DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT PERMIT

ISSUED TO:

Montmorency Conservation District

Attn: Donna Hardies

P.O. Box 789 Atlanta, MI 49709 Permit No. 10-69-0001-P

February 4, 2010 Issued

Revised

February 4, 2015 **Expires**

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:

□ Part 301 Inland Lakes and Streams	☐ Part 315 Dam Safety
Part 325 Great Lakes Submerged Lands	☐ Part 323 Shorelands Protection and Management
Part 303 Wetlands Protection	☐ Part 353 Sand Dune Protection and Management
Part 31 Floodplain/Water Resources Protection	
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Permission is hereby granted, based on permittee assurance of adherence to State requirements and permit conditions to:

Place habitat structures in the Black River to increase habitat for fish and other aquatic life. The work will consist of the placement of woody debris at 48 sites extending over an estimated 10,310 feet of river (2.4 miles). Up to 205 habitat structures may be placed in the river. Woody debris shall not be taken within a 50 foot buffer of the stream; shall not be limbed; and shall not extend greater than 25% into the stream. All work shall be done in accordance with the following conditions and attached plans.

Water Course Affected: Black River

Property Location: Otsego County, Corwith Township, Section 1

Town/Range 32N, 1W

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.
- 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.
- 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.
- Work to be done under authority of this permit is further subject to the following special instructions and specifications:

- 1. Prior to initiating construction, authorized by this permit, the permittee is required to provide a copy of the permit to the contractor(s) for his/her review.
- 2. The property owner and any contractor(s) involved in obtaining or 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 any and all subcontractors doing work authorized by this permit.
- 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 authorizations necessary to conduct the activity.
- 4. 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. Please contact Mr. Joe Stone at 989-785-8006.
- 5. No construction pads, haul roads, temporary structures, or other structural appurtenances are to be placed in a wetland or on bottomland of the waterbody are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- 6. Dredging is <u>not</u> authorized by this permit.
- 7. No work shall be done in the stream during periods of above-normal flows except as necessary to prevent erosion.
- 8. Live or felled trees used for woody debris shall not be taken from a 50 foot riparian zone along either side of Black River.
- 9. Live or felled trees used for woody debris shall be manually cut by hand or chainsaws and moved with a wench; no logging or other heavy equipment/machinery shall be used to cut or move trees.
- 10. Trees used for woody debris shall <u>not</u> be stripped of limbs and foliage.
- 11. Woody debris shall not extend from the river bank greater than 25% of the river width of the stream, as measured perpendicular to the bank, and shall not redirect stream current into the opposing stream bank. Any erosion on the opposite bank caused by such a structure is required by this permit to be repaired and armored against further erosion, and the structure itself shall be modified to prevent further erosion. Woody debris shall be anchored with duck bills. Solid structures that form a wall to the stream bottom, such as log deflector, shall be limited in deflection angle to 25 degrees or less.
- In issuing this permit, the MDNRE has relied on the information and data which 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.
- 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.

- 14. 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.
- 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.
- This permit is being issued for the maximum time allowed under Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended, including all permit extensions allowed under the administrative rule R 281.813. 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.
- 17. This permit placard shall be kept posted at the work site, in a prominent location or with the fore-person at all times for the duration of the project, or until permit expiration.

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

Roxanne Merrick

District Representative

Land and Water Management Division

cc: Mr. Tim Cwalinski, MDNRE

011	010	009	008	007	006	005	004	003	002	001	Waypoint	Area Covered Taken July 30	Black River
N45.12306 W84.38903	N45.12358 W84.38989	N45.12400 W84.39017	N45.12508 W84.39030	N45.12540 W84.39057	N45.12629 W84.39080	N45.12685 W84.39122	N45.12726 W84.39132	N45.12735 W84.39210	N45.12762 W84.39263	N45.12796 W84.39286	Latitude Longitude	l: Beaver Dam C) 2009 by Tim C	
Vs.	4	ı	7	υRed LWN	eetveedo no/deg 1 1 2010	4	2	5	2		Number of Structures	lub off Chandler walinski, Nico Tu	Beaver Dam Club to Trail 94
340	250		G 375	J. 11		FC155	155	225	170		Length of Streambank Enhanced (ff)	Area Covered: Beaver Dam Club off Chandler Dam Rd downstrean Taken July 30 2009 by Tim Cwalinski, Nico Tucker, Richard Bruot	
11	10	9	7 & 8	6	4 & 5	3	2	2	,	, 4	Sheet Number	am to about 1/	Otsego County
 add LWD to natural structures on both banks, adding about 4-5 structures dead birch on R dead balsam in river angled which should be used as last downstream structure 	- add 3-4 structures of LWD in alternating fashion	fresh beaver damNo work at this waypoint	 long straight reach currently lightly impounded add 6-7 LWD and SWD structures in alternating fashion 	old beaver damadd 3 structures of LWD alternating sides	 straight flat reach with an old dock underwater in river alternate 6 or more bigger LWD structures downstream 2 standing dead cedars on R bank 	- alternate 4 structures of LWD and SWD over 150' reach	 add 1 long LWD structure on L bank around silt bed then add 1 more LWD structure downstream ~ 40' on same side (at the field parking area) 		- add to natural fallen trees on R bank just down from waypoint eg e	EB 0	Notes Notes Notes Notes	Area Covered: Beaver Dam Club off Chandler Dam Rd downstream to about 1/8 mile below Trail 94 cul-de-sac; situated in the special regulations fishing teach Taken July 30 2009 by Tim Cwalinski, Nico Tucker, Richard Bruot	ty T32N R1W Sections 26, 35 & 36 and T31N R1W Section 1

Attachment 3 – Waypoint Table

add 1 structure on R bank, constricted to bank lots of dead timber	31 -	165	2	N45.11270 W84.38433	024
L side island, fill woody debris at the head of it to concentrate flow then alternate 2 structures on right with 1 structure on left down to the hanging birch tree ~100'	30 -	265	4	N45.11316 W84.38489	023
root wad on L side of channel; add structure behind, below, and above, anchor root wad too alternate 3-4 structures downstream to pipeline	28 & 29	240	5	N45.11404 W84.38556	022
add behind current natural structure add 1 small structure on L grassy bank, downstream then add 4 alternating structures downstream in straight reach ~300'	27 & 28	330	7	N45.11486 W84.38542	021
alternate or build onto with about 5-7 structures downstream	26 -	250	7	N45.11520 W84.38597	020
R big cedars alternate or build onto with about 4-5 structures downstream of where the riffle begins	25 -	150	5	N45.11554 W84.38641	019
upstream of riffles approximately 100-200' add 2 alternating LWD structures	25 -	90	2	N45.11568 W84.38655	018
add to right bank structure and put large root wad on R bank in river if possible put another structure downstream on L before private property white sign	18	GAYLOR 22	ω (Ε	N45.12001 W84.38678	017
shallow reach downstream of where the road and river parallel one another another add 5-6 structures extending downstream for ~ 200' in alternating fashion	17 -		Received MMD/DEQ 112010	N45.12065 W84.38650	016
road parallels river add 3-4 structures starting at silt bed on L bank about 100' upstream 5 5 5 from road/bend	16 -	<u>C</u> 230	4	N45.12107 W84.38690	015
feeder tributary on R bank, wide spot fill both sides upstream of mid-stream boulder then 2-3 LWD and SWD structures downstream	15 -	275	5	N45.12135 W84.38767	014
riffle-tag alder reach which should have 7-8 alternating structures throughout	13 & 14	470	8	N45.12226 W84.38772	013
add 3-4 alternating structures including SWD and LWD for younger fish	12	255	4	N45.12302 W84.38831	012

Attachment 3 - Waypoint Table

034	033	032	031	030	029	028	027	026	025		
N45.10928 W84.37944	N45.10930 W84.37966	N45.10930 W84.37993	N45.10944 W84.38108	N45.10948 W84.38152	N45.10958 W84.38193	N45.11119 W84.38318	N45.11165 W84.38298	N45.11173 W84.38355	N45.11238 W84.38399		
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260	70	80	300	120	130	705	I	130	GAYLC 280	RD FIELD (OFFICA
39 & 40	39	39	38	37	37	34, 35 & 36	33	33	31 & 32		
 add lunker structure (long and narrow) extending from L bend/bank for length of it, which is ~ 60-70' long then add 1-3 structures alternating downstream to and around small grassy island on R bank 	- add 1 large structure with SWD to natural debris on L bank	 head of riffle add 2 structures opposite of each other at head, then some SWD structures on R bank 	 riffle/run reach for ~ 250' alternate many structures downstream through flat reach, including ample SWD, about 6-7 structures total 	 grassy island add a small structure around the island but do not block off smaller L channel add 1-2 structures downstream to beaver dam remnants 	 add structure on L to few natural trees, fill in hole add structure on R to established beaver wood pile 	- For 600' downstream, alternate various sized structures (many), adding to the existing natural structures - include 1-2 in middle (smaller) that do not restrict flow or navigation - the downstream end of this reach should be the High Country Pathway bridge and include the 2 small beaver structures directly below it	- campsite in bend of Chandler Dam Rd, pool and bend in river - No work at this waypoint	- add 2-3 structures in alternating fashion but mainly R bank, include a natural structures along bank on R, and use plenty of wood so can see Waypoint 27 from this location	 add to natural fallen materials on R bank then add 2-3 structures on L bank downstream for 100-150' use silt bank for a structure on L side downstream behind 2 large spruce trees 	- downstream ~ 50' is beaver/log jam narrowing; cut off L side of jam ~ 6-8' and fill in behind the dam structure on R bank with additional materials	Attachment 3 — Wavpoint Table

