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**Date:** January 6, 2011

**To:** Fernando Guevara  
Real Estate and Rights of Way  
ITC

**From:** Ashley DuPree  
Engineering  
ITC

**Subject:** **UMT0102261/CU-521**  
Wildwood Club Proposed Dike between structures 103A7478 & 103A7477

This request is hereby approved under the following conditions:

1. The top of the dike be no less than 14' in width to accommodate vehicular traffic.
2. ITC will not be responsible for any damage to the dike caused by ITC personnel or contractors accessing, maintaining or replacing the transmission poles or conductors.

Approved By:

A handwritten signature in blue ink, appearing to read "Ashley DuPree", is written over a horizontal line.

Ashley DuPree  
Senior Engineer



International Transmission Company

27175 Energy Way

Novi, MI 48377

Telephone (248) 946-3514

Facsimile (248) 374-7260

E-mail: [fguevara@itctransco.com](mailto:fguevara@itctransco.com)

January 10, 2011  
Heather Rawlings  
U. S. Fish and Wildlife Service  
480 West Fletcher St  
Alpena, NI 49707

RE: Wildwood Club Proposed Dike between Structures 103A7478 & 103A7477

Dear Heather:

METC, LLC advises you that there are no objections to the proposed construction of a dike between structures 103A7478 & 103A7477. However, METC would like to recommend the following conditions:

1. The top of the dike be no less than 14' in width to accommodate vehicular traffic.
2. ITC will not be responsible for any damage to the dike caused by ITC personnel or contractors accessing, maintaining or replacing the transmission poles or conductors.

If there are any questions concerning this letter, please contact me at (248) 946-3514, email at [fguevara@itctransco.com](mailto:fguevara@itctransco.com).

Sincerely,

A handwritten signature in blue ink, appearing to read "Fernando Guevara". The signature is stylized and written over a horizontal line.

Fernando Guevara

Senior Property Management Specialist



46489

Real Estate and Claims Division

**Project No: UMT0102261  
CU-521**

Date: January 4, 2011  
To: Ashley Dupree (Senior Engineer, Towers)  
From: Fernando Guevara  
Real Estate Group

Subject: Wildwood Club Proposed Dike *between structures 03A 7978 & 103 A7477.*  
CE Reference. N/A

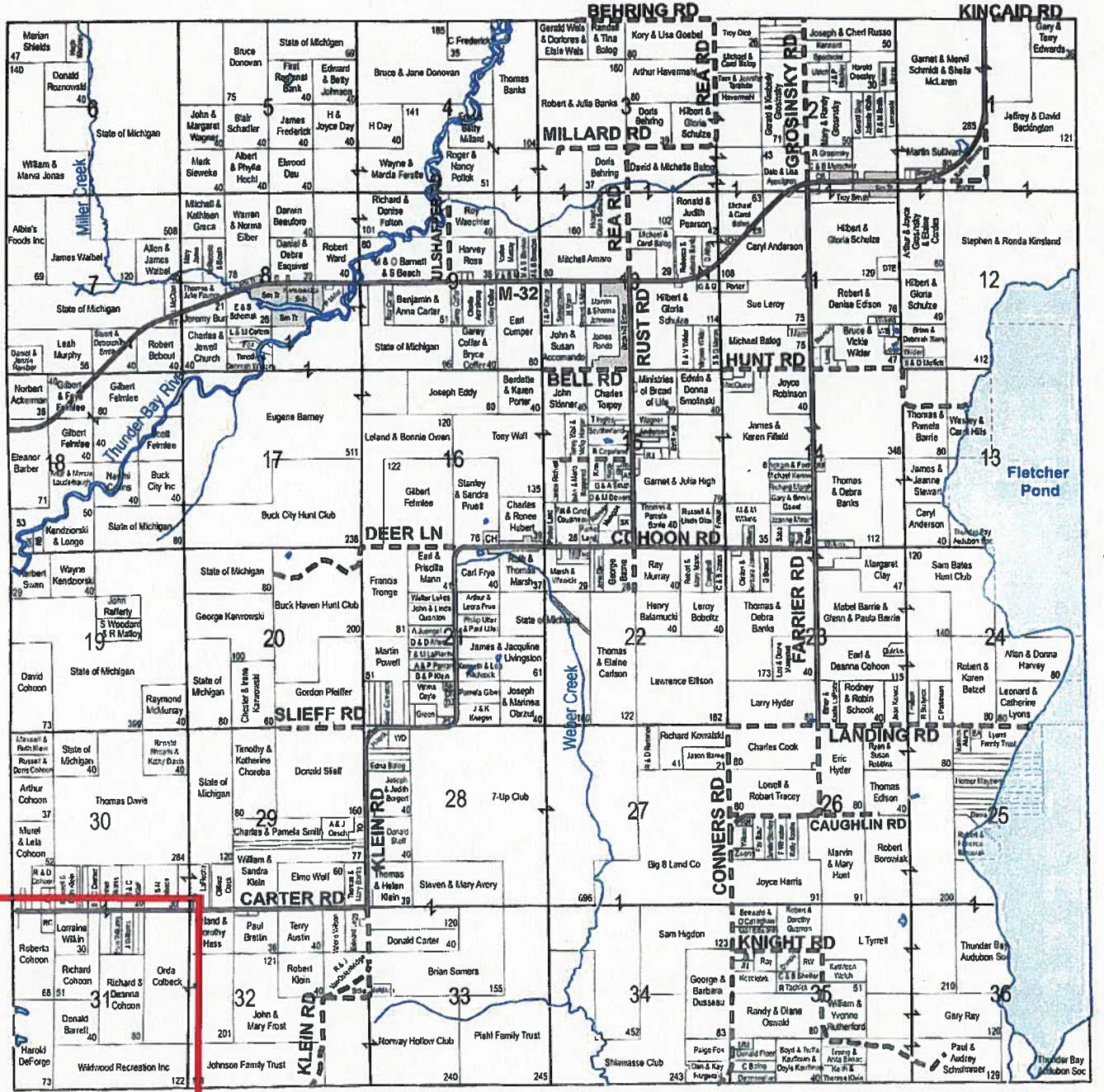
METC received a request from the U.S. Fish and Wildlife Service to build berm in an area where METC has easement rights. Wildwood Club has been working with the U.S. Fish and Wildlife Partners for Fish and Wildlife Service to construct an earthen berm on their property to flood about three acres of bottomlands habitat. The proposed location of the berm is on the power right-of-way that runs through their property, and US Fish and Wildlife are seeking permission from ITC to go ahead with the construction. They received the proper MDNRE permit, and Consumers Power has agreed to let the project continue.

