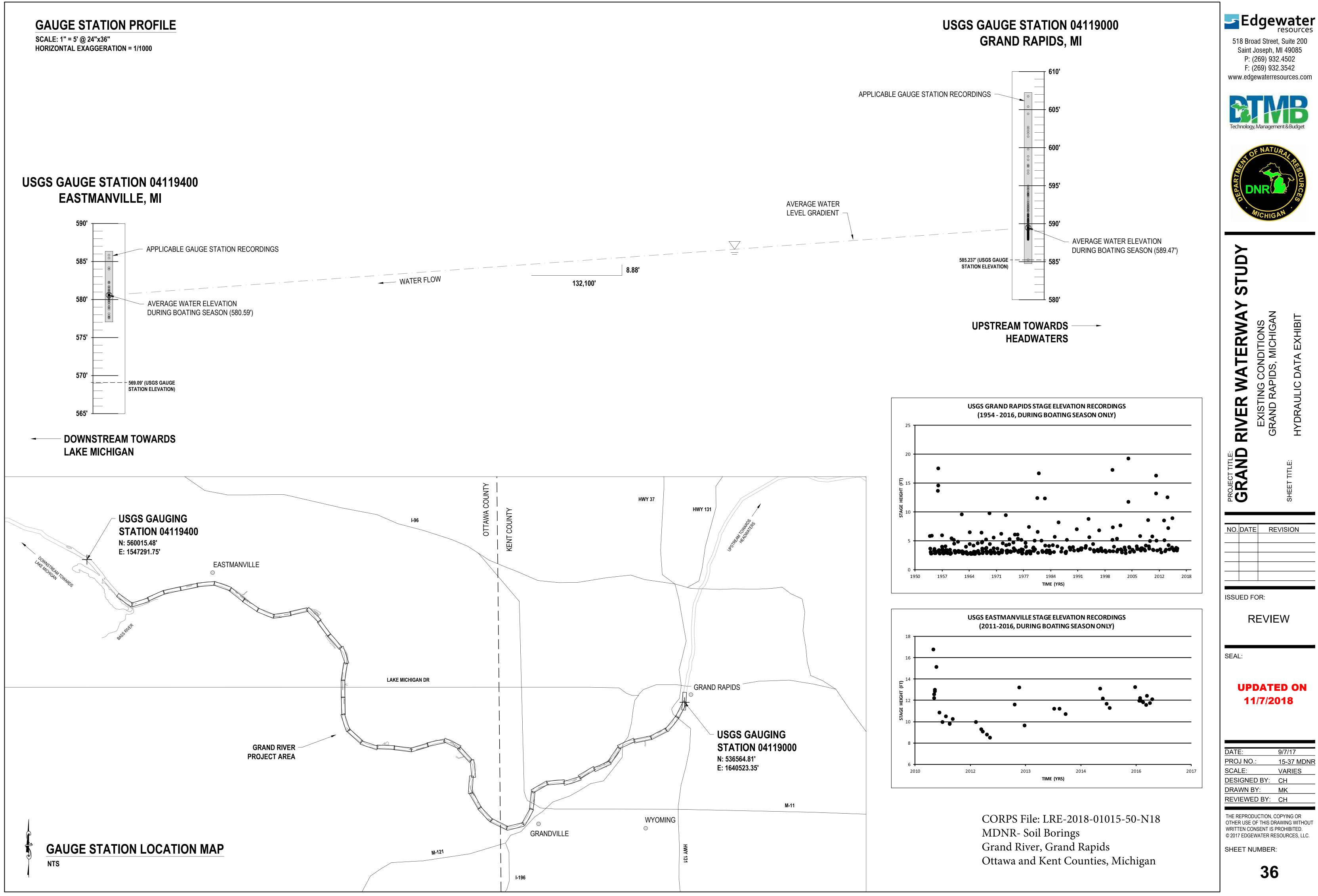


CORPS File: LRE-2018-01015-50-N18 MDNR- Soil Borings Grand River, Grand Rapids Ottawa and Kent Counties, Michigan

Saint P: F: www.edg	pad Street, S Joseph, MI (269) 932.4 (269) 932.3 gewaterreso	49085 502 542 urces.com	
GRAND RIVER WATERWAY STUDY	EXISTING CONDITIONS GRAND RAPIDS, MICHIGAN	SHEET TITLE: TYPICAL CROSS SECTIONS (AWL - 7.0')	
NO. DATE REVISION			
UPDATED ON 11/7/2018DATE:5/2/17PROJ NO.:15-37 MDNRSCALE:VARIESDESIGNED BY:CHDRAWN BY:MKREVIEWED BY:CHTHE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED. © 2017 EDGEWATER RESOURCES, LLC.			