Page 3 of 5

	- alternate structures but add to natural debris on R bank, while adding				W 0T.J / 0JJ	
	bank	50 & 51	410	7	N45.10428	046
	- trail/small walk site comes down to river in flat shallow reach on R				77.7.7.7.7.7.7.7.7.7.7.7.7.7.7.7.7.7.7.7	
	 start on L bank and alternate ~ 8 structures as far as you can see downstream 	48 & 49	425	9	N45.10520 W84.37727	045
	 start on R bank and alternate ~ 8 structures as far as you can see downstream 	46 & 47	270	8	N45.10590 W84.37763	044
File N Page		46	145	2	N45.10601 W84.37725	043
No	- starting at mid-river boulders - put 2 structures opposite of each other - then alternate 2 structures on L, then R bank before grassy bank	46	100	4	N45.10629 W84.37708	042
70/4	- bend on R, fill with LWD for the entire bend length ~ 80-90' - at tail end is L side silt bed pocket, add 1 structure at this spotes well - then for ~ 150' downstream alternate structures	45	aal Ro.yaa		N45.10660 W84.37797	041
4	 downstream starting at 50' below log sill, add good amount of SWD to natural wood on R bank then add small lunker structure along left grassy bank using arced natural log for ~ 30' 	44		Received MMD/DEG	N45.10719 W84.37782	040
_	 private cabin on L hill add to artificially anchored log in front of cabin, but only small amount, some behind structure 	43	FICE 10	<u></u>	N45.10774 W84.37760	039
	 alternate 4 structures including 2 across from each other at riffle head, put throughout riffle area and include SWD 	42	130	4	N45.10805 W84.37809	038
	 long narrow Lunker structure length of L grassy bank; structure ~ 80' long then alternate 2 structures downstream, R, then L by spruce trees 	42	135	ယ	N45.10825 W84.37855	037
	 channels come together add long structure on R bank and another structure on L bank by grass area then add 2 more structures downstream on R bank 	41	155	4	N45.10835 W84.37892	036
	 shallow left channel add large structure on L bank to narrow it down for young fish cover 	41	100	1	N45.10860 W84.37885	035

- The total stream thread length from waypoint 1 to waypoint 48 is 12,545 feet (2.4 miles).		10,310	205	Total Number of Structures & Length of Streambank Enhanced	Total I Structure Streamba
 flat wide reach add 6-8 alternating structures downstream as far as can be seen 	52	335	8	N45.10388 W84.37446	048
 Trail 94 culdesac and trail (in grass meadow) on L by islands add structure on L bank in silt beds for ~ 50' 	51	110	1	N45.10410 W84.37479	047
at least 3 structures to L bank for $\sim 400^{\circ}$ downstream or to grassy island with debris around it					

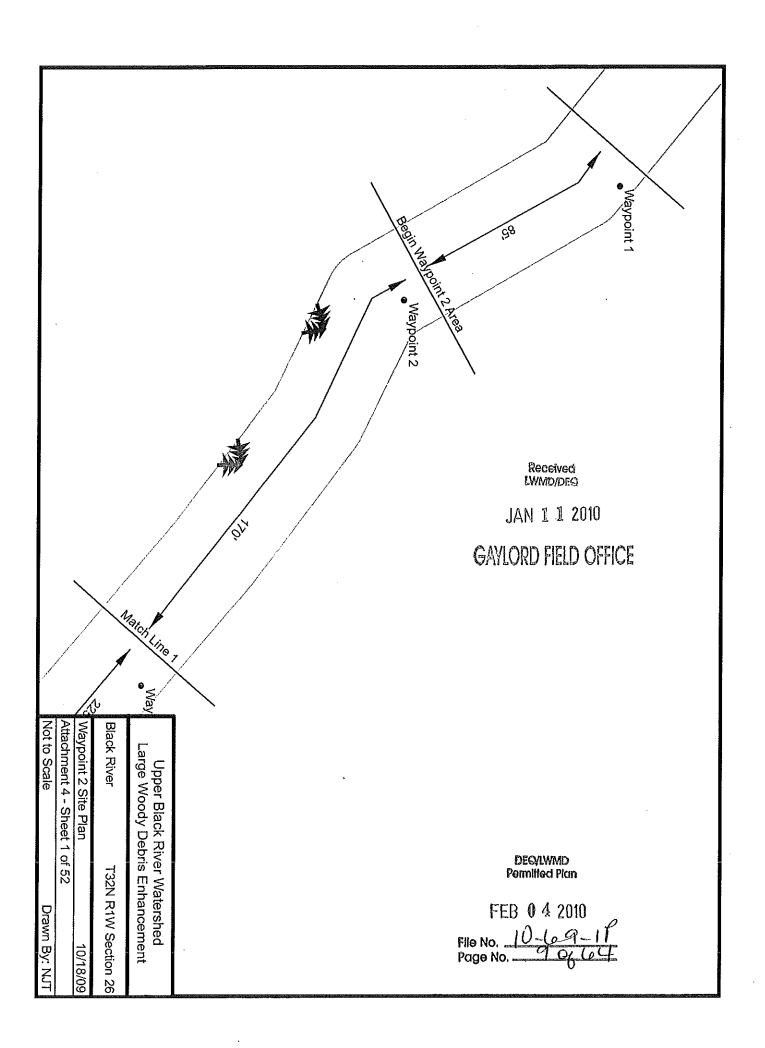
SWD = Small Woody Debris - smaller diameter trees and brush

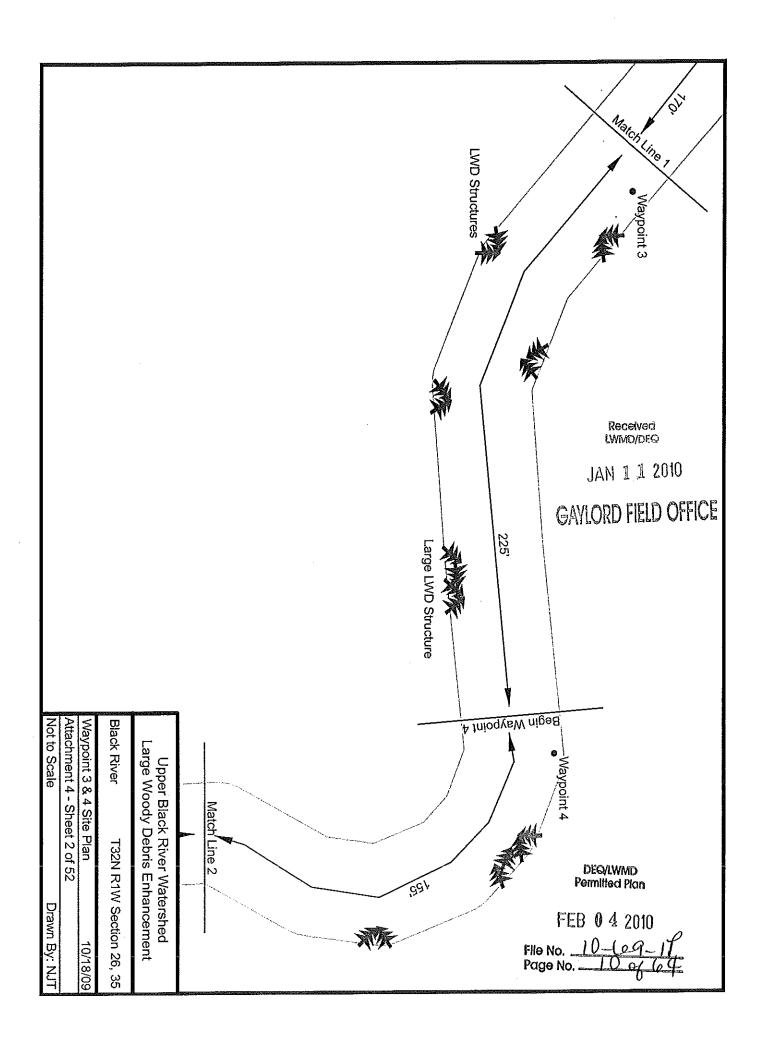
R= Right bank while facing downstream L= Left bank while facing downstream