Furthermore, Heather Rwalings (U.S. Fish & Wildlife Service ) mentions that the project they are proposing will improve our existing access road, by widening it (12 ft. top width), raising it around four feet, and removing the flooding hazards that currently exist. The existing road and access will remain the same. Access to the towers at the top of both hills will not change. What will change is that they propose to construct a shallow flooding underneath the electrical lines. If needed this area can be temporarily drained by a slight excavation of the spillway. If possible we need to submit a response letter to the by U.S. Fish and Wildlife Service **January 05, 2010.**

Please review and return to my attention with your recommendations/comments.

Attachments

See Page 18

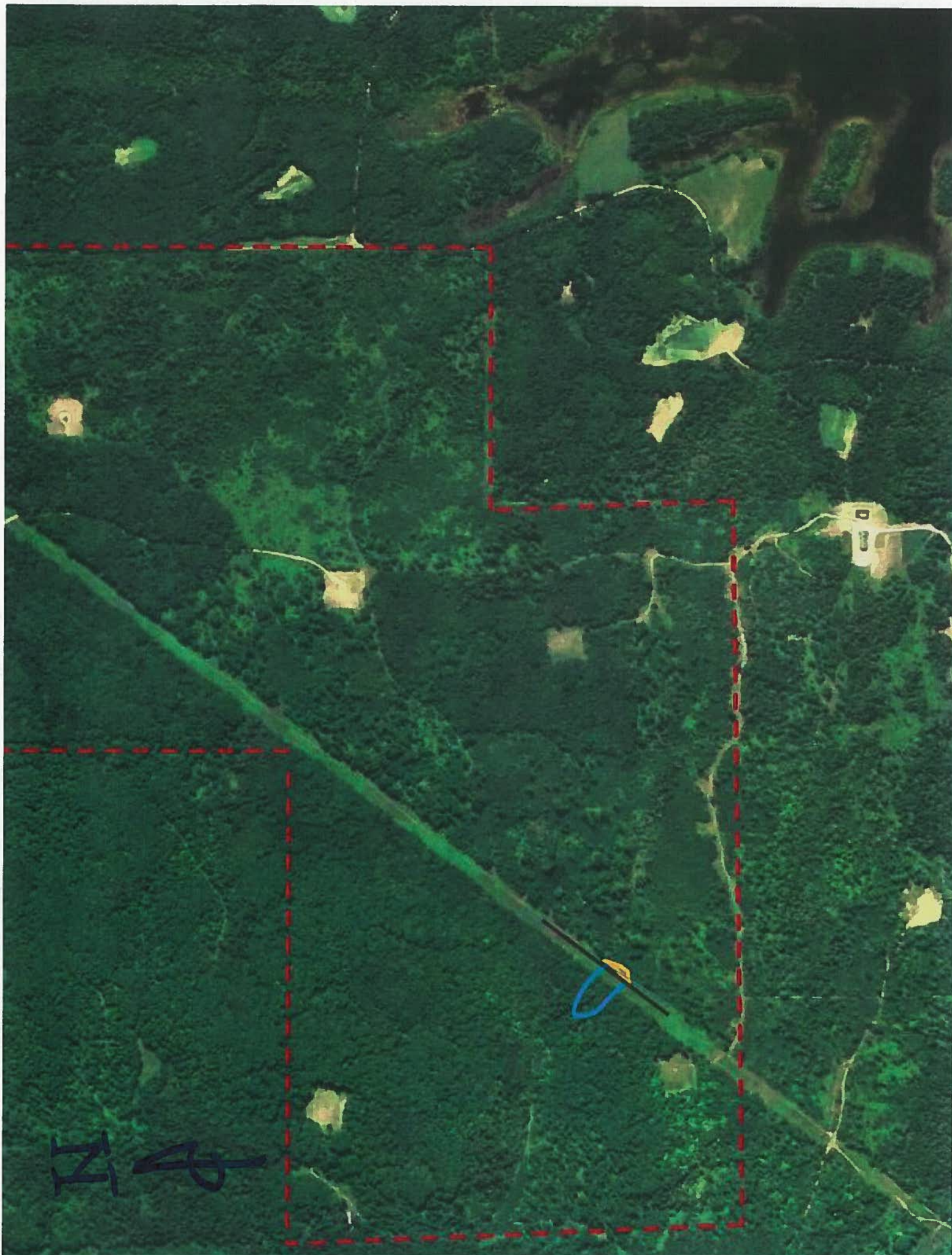


See Page 13

Alpena County

See Page 10

<p><b>Atlanta Hardware</b> Main Street Atlanta (989) 785-3351 Sporting Goods Jonsered Chainsaws Plumbing &amp; Electrical Supplies DNR Licenses, Toro, Lawn Equipment</p>	<p><b>CARQUEST</b> AUTO PARTS STORES <b>FOCHTMAN'S CARQUEST</b> 641 North State St. Hillman, MI 49746 Ph. (989) 742-4597 1-800-861-5888</p>	<p>David Stouffer <b>D</b> MECHANICAL SERVICES, INC. PLUMBING - HEATING AIR CONDITIONING Phone: (989) 786-4137 Fax: (989) 786-7337 Pager: (989) 490-0330 P.O Box 1133 Lewiston, MI 49756 Licensed</p>
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120

Montmorency County  
Rust Township  
Sections 31  
T30N, R4E  
Line: Mio - Airport  
Line: 103A



30N04E31

30N04E31

Proposed Dike

Structure No. 7478

Structure No. 7477

Carter, Pa

**Wildwood Club-Pictures of Proposed Project Site**

N  
↓



Earthen dike will be constructed on current crossing. Water "flow" is to the left (NW).



Picture taken from low point of proposed construction site. No bed or banks exist on this drainage, and a handful of sedges (less than 12) are the only wetland plants on-site.