SHEET NUMBER:





#### RE: USACE File# LRE-2018-01015-50-N18 (UNCLASSIFIED)

#### Broadwater, Bonnie (DEQ) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=979DC5A49E2A47DC8A7ACF3D155740CE-BROADWATER>

Wed 2/13/2019 2:40 PM

To: 'Shea, Lucas P CIV USARMY CELRE (US)' <Lucas.P.Shea@usace.army.mil>

Thanks, Lucas.

Bonnie Broadwater | Environmental Quality Analyst | Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 | 616-591-8163

-----Original Message-----From: Shea, Lucas P CIV USARMY CELRE (US) <Lucas.P.Shea@usace.army.mil> Sent: Wednesday, February 13, 2019 2:07 PM To: tara.wallace@noaa.gov Cc: Schulz, Nathan T CIV USARMY CELRE (USA) <Nathan.T.Schulz@usace.army.mil>; Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov> Subject: USACE File# LRE-2018-01015-50-N18 (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

All,

The Corps permit issued to the MDNR for soil borings in the Grand River should be attached. Please let me know if you have any trouble viewing the document.

Sincerely,

Lucas Shea Regulatory Project Manager

Permit Evaluation Western Branch Regulatory Office U.S. Army Corps of Engineers, Detroit District OFFICE: (313) 226-5386 FAX: (313) 226-6763 EMAIL: lucas.p.shea@usace.army.mil

Please visit our Detroit District Regulatory website at <a href="https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.lre.usace.army.mil%2FMissions%2FRegulatoryProgramandPermits.aspx&amp;data=02%7C01%7CBroadwaterB%40michigan.gov%7C227c4696579d428bb89e08d691e72d3b%7Cd5fb7087377742ad96</a> 6a892ef47225d1%7C0%7C1%7C636856823620966807&sdata=4Lnm45je%2B6aaiJJS1IVdLlpDtbmikM%2Fu D8aaKPrT7OA%3D&reserved=0

We would appreciate your feedback. Our National Customer Service Survey is located at <a href="https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fcorpsmapu.usace.army.mil%2Fcm">https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fcorpsmapu.usace.army.mil%2Fcm</a> apex%2Ff%3Fp%3Dregulatory\_survey&amp;data=02%7</a> <a href="https://construction.com/?construction.outlook.com/?construction.com/?construc

CLASSIFICATION: UNCLASSIFIED

#### **Rep. Hood Request - Grand River Dredging Project**

Curtis Audette <Caudette@house.mi.gov>

Thu 3/7/2019 12:05 PM **To:** Brunet, Craig (DNR) <BrunetC@michigan.gov>; Howes, Sarah (DEQ) <HowesS1@michigan.gov> **Good afternoon**,

I am reaching out on behalf of Representative Hood in regards to the Grand River Dredging Project in Kent County. I have complied a series of questions Rep. Hood and constituents have complied regarding the project. The project stems from two appropriations by the legislature. Those are below for reference.

Representative Hood is looking for a response prior to March 22<sup>nd</sup>. She would also like to set up a meeting in the near future with the DNR & EGLE pending the responses to the questions below.

- 1. Public Act (PA) 207 of 2018 appropriates \$1.15 million General Fund in fiscal year (FY) 2018 to the Department of Talent & Economic Development. Section 1101(3) of the Act allocates these funds to the Department of Natural Resources (DNR) to conduct a dredging project on the Grand River between the Fulton Street bridge in Kent County and the Bass River inlet in Ottawa County, as outlined in the Department of Technology, Management, and Budget Dredging Feasibility Study completed on May 3, 2017. Of this amount, up to \$150,000 is allocated for collecting and analyzing sediment samples from that section of the Grand River. The remainder is allocated to dredging, and shall be spent only if sediment tests are satisfactory and necessary permits are issued.
- 2. PA 618 of 2018 provides a supplemental appropriation of \$2 million General Fund in FY 2019 to the DNR. Section 655 of the Act directs the DNR to conduct a dredging project on the same section of the Grand River as specified in PA 207 of 2018. The funds are allocated for dredging and any other activities necessary to complete the project, and shall be spent only if sediment tests are satisfactory and necessary permits are issued.