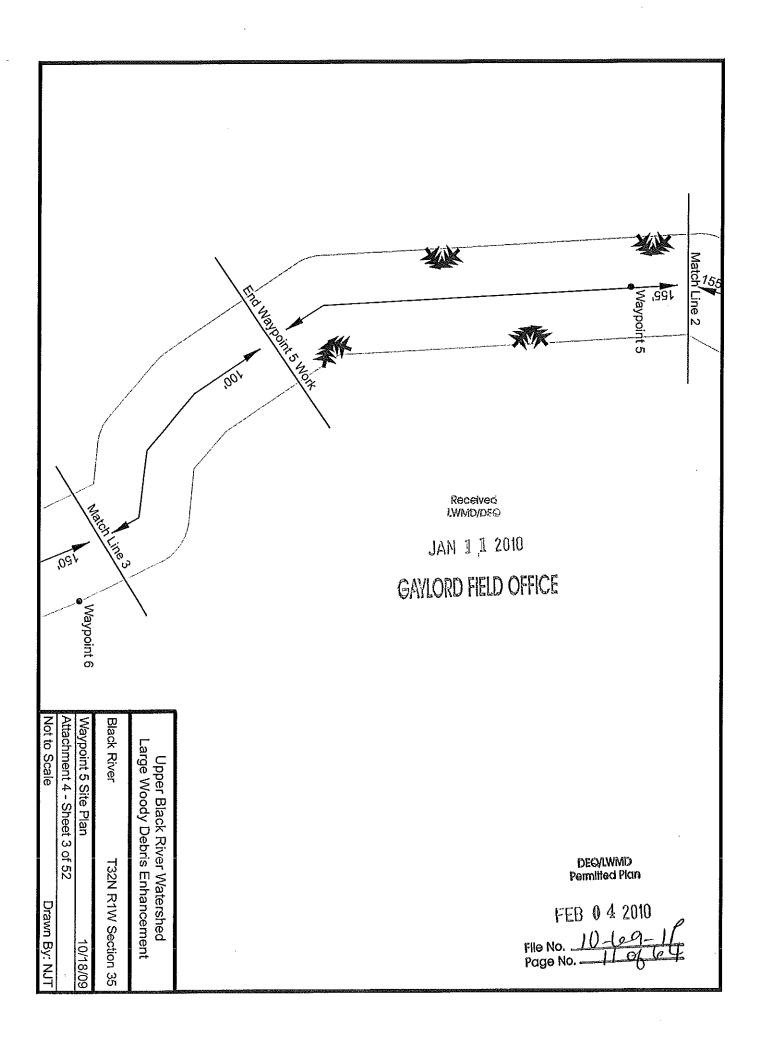
DEQ/LWMD Permitted Plan

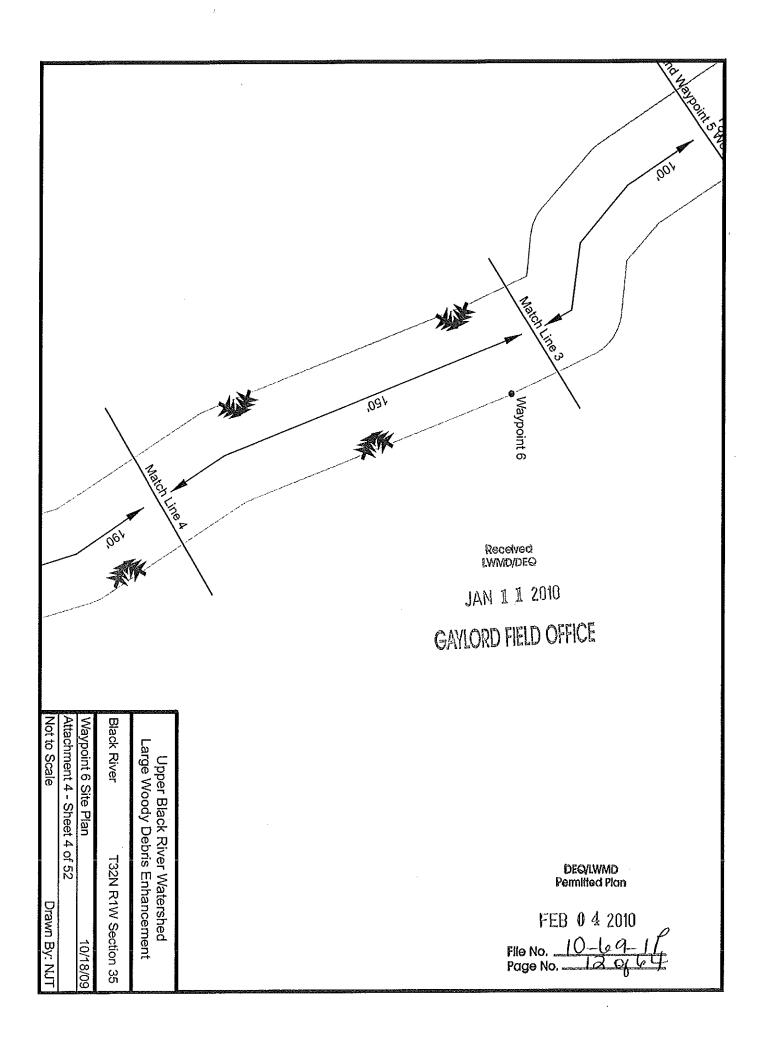
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Match Line 5

Received LWMD/DEQ

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GAYLORD FIELD OFFICE

Upper Black River Watershed
Large Woody Debris Enhancement

Black River
T32N R1W Section 35

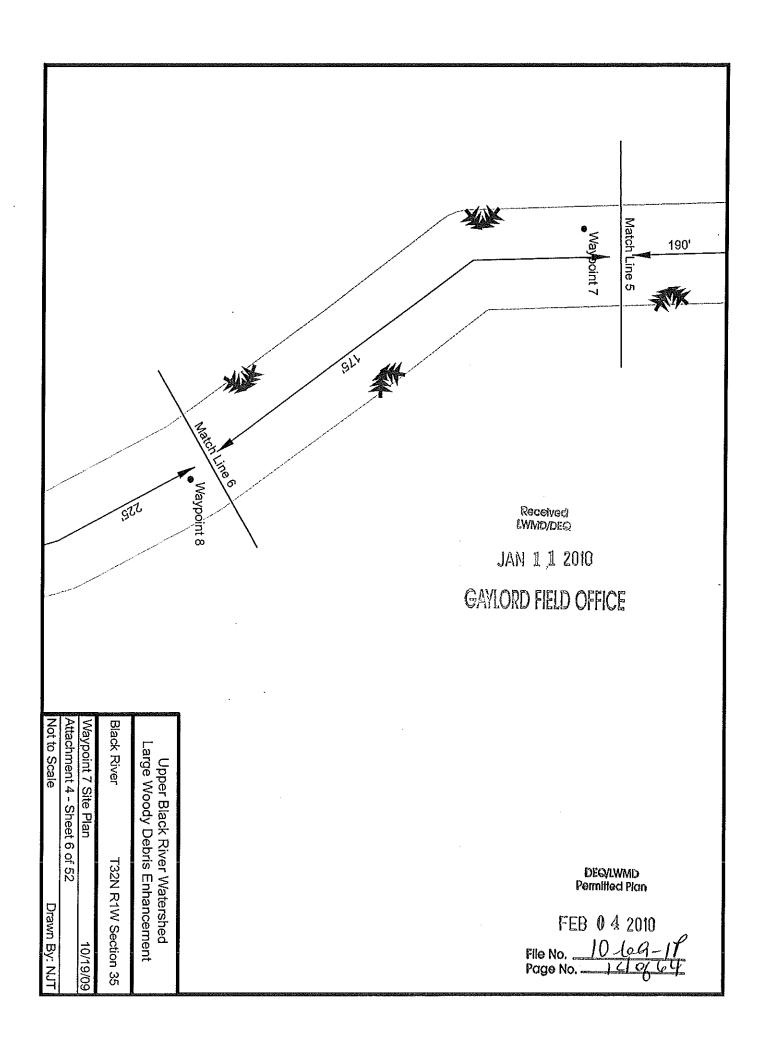
Waypoint 6 Site Plan (Continued)
Attachment 4 - Sheet 5 of 52