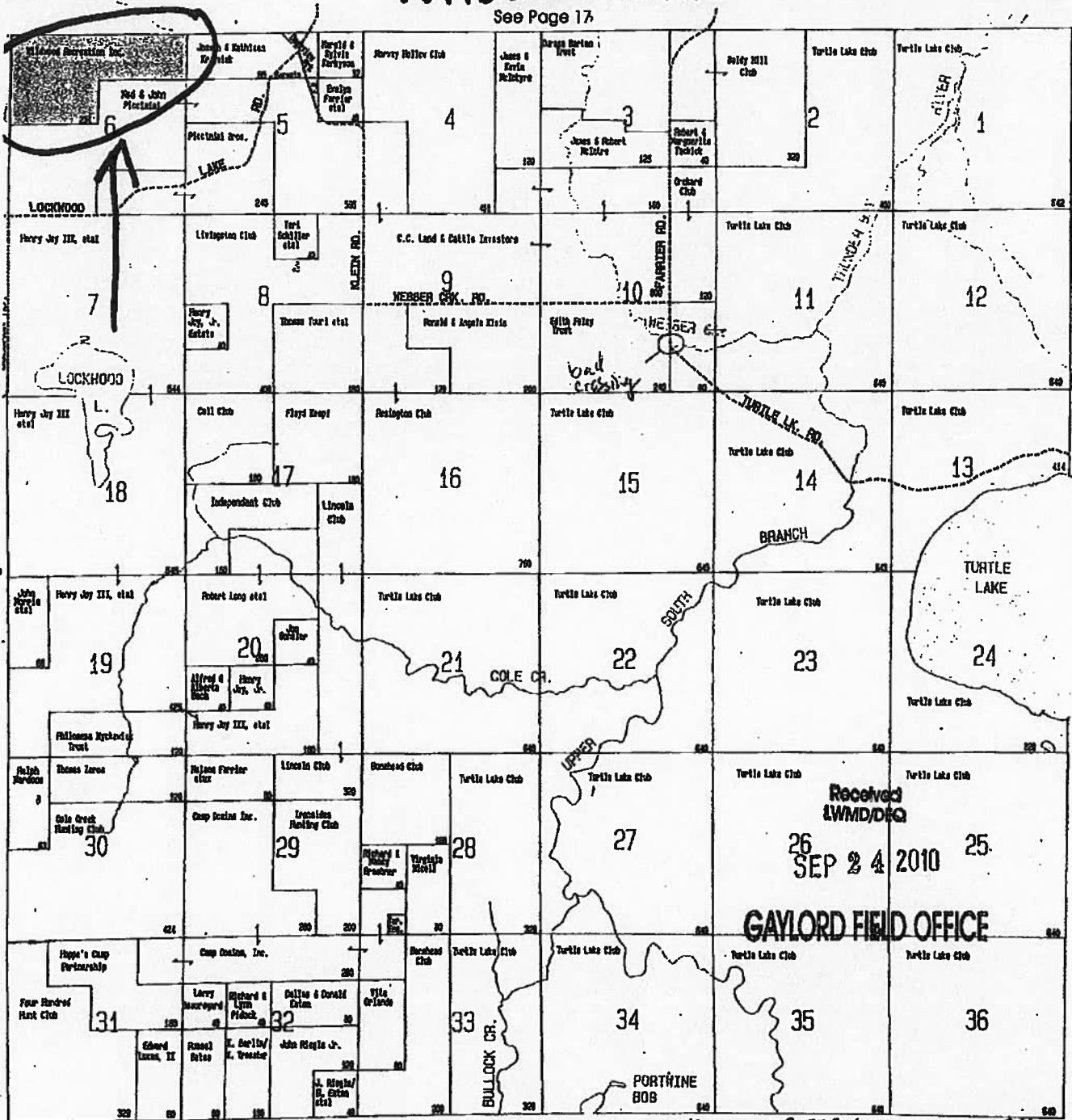
→ W

SOUTH ART RUST

# Wildwood Club

T.29N. - R.4E.

See Page 17



Oscoda County 44.9403959N 84.0029840W

WRD/DNRE  
Permitted Plan

OCT 07 2010

File No. 10-60-15P  
Page No. 487

P.O. E  
AIRPORT ROAD

ATLANTA, MICHIGAN 49709

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(17) 785-2120

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 23639 Brandt Rd.  
 Hillman, MI 49746  
**(517) 742-3907**

**Central Insurance Services**



Atlanta Office  
P.O. Box 84

Atlanta, MI 49709

ROY "PAT" GRIFFITH

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ATLANTA

(517) 785-3309

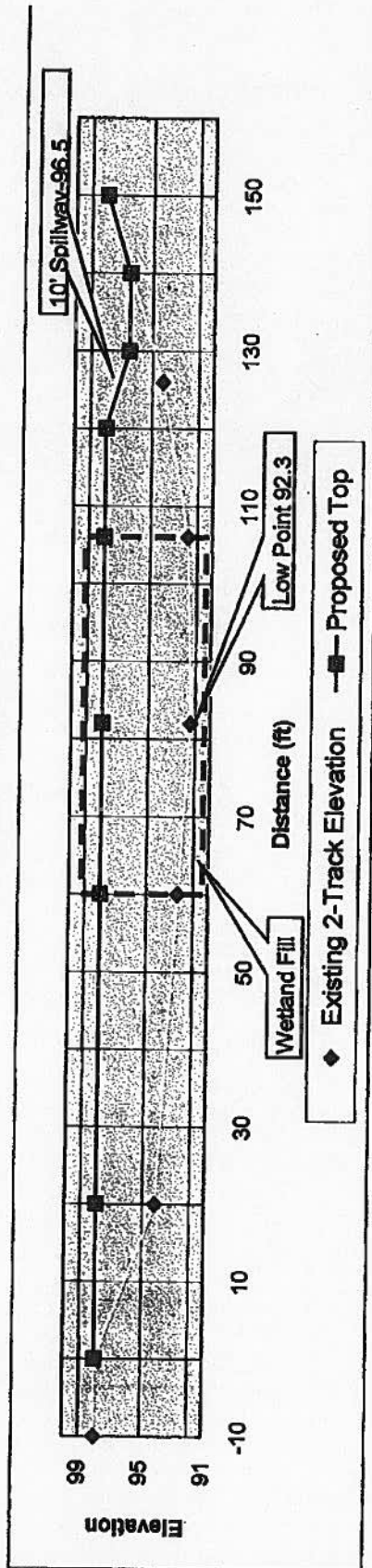
FAX (517) 785-2441

GAYLORD

1-800-228-1351

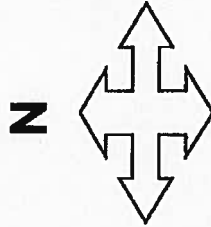
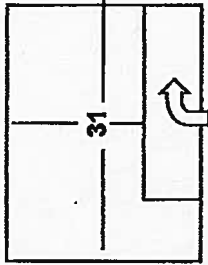