Please let me know if you have any questions in the meantime.

Regards,

Curtis

- 1. Who has the legal authority to manipulate the bottomlands of the river?
- 2. Who would be responsible for safety and rescue? What costs would impact local or state government?
- 3. Anticipation of success through ACE permitting?
- 4. Long term maintenance who would be responsible buoy installation, dredging and maintenance?
- 5. How would river fluctuations and obstacles be managed?
- 6. Rare species information and ecology of the river considerations?
- 7. Wakes of boats and bank erosion considerations?
- 8. History of destabilization in the river and potential impacts being considered?
- 9. Are there any pipelines or similar infrastructure crossing the river that would be impacted by the dredging?
- 10. What is the role of the DNR in this project?
- 11. DNR is doing the sediment testing what other tests are being done? How much funding will be used for this purpose? How will data be shared within impacted communities?
- 12. Will the project impact the Grandville wastewater treatment plant?
- 13. Is there any indication of a plan for sediment that is removed? Dewatering, sediment transportation and road conditions, hazardous waste management sites (if necessary), etc.
- 14. Whether an EIS (Environmental Impact Statement) will be required/requested be performed?

- 15. Who will fund and maintain additional dredging needed to keep existing boat ramps usable with reduced water depth near shore? Who will cover additional dredging or other steps needed if water levels drop and make landowner's docks unusable?
- 16. Who would install and maintain signage for no wake zones and law enforcement?
- 17. The feasibility study references involvement of the Coast Guard. Do they have the funding, authorization, and jurisdiction for this stretch of waterway?
- 18. Location and impact on historic sites in the water and near shore.
- 19. What further permits, assessments, etc. will be required?
- 20. Increased spread of invasive plant and animals?
- 21. The feasibility study indicated that cost projections, economic impact estimates, etc. were preliminary and further info was needed. What findings, cost increases, problems with economic impact model, etc. would kill the project, require additional appropriations, etc. For example: the current dredging estimate is \$2.1 million. What if findings lead to that estimate increasing significantly, or at all, beyond existing appropriations?
- 22. Who will cover cost of road repair or improvements needed to truck 100,000 tons of material as much as 20 miles to the disposal site?
- 23. Need to involve of Native American tribes?
- 24. Involvement of US Fish and Wildlife, EPA, State Historic Preservation office, State Archaeologist, etc.?
- 25. Potential impact of increased scouring of bridge structures because of increased water flow and suspended sediment.
- 26. Location of utility cables and pipelines.
- 27. Impact of altering water levels in adjacent wetlands.
- 28. Safety and accommodation of GVSU Rowing Team practice and competition area
- 29. Safety and accommodation for kayakers and canoers.

**Curtis J. Audette** Legislative Director State Representative Rachel Hood Michigan's 76th House District Phone: 517.373.0822 Email: <u>caudette@house.mi.gov</u>

This email, including any attachment, contains information intended for the exclusive use of the person to whom it has been addressed. It may contain information that is proprietary, privileged, or confidential. Any viewing, copying, disclosing, or distributing by someone who is not the intended recipient is strictly prohibited. If you believe or should reasonably believe that you have received this communication in error, please notify the sender immediately and destroy all copies, electronic or otherwise, of the communication, including any attachment.

#### FW: UPDATE??? GH Dredging Sampling - Completed Permit and Plans #WRP014388

Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>

Fri 3/8/2019 5:10 PM

**To:** Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>; Sanders, Jerrod (DEQ) <SANDERSJ3@michigan.gov>; Lounds, Amy (DEQ) <LOUNDSA@michigan.gov>

1 attachments (300 KB)

Rep. Hood Request - Grand River Dredging Project ;

From: Howes, Sarah (DEQ) <HowesS1@michigan.gov>
Sent: Friday, March 08, 2019 4:43 PM
To: Brunet, Craig (DNR) <BrunetC@michigan.gov>; Crook, Michelle (DNR) <CrookM@michigan.gov>; Alexander, Michael (DEQ) <ALEXANDERM2@michigan.gov>
Cc: Seidel, Teresa (DEQ) <SEIDELT@michigan.gov>; Klemans, Diana (DEQ)
<KLEMANSD@michigan.gov>; Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov>; DEQ-Legislative-Contact <DEQ-Legislative-Contact@michigan.gov>
Subject: RE: UPDATE??? GH Dredging Sampling - Completed Permit and Plans #WRP014388

Thanks, Craig. Attached is the email from Curtis and the list of questions if anyone is curious.