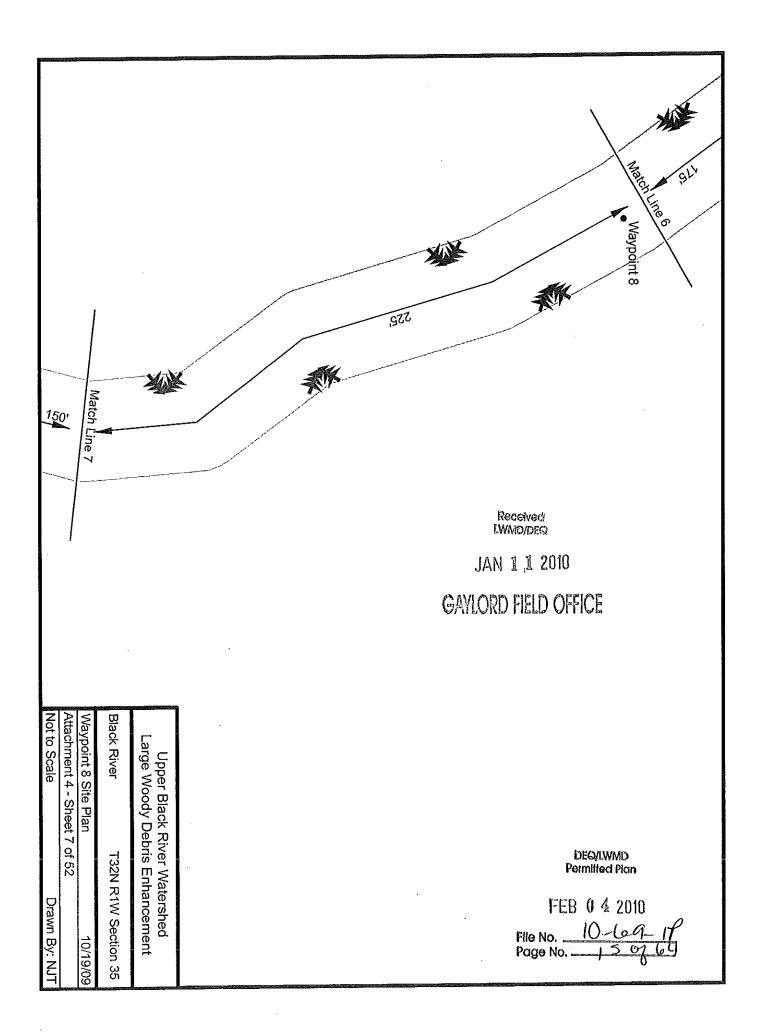
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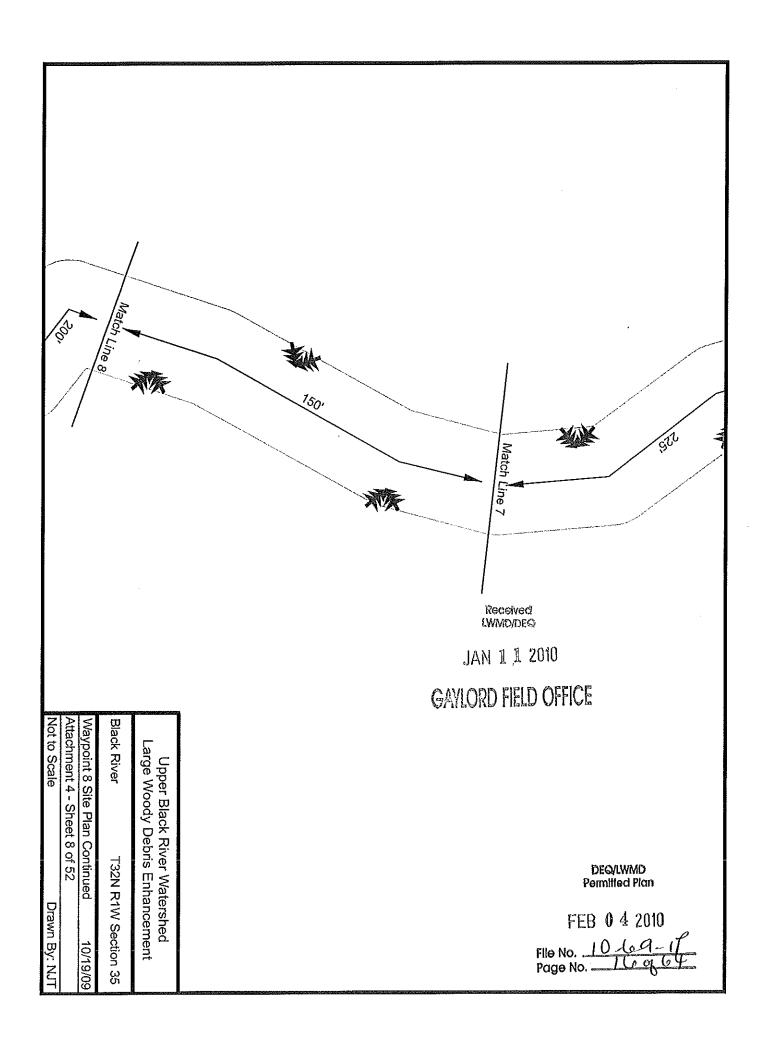
DEG/LWMD Permitted Plan

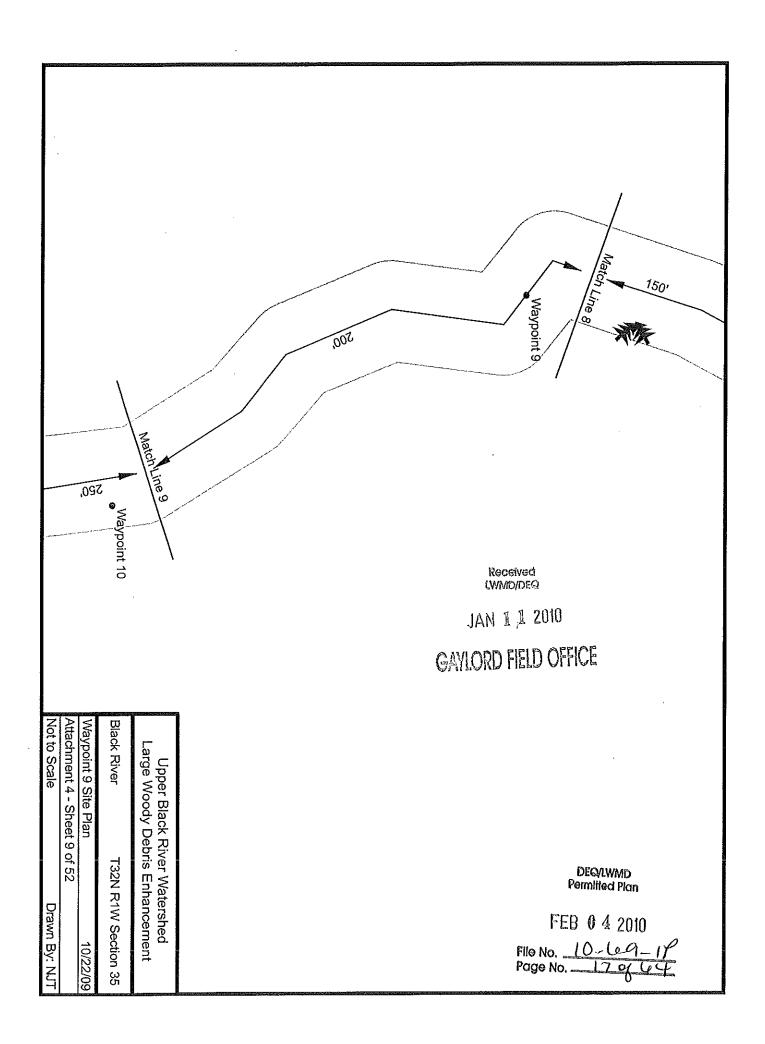
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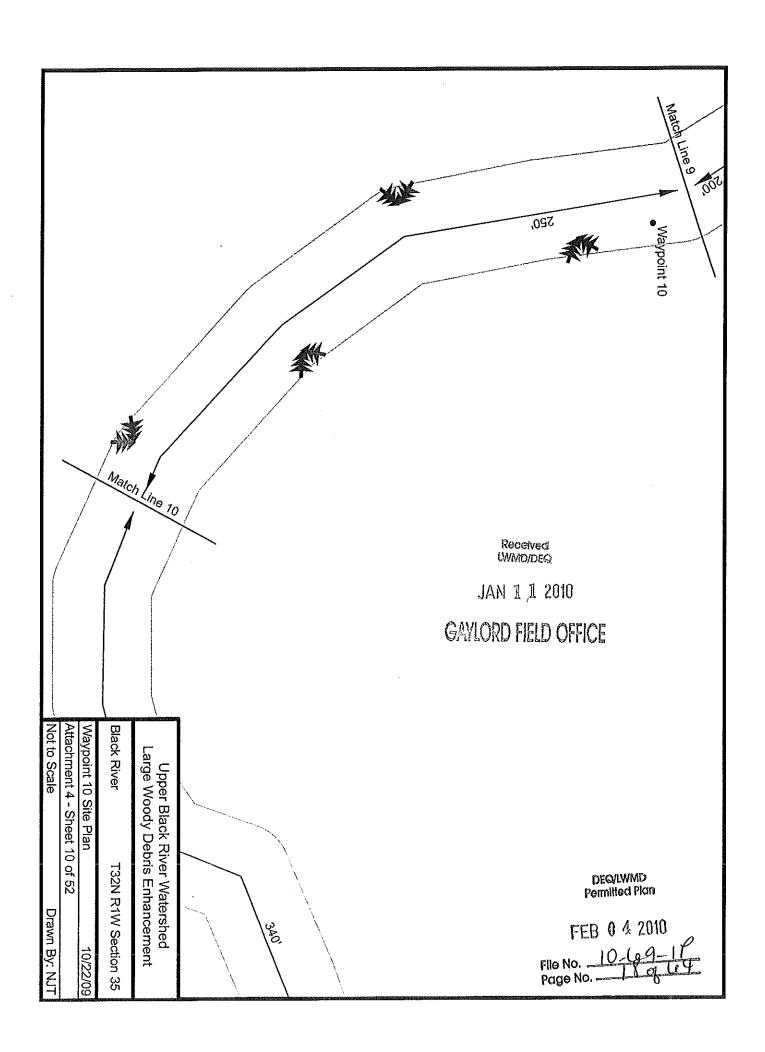
File No. 10-le 9-18 Page No. 13 of 64