PROFILE- DIKE #1



Received  
LWMD/DEQ  
SEP 24 2010  
GAYLORD FIELD OFFICE

WRD/DNRE  
Permitted Plan  
OCT 07 2010  
File No. 10-60-158  
Page No. 6 of 6



Received  
LWMD/DEQ

SEP 24 2010

GAYLORD FIELD OFFICE

WRD/DNRE  
Permitted Plan

OCT 07 2010

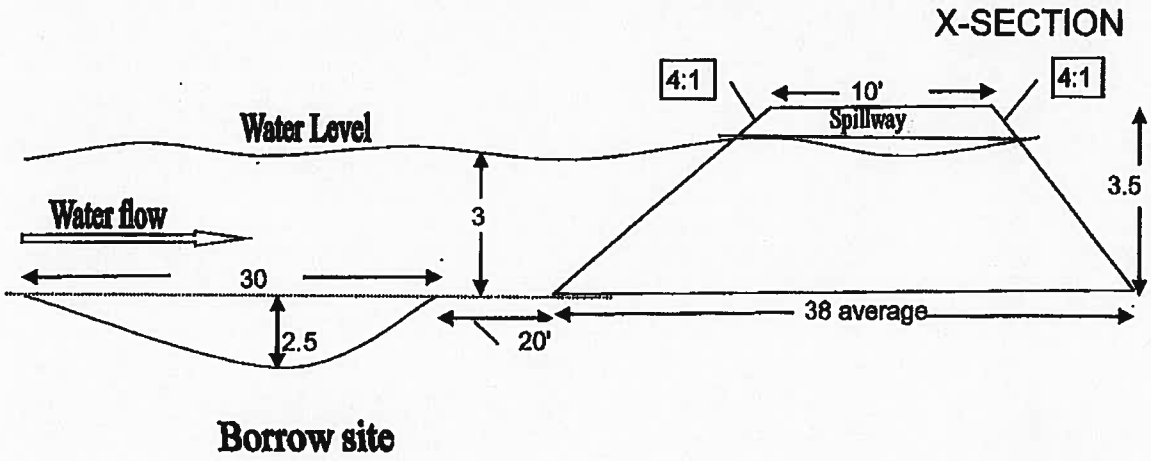
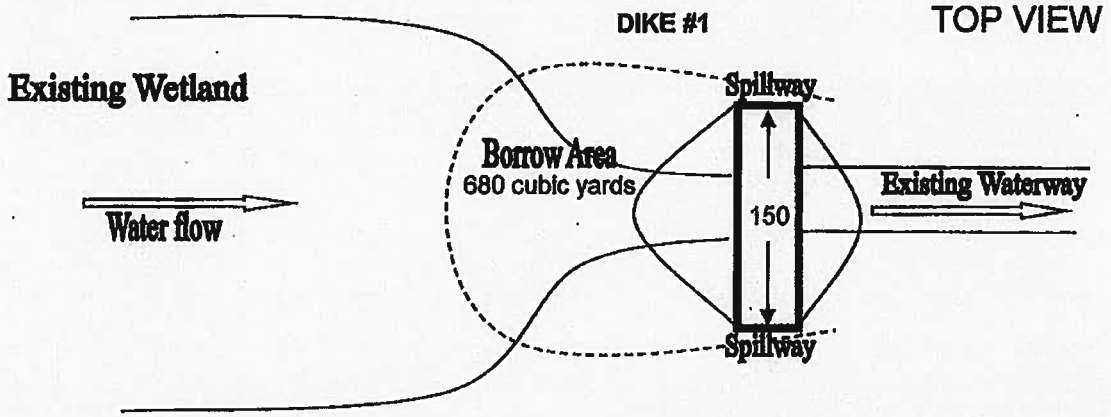
File No. 1060-158  
Page No. 387

Name: Wildwood Club  
County: Montmorency  
Township: North Rust  
TRS: T30N, R4E, Section 31SE  
Quad: Rust

Overview:



Elevations:		Materials:	
Proposed berm Spec's	Elevation	Proposed Berm Enhancement	
Bench Mark (BM)	100.0	Total Fill (cy)	680
Channel Bottom	92.3	Wetland fill (cy)	296
Top of Berm	98.0	Spillway Rock (cy)	15
Emergency Spillway	96.5	Riser/control structure height	n/a
Water Control Structure	n/a	dia. Double wall pipe (ft)	n/a



Received  
LWMD/DEQ

SEP 24 2010

GAYLORD FIELD OFFICE

WRD/DNRE  
Permitted Plan

OCT 07 2010

File No. 10-120-15P  
Page No. 607

Montmorency County  
Rust Township  
Section 6  
T29N, R4E  
Line: Mio - Airport  
Line: 103A