Have a good weekend! Sarah

Sarah M. Howes Director, Policy & Legislative Affairs Department of Environmental Quality C 517.282.9204

From: Brunet, Craig (DNR) <<u>BrunetC@michigan.gov</u>>
Sent: Friday, March 08, 2019 4:40 PM
To: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Crook, Michelle (DNR)
<<u>CrookM@michigan.gov</u>>; Alexander, Michael (DEQ) <<u>ALEXANDERM2@michigan.gov</u>>
Cc: Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>>; Klemans, Diana (DEQ)
<<u>KLEMANSD@michigan.gov</u>>; Saldivia, Luis (DEQ) <<u>SALDIVIAL@michigan.gov</u>>; DEQ-Legislative-Contact@michigan.gov>
Subject: RE: UPDATE??? GH Dredging Sampling - Completed Permit and Plans #WRP014388

Thank you everyone. I have a call into Curtis with Rep. Hood's office and will make sure to provide the update to him. If we do set up a meeting, we likely will need to describe where we are in the process and what steps still need to take place prior to trying to dig into the series of questions that have been asked.

Thanks and have a great weekend.

Craig

Craig Brunet Legislative Liaison Michigan Department of Natural Resources 517-284-6228 From: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>
Sent: Friday, March 8, 2019 4:33 PM
To: Crook, Michelle (DNR) <<u>CrookM@michigan.gov</u>>; Alexander, Michael (DEQ)
<<u>ALEXANDERM2@michigan.gov</u>>
Cc: Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>>; Klemans, Diana (DEQ)
<<u>KLEMANSD@michigan.gov</u>>; Saldivia, Luis (DEQ) <<u>SALDIVIAL@michigan.gov</u>>; Brunet, Craig (DNR)
<<u>BrunetC@michigan.gov</u>>; DEQ-Legislative-Contact <<u>DEQ-Legislative-Contact@michigan.gov</u>>
Subject: RE: UPDATE??? GH Dredging Sampling - Completed Permit and Plans #WRP014388

#### Thanks, all!

Craig, can you relay to Curtis in Hood's office? I think most of her questions are definitely premature now knowing the samples haven't even been collected yet. We could have a discussion if she still wants to, but I think we're too far off to be delving into it to the degree she is asking for. There are too many "what ifs" at this point...

Thanks! Sarah

Sarah M. Howes Director, Policy & Legislative Affairs Department of Environmental Quality C 517.282.9204

From: Crook, Michelle (DNR) <<u>CrookM@michigan.gov</u>>
Sent: Friday, March 08, 2019 3:55 PM
To: Alexander, Michael (DEQ) <<u>ALEXANDERM2@michigan.gov</u>>
Cc: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>; Seidel, Teresa (DEQ)
<<u>SEIDELT@michigan.gov</u>>; Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>>; Saldivia, Luis (DEQ)
<<u>SALDIVIAL@michigan.gov</u>>; Brunet, Craig (DNR) <<u>BrunetC@michigan.gov</u>>; DEQ-Legislative-Contact
Subject: Re: UPDATE??? GH Dredging Sampling - Completed Permit and Plans #WRP014388

They have not been collected yet. They will need to contact DTMB to reschedule a meeting before beginning the work. They were waiting until the weather broke and river levels became safe.

Michelle

Sent from my iPhone

On Mar 8, 2019, at 3:53 PM, Alexander, Michael (DEQ) <<u>ALEXANDERM2@michigan.gov</u>> wrote:

Hi Sarah,

To my knowledge the sediment samples have not been collected yet. I assumed they would be collecting them sometime after the weather warms up a bit. If they have collected them we've not seen any results. Others may have more information.