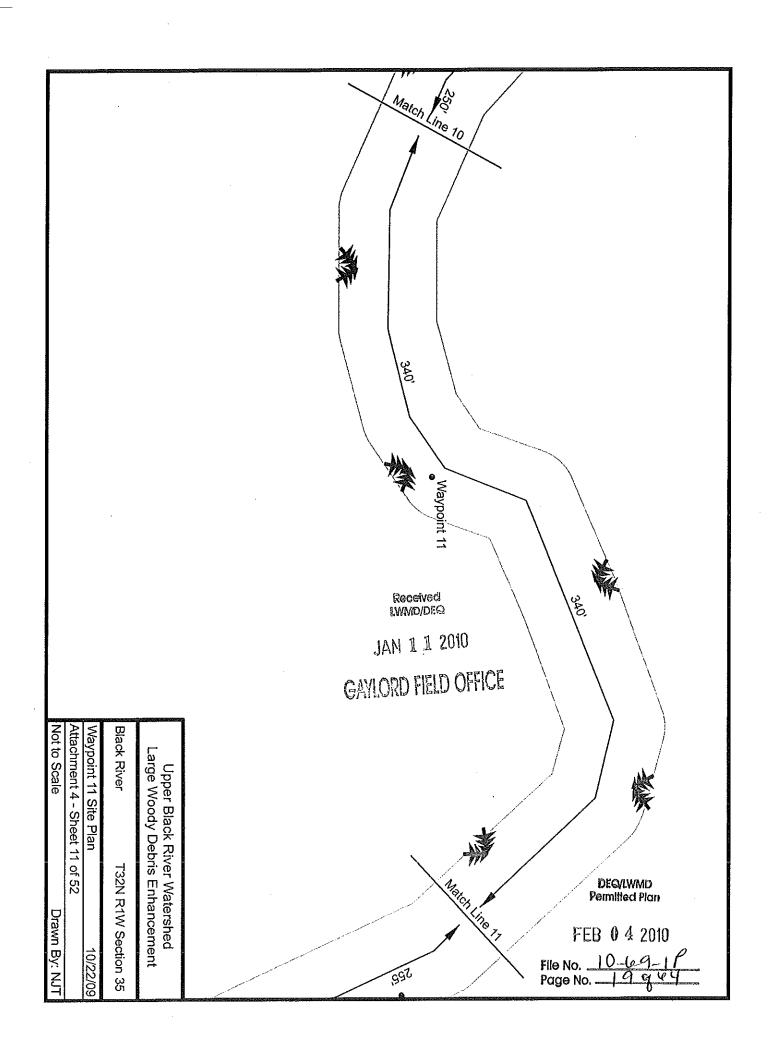


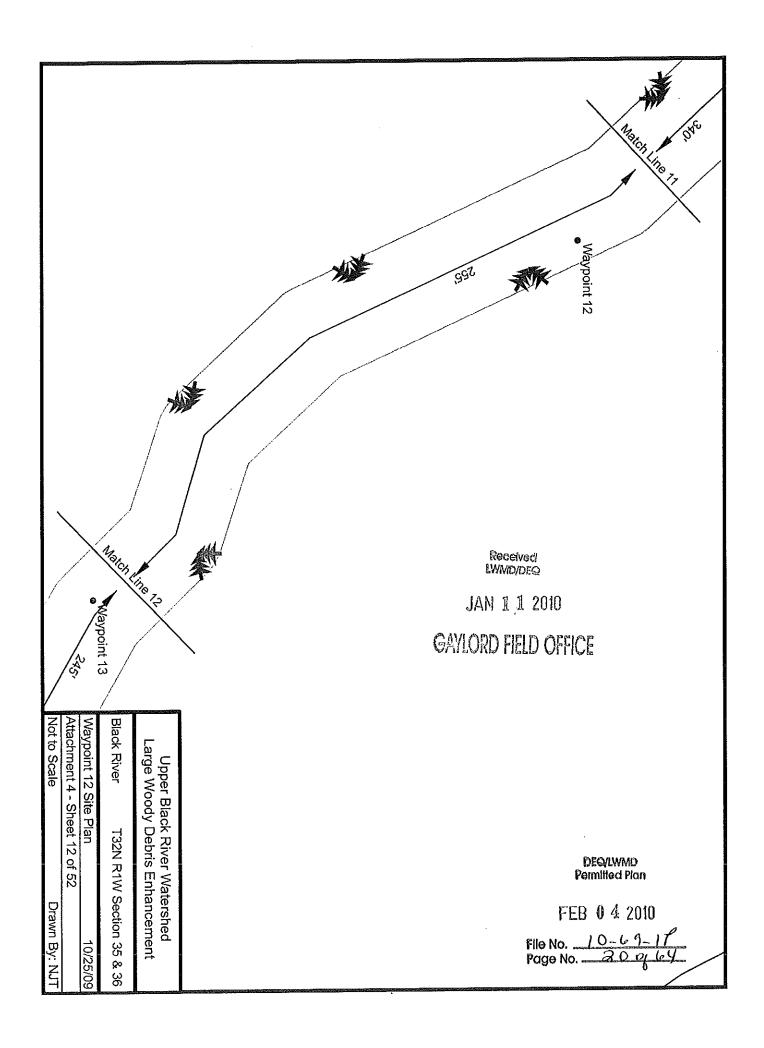


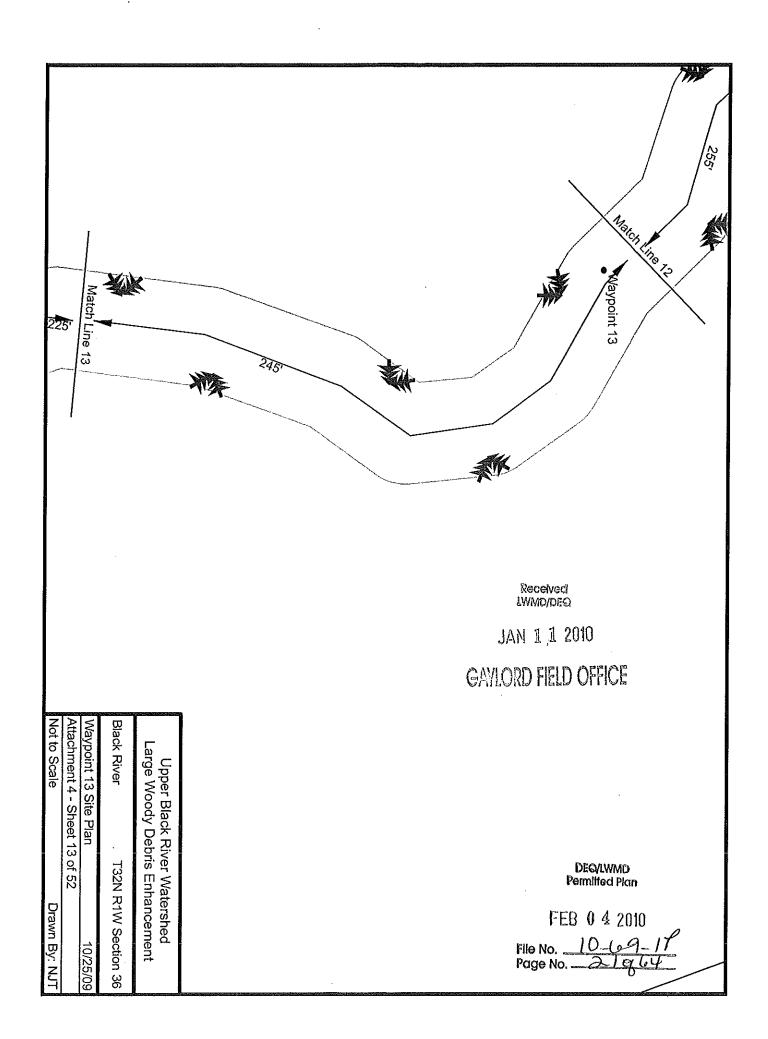




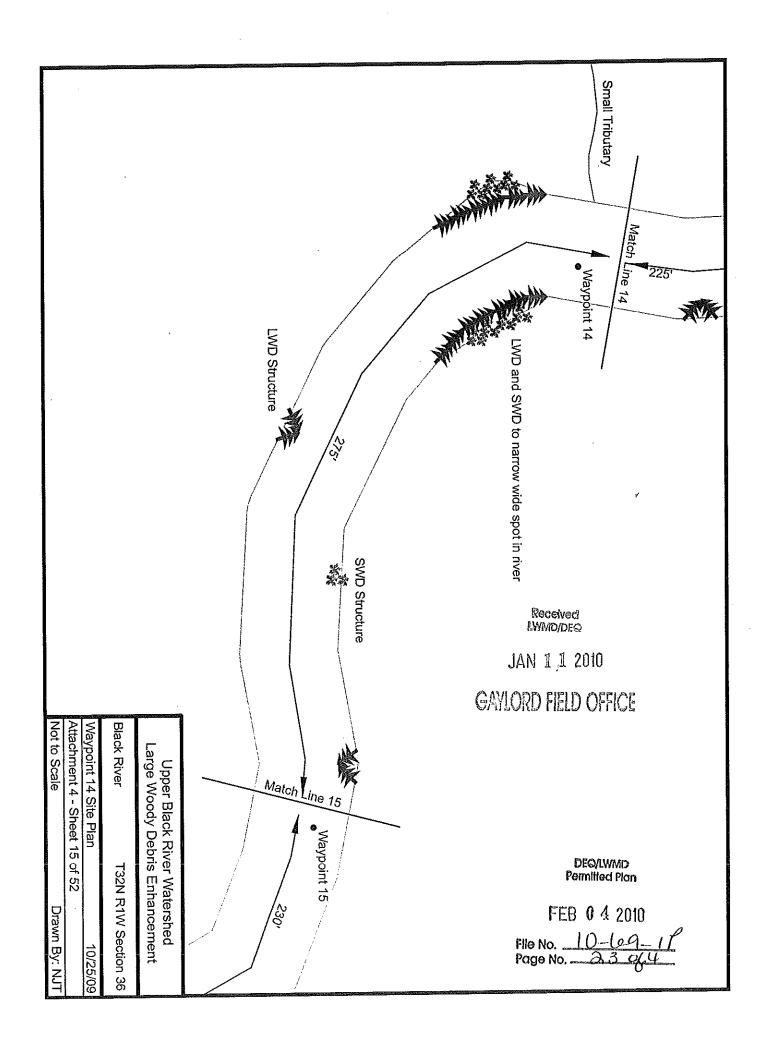


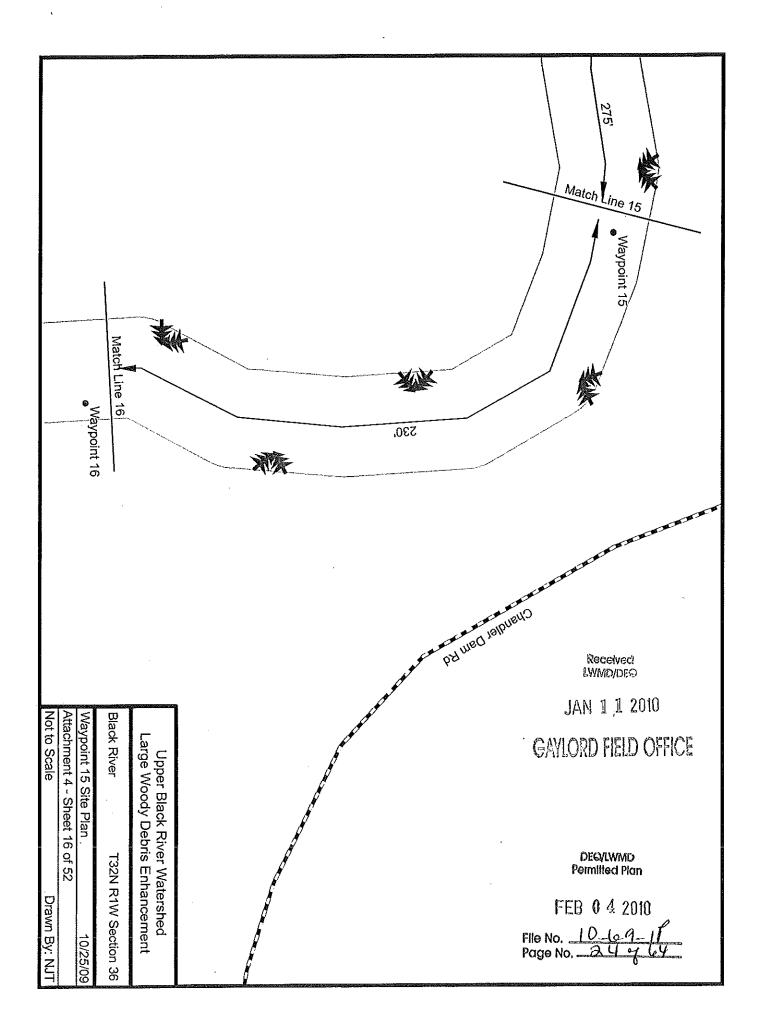


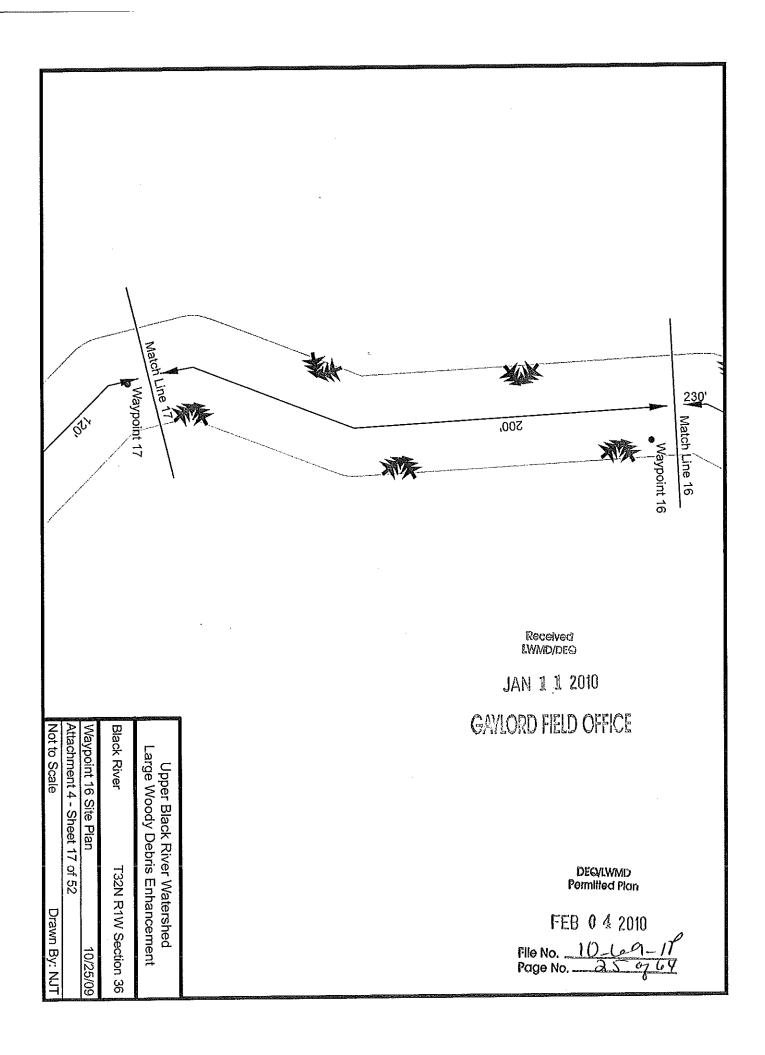


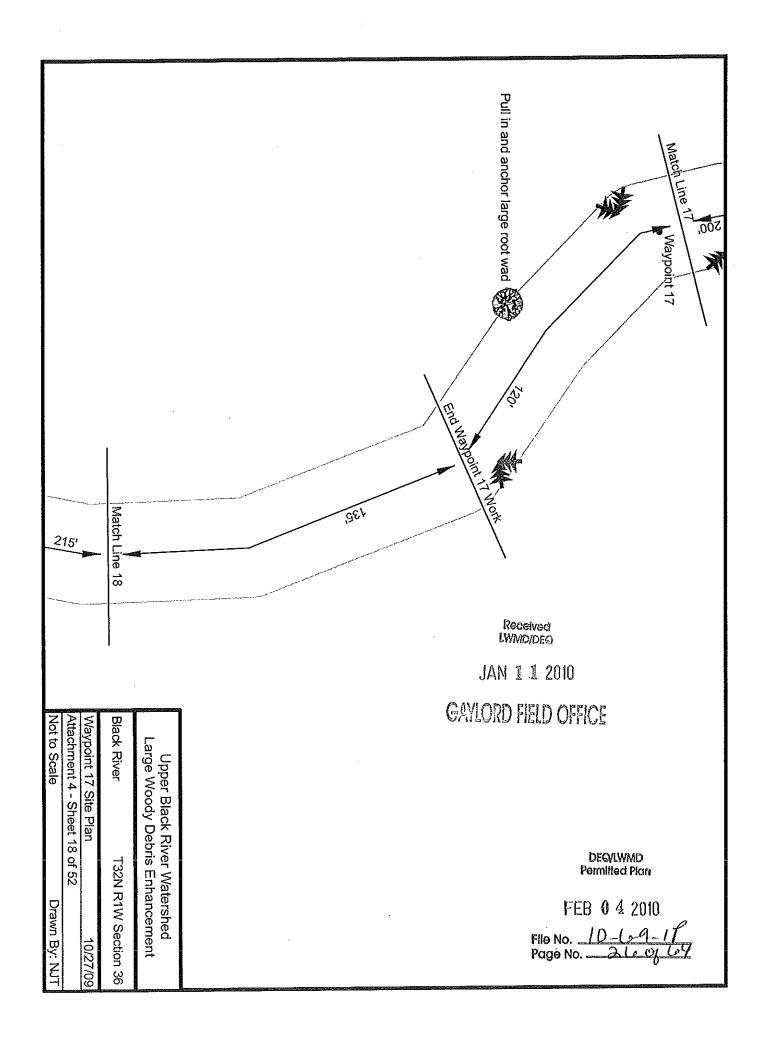


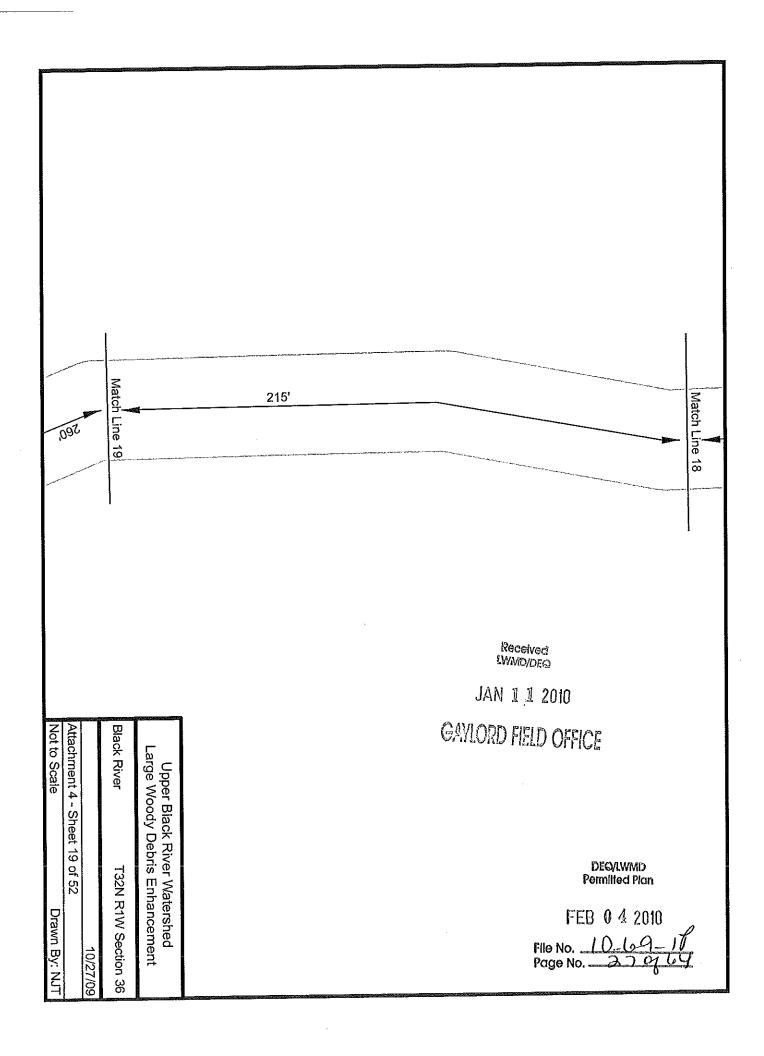