Section 6

See TIC Instrument #  
88-0108-2

See TIC Instrument #  
78-0108-1

Drainage Ditch

Rd 103A

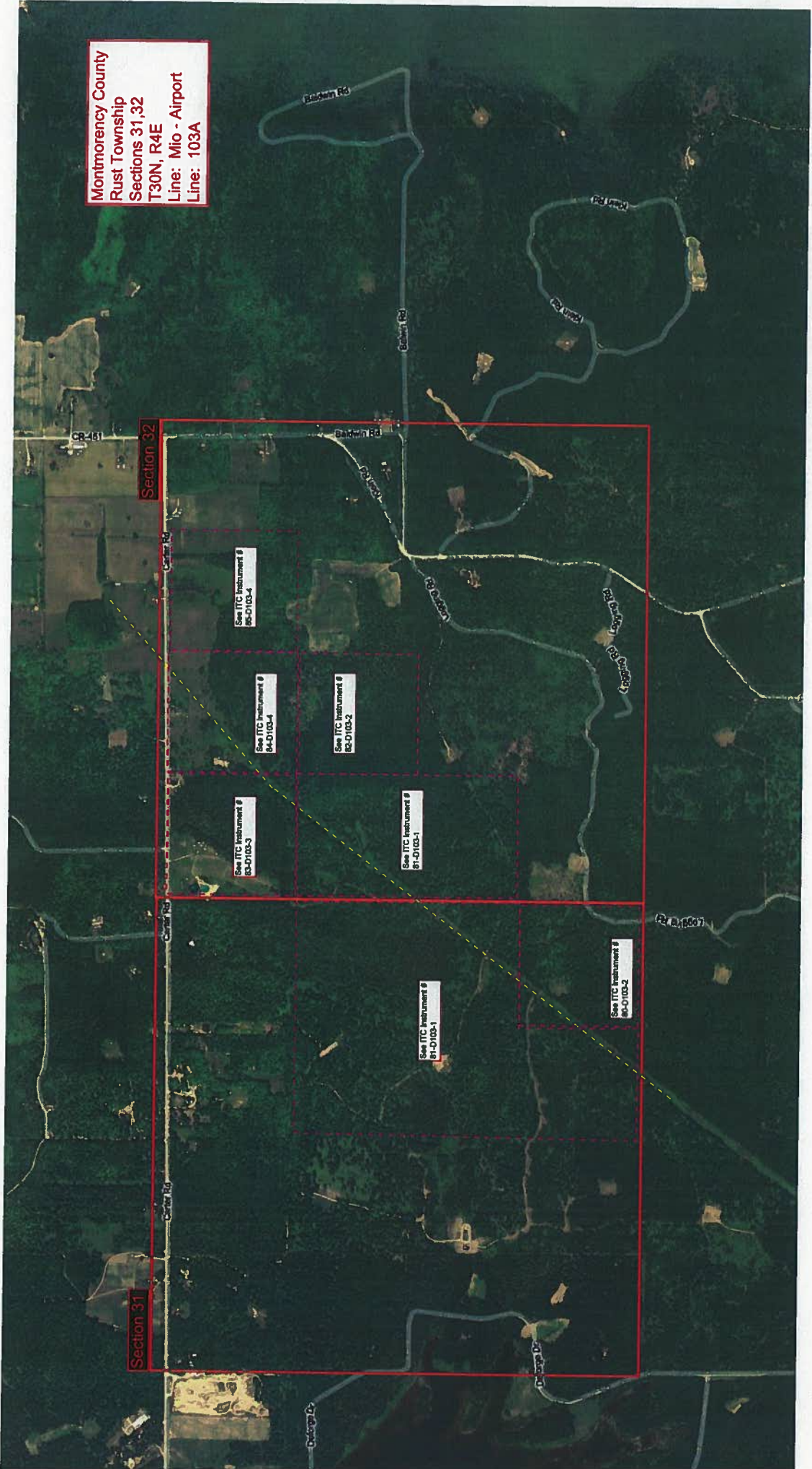
Rd 103A  
Rd 103A  
Rd 103A

Lockwood Lakes Rd

Lockwood Lakes Rd

W. Lockwood Lakes Rd

Montmorency County  
Rust Township  
Sections 31,32  
T30N, R4E  
Line: Mio - Airport  
Line: 103A



Section 32

Section 31

See ITC Instrument #  
86-D-103-4

See ITC Instrument #  
84-D-103-4

See ITC Instrument #  
85-D-103-2

See ITC Instrument #  
83-D-103-3

See ITC Instrument #  
81-D-103-1

See ITC Instrument #  
81-D-103-1

See ITC Instrument #  
86-D-103-2

CR-461

Baldwin Rd

Baldwin Rd

Baldwin Rd

Rd DeLonge

Rd DeLonge

Rd DeLonge

Rd DeLonge

Rd DeLonge

Rd DeLonge

Rd DeLonge

Rd DeLonge

Rd DeLonge

Center Rd

Center Rd

Center Rd

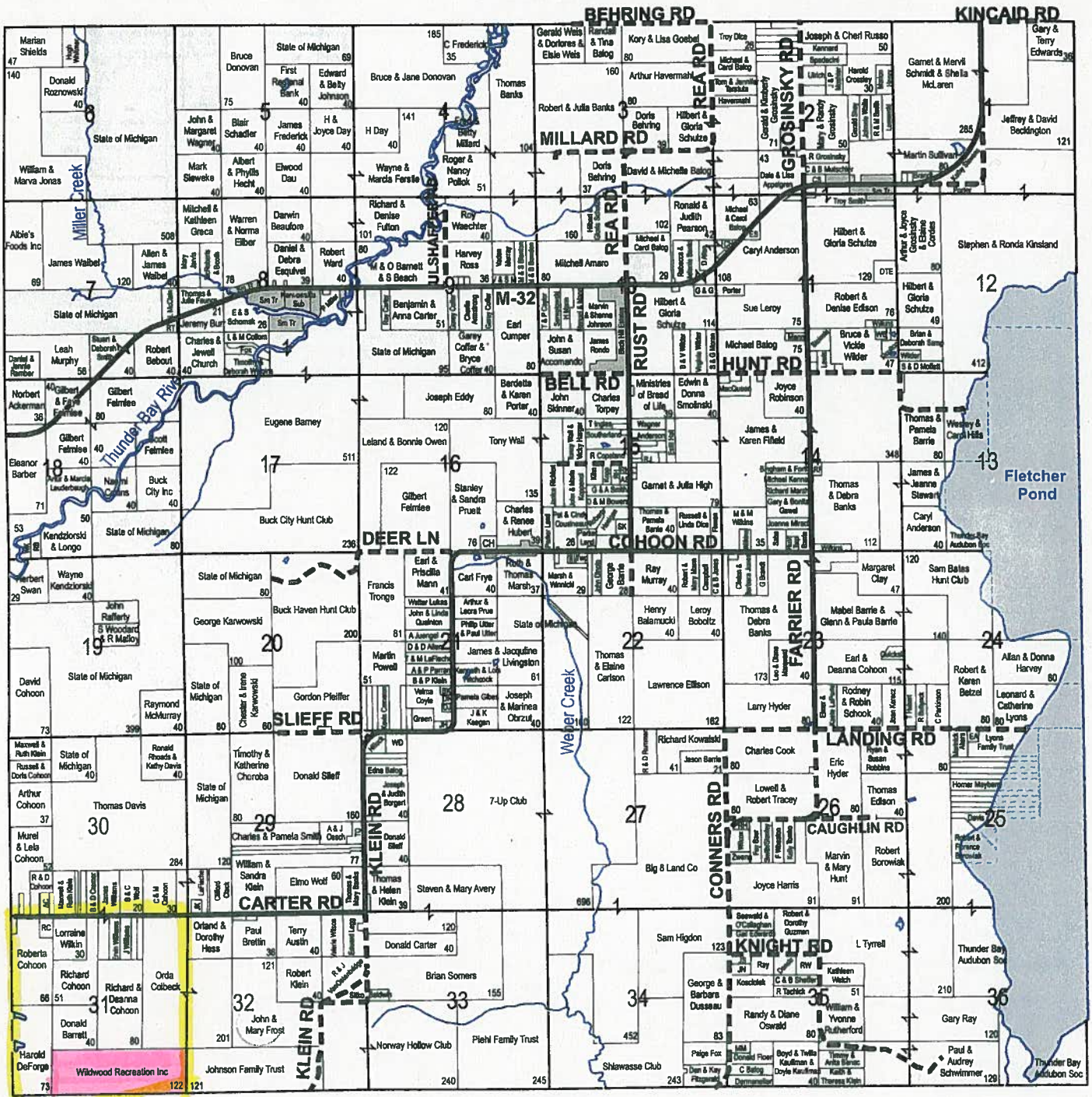
DeLonge Dr

DeLonge Dr

See Page 18

See Page 13

Alpena County



See Page 10

**Atlanta Hardware**  
Main Street  
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Jonsered Chainsaws  
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AUTO PARTS STORES  
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Hillman, MI 49746  
Ph. (989) 742-4597  
1-800-861-5888

David Stouffer  
Phone: (989) 786-4137  
Fax: (989) 786-7337  
Pager: (989) 490-0330  
**D MECHANICAL SERVICES, INC.**  
PLUMBING - HEATING  
AIR CONDITIONING  
P.O. Box 1133  
Lewiston, MI 49756  
Licensed

CONSUMERS POWER COMPANY / 03 TRACT 86 3-2 80-1103-2  
 MAP 4 & 8  
 ACCOUNT NO. 100.110-240.000  
 1.54104

Michigan STATE  
 Montmorency COUNTY  
 SECTION 6  
 TOWNSHIP 13 N  
 RANGE 4 E

DATE	JOURNAL ENTRY	ITEMS OF COST	AMOUNT	TRANSFERS	BALANCE
Dec 1954	200	Original Cont (See Volume 174, Exhibits 103a, Working Papers)	\$1,106 05		\$1,106 05
Nov 1955	581				

TITLE DATA  
 Wildwood Recreation Club, Incorporated, a corporation [1313A]  
 Perpetual Easement 1-2-3-5-4 1-4-5-54 181 1 478 1 002805  
 DATE OF INSTRUMENT 4-22-19 Parcels 6&8a

RIGHT OF WAY  
 RECORDED IN LIB. 20, PAGE 478  
 RECORDED IN LIB. 20, PAGE 478

WILWOOD RECREATION CLUB, INCORPORATED, a CORPORATION  
 of the State of Michigan, do hereby certify that the following is a true and correct copy of the original instrument as recorded in the public records of the State of Michigan, to-wit: Book 20, Page 478.