Mike

Michael Alexander, Supervisor Lakes Erie, Huron and Superior Unit Surface Water Assessment Section Water Resources Division Department of Environmental Quality Phone 517-449-7971 From: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>
Sent: Friday, March 08, 2019 3:51 PM
To: Seidel, Teresa (DEQ) <<u>SEIDELT@michigan.gov</u>>; Klemans, Diana (DEQ)

<<u>KLEMANSD@michigan.gov</u>>; Alexander, Michael (DEQ)
<<u>ALEXANDERM2@michigan.gov</u>>; Saldivia, Luis (DEQ) <<u>SALDIVIAL@michigan.gov</u>>;
Crook, Michelle (DNR) <<u>CrookM@michigan.gov</u>>; Brunet, Craig (DNR)
<<u>BrunetC@michigan.gov</u>>
Cc: DEQ-Legislative-Contact <<u>DEQ-Legislative-Contact@michigan.gov</u>>
Subject: UPDATE??? GH Dredging Sampling - Completed Permit and Plans #WRP014388

Hi all,

I'm wondering if there is an update on the samples and their results?

Rep. Hood sent over a list of 29 questions that she'd like responses on from DEQ/DNR related to the dredging. Craig, Travis and I discussed earlier and think many of them are premature to try to answer at this point, and thought getting an updating would be the most appropriate starting point.

We may look at trying to set up a call or meeting in the coming weeks to walk her through what the process would be and discuss how DNR would need to evaluate the results to determine whether or not they'd even be willing to be the applicant.

Thanks, Sarah

Sarah M. Howes Director, Policy & Legislative Affairs Department of Environmental Quality C 517.282.9204

From: Howes, Sarah (DEQ) Sent: Monday, November 19, 2018 11:41 AM To: Mooney, Anna (DNR) <<u>MooneyA@michigan.gov</u>>; Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>> Cc: DEQ-Legislative-Contact <<u>DEQ-Legislative-Contact@michigan.gov</u>> Subject: FW: Completed Permit and Plans #WRP014388

Dina, Thanks for letting me know.

Anna,

I called and left Scott Hughes in Sen. Meekhof's office a voicemail a few minutes ago letting him know that the permit was issued on Friday afternoon. I told him to let me know if he has any questions and that I'd let you know that I'd contacted him.

Thanks all, Sarah

Sarah M. Howes Director, Policy & Legislative Affairs Department of Environmental Quality C 517.282.9204 From: Klemans, Diana (DEQ)
Sent: Monday, November 19, 2018 10:48 AM
To: Howes, Sarah (DEQ) <<u>HowesS1@michigan.gov</u>>
Cc: Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>>
Subject: FW: Completed Permit and Plans #WRP014388

FYI

Dina Klemans Section Manager Surface Water Assessment Section Water Resources Division Michigan Department of Environmental Quality 517-284-5510 <u>klemansd@michigan.gov</u>

From: Broadwater, Bonnie (DEQ) Sent: Friday, November 16, 2018 1:14 PM To: Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>> Cc: Saldivia, Luis (DEQ) <<u>SALDIVIAL@michigan.gov</u>>; Fish, Kim (DEQ) <<u>FISHK@michigan.gov</u>> Subject: FW: Completed Permit and Plans #WRP014388

Good Afternoon Dina,

The Grand River Waterway Sediment Testing Permit was issued this afternoon. A copy is attached for your convenience. Thanks, Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163 <image001.png>

From: McIntyre, Nicole (DEQ) Sent: Friday, November 16, 2018 1:06 PM

To: polktontwp@altelco.net; clerk@allendale-twp.org; lcook@tallmadge.com; rvanderklok@georgetown-mi.gov; countyclerk@miottawa.org; waterresourcescommissioner@miottawa.org; mallen@miottawa.org; ottawacd@macd.org;

jbraxmaier@miottawa.org; 'kim.perry@kentcountymi.gov' <kim.perry@kentcountymi.gov>; 'brad.boomstra@kentcountymi.gov>;

'adam.london@kentcountymi.gov' <adam.london@kentcountymi.gov>; Simmonds,Sara <sara.simmonds@kentcountymi.gov>; sbydalek@ci.walker.mi.us;

poleym@cityofgrandville.com; cityclerk@grcity.us; Schulz, Nathan T CIV USARMY CELRE (US) <<u>Nathan.T.Schulz@usace.army.mil</u>>; Hanshue, Scott (DNR)

<<u>HanshueS1@michigan.gov</u>>; Crook, Michelle (DNR) <<u>CrookM@michigan.gov</u>>; jessica\_pruden@fws.gov; mmacgregor@king-macgregor.com; Petersen, Paul (DNR) <<u>PetersenP@michigan.gov</u>>; Olson, Ron (DNR) <<u>OLSONR@michigan.gov</u>>

**Cc:** Saldivia, Luis (DEQ) <<u>SALDIVIAL@michigan.gov</u>>; Broadwater, Bonnie (DEQ) <<u>BroadwaterB@michigan.gov</u>>

Subject: Completed Permit and Plans #WRP014388

Good afternoon,

Attached you will find a copy of the Permit and Plans that was issued for a project located at 70-Grand River Waterway Project-Grand Haven. Please print the attached documents for your records. <u>Once the project is completed</u>, the applicant will need to contact Bonnie Broadwater by Email, stating everything is completed and include any required photos.