245 Match Line 13 Match Line 14 275' Waypóint 14 552, Received LWMD/DEQ JAN 1 1 2010 GAYLORD FIELD OFFICE Not to Scale Attachment 4 - Sheet 14 of 52 Black River Waypoint 13 Site Plan Continued Upper Black River Watershed Large Woody Debris Enhancement T32N R1W Section 36 DEC/LWMD Permitted Plan Drawn By: NJT FEB 0 4 2010 File No. 10-69-17 Page No. 33 9 64 10/25/09

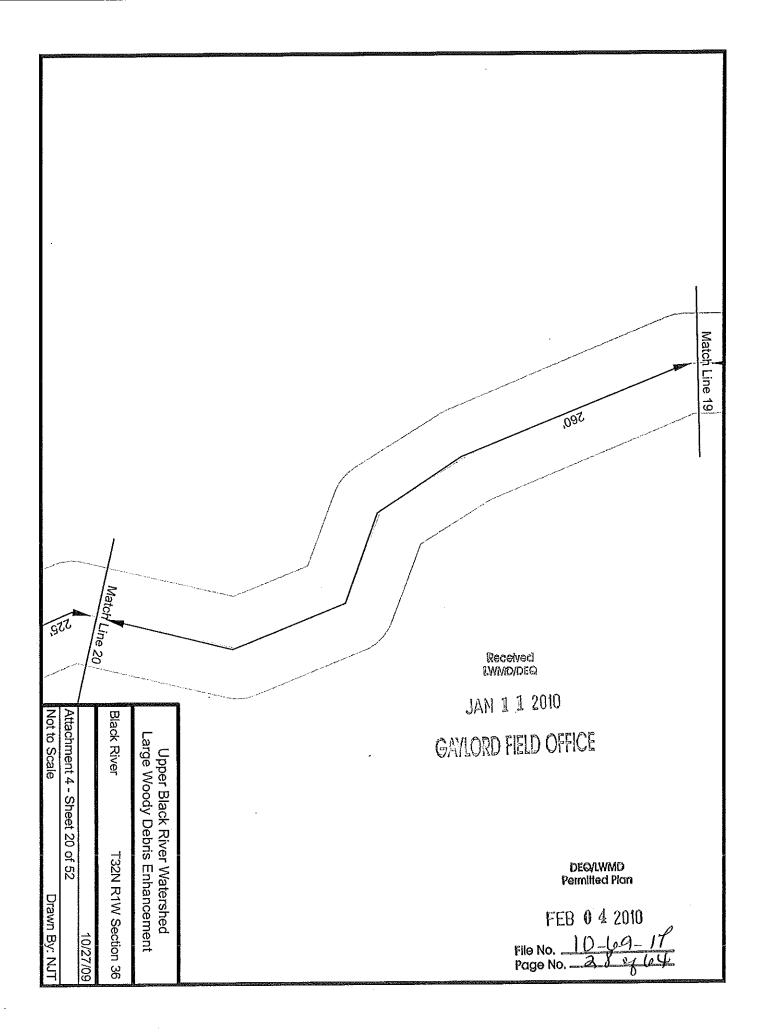












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GAYLORD FIELD OFFICE

DEQ/LWMD Permitted Plan

FEB 0 4 2010

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Attachment 4 - Sheet 21 of 52
10/27/0
Black River T32N R1W Section 36
Upper Black River Watershed Large Woody Debris Enhancement