The Northwest one-quarter (1/4) of Section six (6), and the Northeast one-quarter (1/4) of the Northwest one-quarter (1/4) of Section six (6), being in Township twenty-nine (29) North, Range four (4) East, and the Southeast one-quarter (1/4) of the Southeast one-quarter (1/4) of Section thirty-one (31), Township thirty (30) North, Range four (4) East.

The route to be taken by said lines of poles, wires, cables and conductors, over and under said land being more specifically described as follows: Second party may locate said lines of poles, wires, cables and conductors, over and under said land along or adjoining as near as practicable a line, which said line is described as beginning at a point not more than 100 feet East of the East, North and South eighth line of Section 12, Township 29 North, Range 3 East, at a point not more than 700 feet nor less than 300 feet South of the North line of said Section, running thence Northwesterly to a point not more than 100 feet West of the West, North and South eighth line of Section 35, Township 30 North, Range 4 East, at a point not more than 200 feet North of the North, East and West eighth line of said Section 35.

Witness my hand and the seal of the first party of the first part hereunto, this 22nd day of February 1919.

WILWOOD RECREATION CLUB, INCORPORATED  
 By: *Richard B. Decker* President  
 Attest: *Frank E. Mahon* Secretary

STATE OF MICHIGAN  
 County of Huron

On this 23rd day of Feb. 1924, before me, a Notary Public in and for Jackson County, acting in and for the County, personally appeared *Frank E. Mahon*, known to me to be the person whose name appears as Secretary of the Wildwood Recreation Club, Incorporated, an incorporated corporation of Michigan, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors and said *Frank E. Mahon* declared and said instrument to be a true and correct copy of said instrument.

Notary Public,  
 Jackson County,  
 Michigan



**Guevara, Fernando**

---

**From:** Heather\_Rawlings@fws.gov  
**Sent:** Thursday, January 06, 2011 1:43 PM  
**To:** Guevara, Fernando  
**Subject:** RE: Wildwood Club aerial

The USFWS is happy to comply with the request to widen the top of the dike proposed for construction at the Wildwood Club property to 14 feet wide. We will acquire a revised permit from the State of Michigan once permission is granted from all entities, and we are ready to begin the construction phase of the project.

If you have any other requests please feel free to contact me.

Heather Rawlings  
Fish and Wildlife Biologist- Partners for Fish and Wildlife

U.S. Fish & Wildlife Service  
Alpena Fish and Wildlife Conservation Office  
480 West Fletcher St.  
Phone: 989/356-5102 Ext. 1011  
Fax: 989/356-4651

"Guevara, Fernando" <fguevara@Itctransco.com>



"Guevara, Fernando"  
<fguevara@Itctransco.com>

11/30/2010 08:45 AM

To "Heather\_Rawlings@fws.gov"  
<Heather\_Rawlings@fws.gov>

cc

Subject RE: Wildwood Club aerial

Heather,

If possible can you mark in the aerial photo the location of service drive? I'll be contacting our vegetation management, maintenance group and see what path they use in this area. Hopefully this proposed dike will not interfere with our current access rights.

---

**From:** Heather\_Rawlings@fws.gov [[mailto:Heather\\_Rawlings@fws.gov](mailto:Heather_Rawlings@fws.gov)]  
**Sent:** Monday, November 29, 2010 8:17 AM  
**To:** Guevara, Fernando  
**Subject:** Wildwood Club aerial

Fernando,

Attached is the aerial photo you requested. Please feel free to contact me if you have further questions.

*(See attached file: Wildwood Aerial.pdf)*



Thank you for your time.

Heather Rawlings

Fish and Wildlife Biologist- Partners for Fish and Wildlife

U.S. Fish & Wildlife Service

Alpena Fish and Wildlife Conservation Office

480 West Fletcher St.

Phone: 989/356-5102 Ext. 1011

Fax: 989/356-4651

---

Please consider the planet before you print.

**Guevara, Fernando**

---

**From:** Heather\_Rawlings@fws.gov  
**Sent:** Tuesday, January 04, 2011 10:42 AM  
**To:** Guevara, Fernando  
**Subject:** RE: Wildwood Club aerial

Good morning Fernando, thank you for contacting me regarding the Wildwood Club property.

The project we are proposing will improve your existing access road, by widening it (12 ft. top width), raising it around four feet, and removing the flooding hazards that currently exist. The existing road and access will remain the same. Access to the towers at the top of both hills will not change. What will change is that we propose to construct a shallow flooding underneath the electrical lines. If needed this area can be temporarily drained by a slight excavation of the spillway.

Thank you for considering this proposal.

Sincerely,

Heather Rawlings  
Fish and Wildlife Biologist- Partners for Fish and Wildlife

U.S. Fish & Wildlife Service  
Alpena Fish and Wildlife Conservation Office  
480 West Fletcher St.  
Phone: 989/356-5102 Ext. 1011  
Fax: 989/356-4651

"Guevara, Fernando" <fguevara@Itctransco.com>



"Guevara, Fernando"  
<fguevara@Itctransco.com>

11/30/2010 08:45 AM

To: "Heather\_Rawlings@fws.gov"  
<Heather\_Rawlings@fws.gov>

cc

Subject: RE: Wildwood Club aerial

Heather,

If possible can you mark in the aerial photo the location of service drive? I'll be contacting our vegetation management, maintenance group and see what path they use in this area. Hopefully this proposed dike will not interfere with our current access rights.

---

**From:** Heather\_Rawlings@fws.gov [[mailto:Heather\\_Rawlings@fws.gov](mailto:Heather_Rawlings@fws.gov)]  
**Sent:** Monday, November 29, 2010 8:17 AM  
**To:** Guevara, Fernando  
**Subject:** Wildwood Club aerial

Fernando,

1/4/2011

**Guevara, Fernando**

---

**From:** Nicholl, Kevin  
**Sent:** Monday, December 06, 2010 2:43 PM  
**To:** Guevara, Fernando  
**Cc:** Stephanoff, Patricia  
**Subject:** RE: info

Fernando

Today I went from Lockwood North to Carter , There is a good access 2 trac from North to South , if they install a pond you would have to enter from each end , there are other access points from East and West of the line but I did not run them out thinking it involves too many landowners and off ROW trespassing . Hope this helps let me know if I can assist further .