Kind Regards,

#### Nicole McIntyre

District Secretary for the Water Resources Division 350 Ottawa Avenue, Unit #10 Grand Rapids, Michigan 49503 616-356-0286 I mcintyren@michigan.gov

## ••• Verizon LTE

1:22 PM



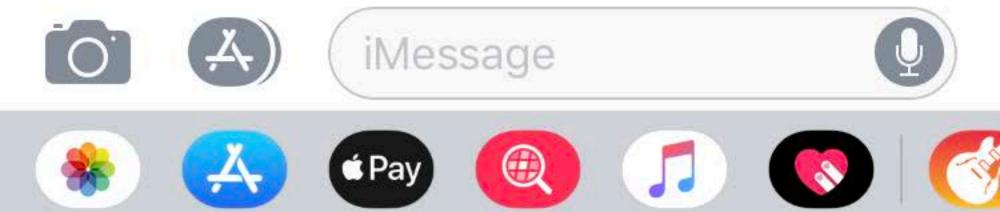
Rep. Rachel >

## Today 10:28 AM

I have information on the dredging project I'll send you via email. The permit applicant is the Michigan DNR. Bonnie Broadwater from our GR District Office is assigned to the project and will review all permit applications We do not have the feasibility study. If one was done MDNR will have it. I spoke to Bonnie and she will be in the office all day today if you have questions related to the permitting process. She will be copied on the email

## Delivered

18% 🔳



#### RE: WRP 014388 11/16/2018 Ron Olson

#### Broadwater, Bonnie (DEQ) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=979DC5A49E2A47DC8A7ACF3D155740CE-BROADWATER>

Tue 3/26/2019 8:27 AM

To: 'Dennis Craun' <dcraun2@comcast.net>

Good Morning Dennis,

Thank you for contacting the Michigan Department of Environmental Quality regarding the permit # WRP014388 issued for sediment testing at the site 70-Grand River Waterway Project- Grand Haven. You are correct that the permit stipulated that a permit must also be issued by the United States Army Corps of Engineers (USACE) for the authorized activity. The USACE issued a permit on February 13, 2019. The USACE permit and all other documents related to the file are available for review on MiWaters.

To access documents:

- 1. Follow the link to the MiWaters Home page:
- https://miwaters.deq.state.mi.us/miwaters/external/home
- 2. Click on the box marked Site Map Explorer
- 3. Type the site name (70-Grand River Waterway Project- Grand Haven) into the search tool & click the magnifying glass.
- 4. Select the site that matches from the list.
- 5. Click on show more information
- 6. Click on documents

From there, you can review the documents.

Thanks,

Bonnie Broadwater I Environmental Quality Analyst I Water Resources Division 350 Ottawa Ave, NW, Grand Rapids, MI 49503 I 616-591-8163



From: Dennis Craun <dcraun2@comcast.net> Sent: Monday, March 25, 2019 2:02 PM To: Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov> Subject: WRP 014388 11/16/2018 Ron Olson

Hi Bonnie. I noticed that the referenced permit which you signed required the permitee to obtain a COE permit. Has the COE issued the required permit? If so, how might I go about viewing/obtaining a copy of the COE permit? Thanks for your help.

Dennis Craun

#### FW: Grand River dredging - bottomlands

Saldivia, Luis (DEQ) <SALDIVIAL@michigan.gov> Wed 3/27/2019 11:41 AM To: Broadwater, Bonnie (DEQ) <BroadwaterB@michigan.gov>

1 attachments (43 KB)

RE: Dredging Authorization;

From: Saldivia, Luis (DEQ) Sent: Tuesday, March 19, 2019 3:49 PM To: Matousek, Bethany (DEQ) <MatousekB@michigan.gov> Subject: FW: Grand River dredging - bottomlands

Part of the emails related to the Grand River dredging project.