*Kevin Nicholl*  
**ULC FORESTRY NORTH**  
989-731-4302 ext. 231  
989-731-4351 Gaylord Fax  
989-745-4636 Cell  
[knicholl@ttctransco.com](mailto:knicholl@ttctransco.com)

---

**From:** Guevara, Fernando  
**Sent:** Tuesday, November 30, 2010 3:22 PM  
**To:** Nicholl, Kevin  
**Subject:** RE: info

There you go! I was waiting for the U.S Fish & Wild Life Service to provide us with the location of the access road they believe we can still use. Like I told you the property owners have been working with the U.S. Fish and Wildlife Partners for Fish and Wildlife Service to construct an earthen berm on their property to flood about three acres of bottomlands habitat. The proposed location of the berm is on the power right-of-way that runs through their property, and they are seeking permission from us to go ahead with the construction. I want use you expertise and determine if this project will impede with the access that we currently have.

---

**From:** Nicholl, Kevin  
**Sent:** Tuesday, November 30, 2010 3:10 PM  
**To:** Guevara, Fernando  
**Subject:** info

Did you send the Mio-Airport info ??

*Kevin Nicholl*  
**ULC FORESTRY NORTH**  
989-731-4302 ext. 231  
989-731-4351 Gaylord Fax  
989-745-4636 Cell  
[knicholl@ttctransco.com](mailto:knicholl@ttctransco.com)

---

Please consider the planet before you print.

Guevara, Fernando

mid - Airport

From: Heather\_Rawlings@fws.gov  
Sent: Wednesday, November 24, 2010 12:06 PM  
To: Guevara, Fernando  
Cc: fortuncook@aol.com  
Subject: Fw: Consumers Power  
Attachments: MDNREPermit.pdf; Wildwood Club.docx

Structure No. 103A 7477 E 103A 7478  
montmorency County  
rust top  
section 6 T29N, R4E

Mr. Guevara,

I am forwarding you a string of e-mails regarding a power right-of-way that transacts the Wildwood Club property in Montmorency County, MI. These gentlemen have been working with the U.S. Fish and Wildlife Partners for Fish and Wildlife Service to construct an earthen berm on their property to flood about three acres of bottomlands habitat. The proposed location of the berm is on the power right-of-way that runs through their property, and I am seeking permission from your organization to go ahead with the construction. We have received the proper MDNRE permit, and Consumers Power has agreed to let the project continue. I have attached a copy of the MDNRE permit which describes the project and the location. I have also attached some pictures of the site. Please contact me if you have any questions or if you require further information.

(See attached file: MDNREPermit.pdf)(See attached file: Wildwood Club.docx)

Sincerely,

\* Flooded  
x

Heather Rawlings  
Fish and Wildlife Biologist- Partners for Fish and Wildlife

U.S. Fish & Wildlife Service  
Alpena Fish and Wildlife Conservation Office  
480 West Fletcher St.  
Alpena, MI 49707  
Phone: 989/356-5102 Ext. 1011  
Fax: 989/356-4651

----- Forwarded by Heather Rawlings/R3/FWS/DOI on 11/24/2010 11:52 AM -----



Robert J Bourgeois  
<rjbougeois@cmsenergy.com>

11/24/2010 11:32 AM

ToEvangeline R Harvey  
<erharvey@cmsenergy.com>  
ccheather\_rawlings@fws.gov,  
fortuncook@aol.com

SubjectRe: Fw: Consumers Power

Heather,

Please find Vangie Harvey's response below approving the dike from CE. However, I would like to bring to your attention as I had stated before; METC/ITC also has rights on this line and should be contacted for their approval as well. Contact for them is:

Fernando Guevara      fguevara@itctransco.com      Office phone: 248-946-3514      ITC

If you have any further questions, please feel free to contact me.

Rob



Robert J. Bourgeois  
Land Management Field Rep- East Zone  
517.740.8936 cell  
517.788.1216 fax

From: Evangeline R Harvey <erharvey@cmsenergy.com>  
To: Robert J Bourgeois <rjbougeois@cmsenergy.com>  
Date: 11/24/2010 10:35 AM  
Subject: Re: Fw: Consumers Power

---

Hi,

I reviewed this request and I do not have any issues with them raising the dike. Did you contact METC to make sure they did not have any issues?

Do I still need to contact Heather Rawlings? I just notice that part of the emails today.



**Vangle Harvey**  
**Senior Engineer I**  
HVD Lines Design and Standards  
Jackson - Parnall Complex  
Office: 517-788-1572  
Fax: 517-788-7077

From: Robert J Bourgeois <rjbougeois@cmsenergy.com>  
To: Evangeline R Harvey <erharvey@cmsenergy.com>  
Date: 11/23/2010 08:55 AM

11/24/2010

Subject: Fw: Consumers Power

---

Here is some more follow up. Could you please contact Heather Rawlings of th USFWL @ 989-356-5102 x1011

---

**From:** fortuncook  
**Sent:** 11/23/2010 08:40 AM EST  
**To:** Robert Bourgeois  
**Subject:** Re: Consumers Power

Dear Mr. Bourgeois,

The grade between the poles goes well below that in the rest of the area. Even the raising of the grade by the dike will not bring it up near to what it is at poles 7477 and 7478. The service road is not directly under the lines; in fact the area under the lines is where the material for the dike would be taken. The pond below the power lines would mean that no trees would be growing that could eventually interfere. The service road is not passable in this area because of washing out. We believe that the dike will be a definite benefit to Consumers by making the service road usable.

Norman Duford, President  
Wildwood Club

-----Original Message-----

**From:** Robert J Bourgeois <rjbougeois@cmsenergy.com>  
**To:** Heather Rawlings <Heather\_Rawlings@fws.gov>; fortuncook <fortuncook@aol.com>  
**Sent:** Mon, Nov 22, 2010 8:10 am  
**Subject:** Re: Consumers Power

Our HVD dept is reviewing. Our initial response was changing the grade may very well impact thr required clearance spanning several poles, it is still under review.

---

**From:** Heather\_Rawlings  
**Sent:** 11/22/2010 07:44 AM EST  
**To:** Robert Bourgeois; fortuncook@aol.com  
**Subject:** Fw: Consumers Power

Rob,

11/24/2010

Please see Norm's message, below.