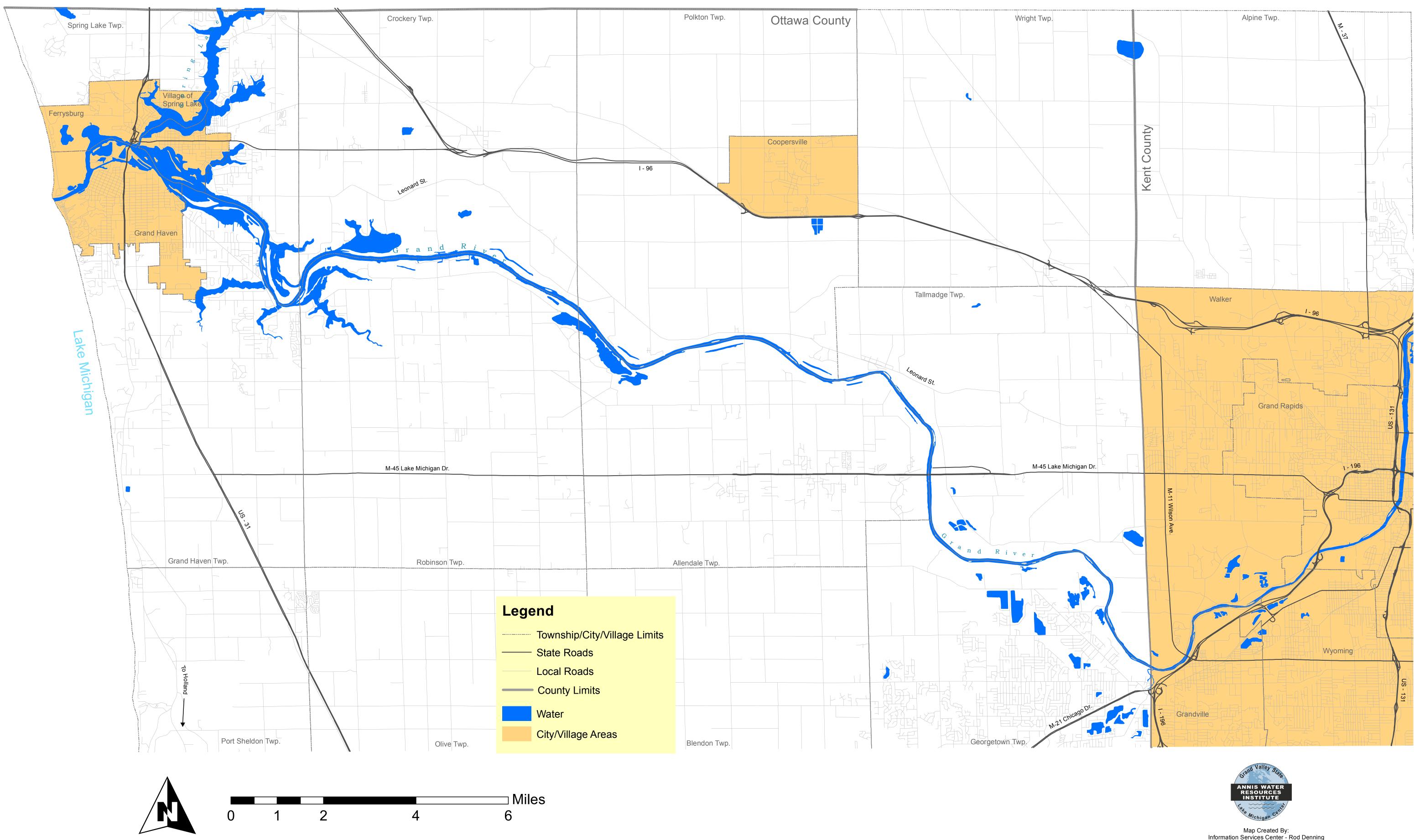
From: Klemans, Diana (DEQ) <<u>KLEMANSD@michigan.gov</u>> Sent: Tuesday, October 09, 2018 1:40 PM To: Saldivia, Luis (DEQ) <<u>SALDIVIAL@michigan.gov</u>> Subject: Grand River dredging - bottomlands

Hi Luis,

See attached string of emails related to state authority over bottomlands in certain circumstances. I got this from Kim.

Dina

Dina Klemans Section Manager Surface Water Assessment Section Water Resources Division Michigan Department of Environmental Quality 517-284-5510 <u>klemansd@michigan.gov</u>



# The Grand River Northern Ottawa County - Western Kent County