Heather Rawlings  
Fish and Wildlife Biologist- Partners for Fish and Wildlife

U.S. Fish & Wildlife Service  
Alpena Fish and Wildlife Conservation Office  
480 West Fletcher St.  
Phone: 989/356-5102 Ext. 1011  
Fax: 989/356-4651

----- Forwarded by Heather Rawlings/R3/FWS/DOI on 11/22/2010 07:41 AM -----

fortuncook@aol.com

11/21/2010 11:50 PM

ToHeather\_Rawlings@fws.gov

cc

SubjectRe: Consumers Power

Heather,

The site lies between poles number 7477 and 7478 on the power line. Could you relay that to Rob and also copy to me so I have his email address also?

Norman Duford

-----Original Message-----

From: Heather\_Rawlings@fws.gov

To: FortunCook@aol.com

Sent: Fri, Nov 12, 2010 9:42 am

Subject: Re: Consumers Power

Norm,

I called Rob on Wednesday, and I e-mailed him the permit and pictures of the site. He does not believe this project will be a problem, but I told him we needed that in writing. SO- I hope to hear from them next week. We are running out of good construction days very quickly. Thanks for all the help, and I am sorry about all of the hassle.

Heather Rawlings  
Fish and Wildlife Biologist- Partners for Fish and Wildlife

U.S. Fish & Wildlife Service  
Alpena Fish and Wildlife Conservation Office

11/24/2010

480 West Fletcher St.  
Phone: 989/356-5102 Ext. 1011  
Fax: 989/356-4651  
[FortunCook@aol.com](mailto:FortunCook@aol.com)  
[FortunCook@aol.com](mailto:FortunCook@aol.com)  
11/09/2010 04:52 PM

To [Heather\\_Rawlings@fws.gov](mailto:Heather_Rawlings@fws.gov)

cc

Subject: Consumers Power

Dear Heather,

Took a while to find it again. I believe the guy's name is Rob.

Number is 517-740-8936

Norman Duford  
Wildwood Club</HTML>

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# DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT PERMIT

## ISSUED TO:

Wildwood Club  
Attn: Norman Duford, President  
4287 E. Mt. Morris Road  
Mt. Morris, MI 48458

Permit No.	10-60-0015-P
Issued	October 7, 2010
Revised	
Expires	October 7, 2015

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

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

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

Mechanically dredge/excavate 296 cubic yards of sediment. Discharge excavated spoils within an area 45 feet long by 30 feet wide to a height of 5.8 feet for the purpose of creating a dike. Discharge 15 cubic yards of rock riprap within an area measuring 28 feet long by 12 feet wide to a depth of 1 foot to facilitate a spillway. The total project shall create/enhance three acres of wetlands. All work shall be conducted in accordance with the following conditions and attached plans.

Water Course Affected: Wetland cont unnamed stream  
Property Location: Montmorency County, Rust Township, Section 6  
Town/Range 29N, 4E Property Tax No. 007-131-000-160-00

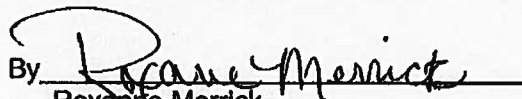
### Authority granted by this permit is subject to the following limitations:

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee in exercising the authority granted by this permit shall not cause unlawful pollution as defined by Part 31, Floodplain/Water Resources Protection of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the plans and the specifications submitted with the application and/or plans and specifications attached hereto.
- 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 herein.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with Act 53 of the Public Act of 1974 and comply with each of the requirements of that act.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify the MDNRE within one week after the completion of the activity authorized by this permit, by completing and forwarding the attached, preaddressed post card to the office addressed thereon.
- J. This permit shall not be assigned or transferred without the written approval of the MDNRE.
- 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. Work to be done under authority of this permit is further subject to the following special instructions and specifications:

1. In issuing this permit, the MDNRE has relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete, or inaccurate, the MDNRE may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
2. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representatives of the permittee, undertaken in connection with this permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
3. 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.
4. The property owner and contractor(s) involved in exercising this permit are held responsible to ensure the project is constructed in accordance with all drawings and specifications contained in this permit. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by this permit.
5. 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 Montmorency County. Contact Mr. Joe Stone at 989-785-8006.
6. Prior to the initiation of any permitted construction activities, a siltation barrier shall be constructed immediately down gradient of the construction site. Siltation barriers shall be specifically designed to handle the sediment type, load, water depth, and flow conditions of each construction site throughout the anticipated time of construction and unstable site conditions. The siltation barrier shall be maintained in good working order throughout the duration of the project. Upon project completion, the accumulated materials shall be removed and disposed of at an upland (non-wetland, non-floodplain) site. The siltation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
7. All raw areas resulting from the permitted construction activity shall be promptly and effectively stabilized with sod and/or seed and mulch (or other technology specified by this permit or project plans) in a sufficient quantity and manner to prevent erosion and any potential siltation to surface waters or wetlands.
8. All raw earth within 100 feet of a lake, stream, or wetland that is not brought to final stabilization by the end of the active growing season shall be temporarily stabilized with mulch blankets in accordance with the following dates: September 20<sup>th</sup> for the Upper Peninsula, October 1<sup>st</sup> for the Lower Peninsula north of US-10, and October 10<sup>th</sup> for the Lower Peninsula south of US-10.
9. All fill/backfill shall consist of clean inert material that will not cause siltation nor contain soluble chemicals, organic matter, pollutants, or contaminants. All fill shall be CONTAINED in such a manner so as not to erode into any surface water, floodplain, or wetland. All raw areas associated with the permitted activity shall be STABILIZED with sod and/or seed and mulch, riprap, or other technically effective methods as necessary to prevent erosion.
10. If the project, or any portion of the project, is stopped and lies uncompleted for any length of time other than that encountered in a normal work week, every precaution shall be taken to protect the uncompleted work from erosion, including the placement of temporary gravel bag riprap or other acceptable temporary protection.

11. This permit is limited to authorizing the construction as specified above and carries with it no assurances or implications that associated wetland or floodplain areas can be developed and serviced by the structures authorized by this permit.
12. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity and/or mitigation plan from the MDNRE. Such revision requests shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by the MDNRE prior to being implemented.
13. This permit may be transferred to another person upon written approval of the MDNRE. The permittee must submit a written request to the MDNRE to transfer the permit to the new owner. The new owner must also submit a written request to accept transfer of the permit. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties which includes all the above information may be provided to the MDNRE. The MDNRE will review the request and if approved, will provide written notification to the new owner.
14. This permit is being issued for the maximum time allowed under Part 301, Inland Lakes and Streams, and Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended, including all permit extensions allowed under the administrative rules R 281.813 and R 281.923. Therefore, no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by the MDNRE, will be for a five-year period beginning at the date of issuance.
15. This 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.

Rebecca A. Humphries, Director  
Michigan Department of Natural Resources and Environment

By   
Roxanne Merrick  
Water Resources Division  
989-705-3442

cc: Ms. Heather Rawlings, U.S. Fish and Wildlife Service  
Mr. Joe Stone, Montmorency CEA  
Rust Township