220' Received LWWD/DE9

JAN 1 1 2010

GAYLORD FIELD OFFICE

DEG/LWMD Permitted Plan

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Drawn By: NJT	22 of 52	10/27/09	T32N R1W Section 36	Upper Black River Watershed Large Woody Debris Enhancement

Match Line 23 550. 220'

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GAYLORD FIELD OFFICE

DEG/LWMD Permitted Plan

FEB 0 4 2010

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Upper Black River Watershed
Large Woody Debris Enhancement

Black River
T32N R1W Section 36

10/27/09

Attachment 4 - Sheet 23 of 52

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Match Line 23

Received LWND/DEQ

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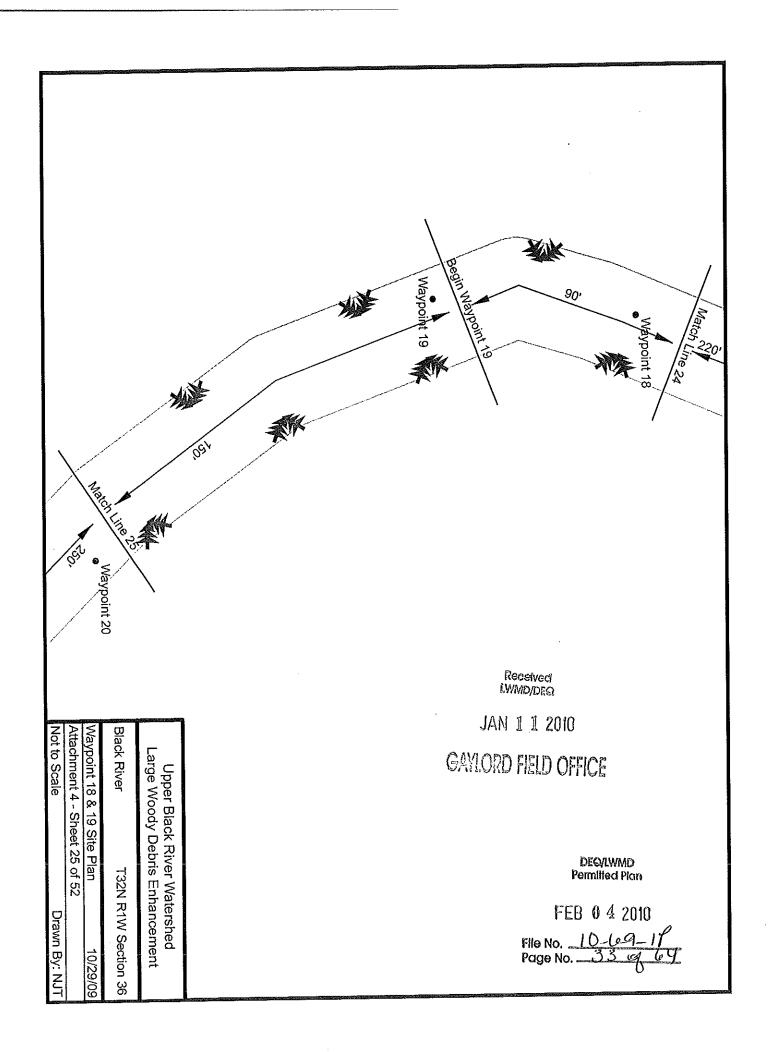
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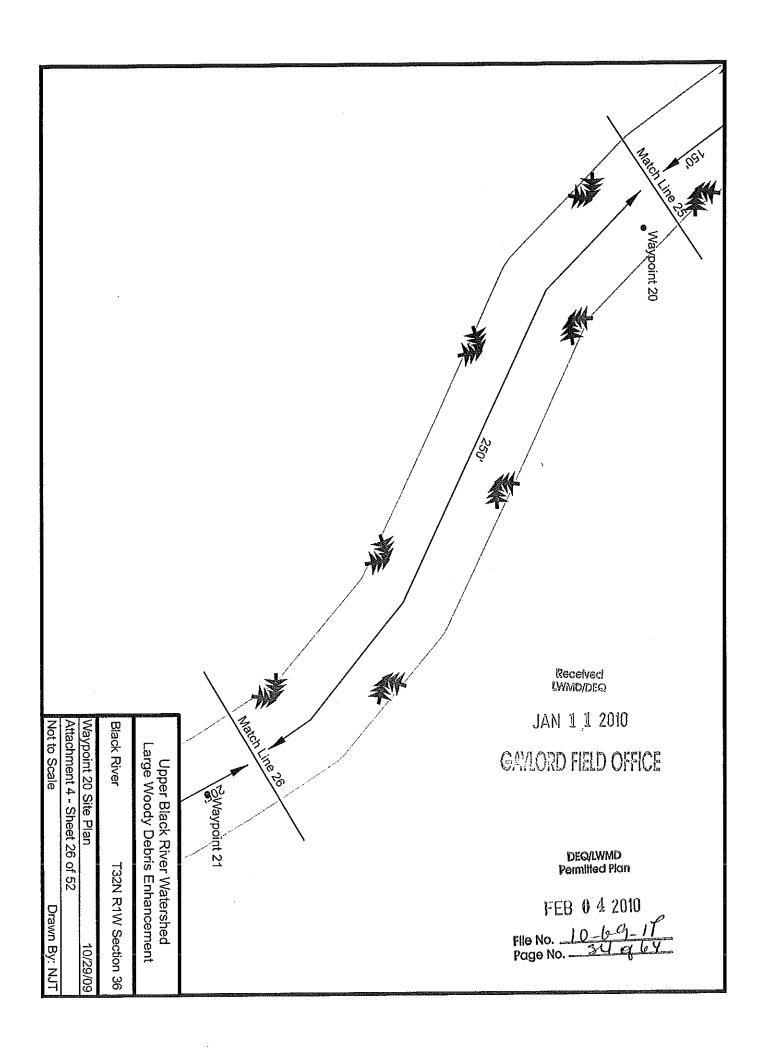
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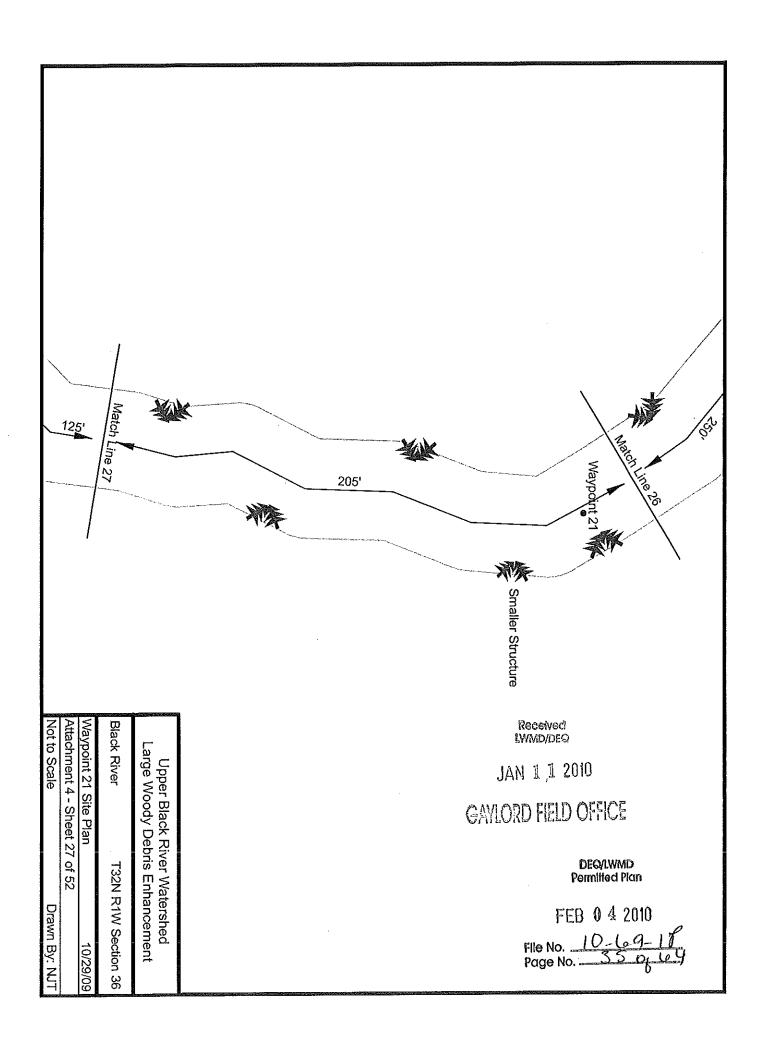
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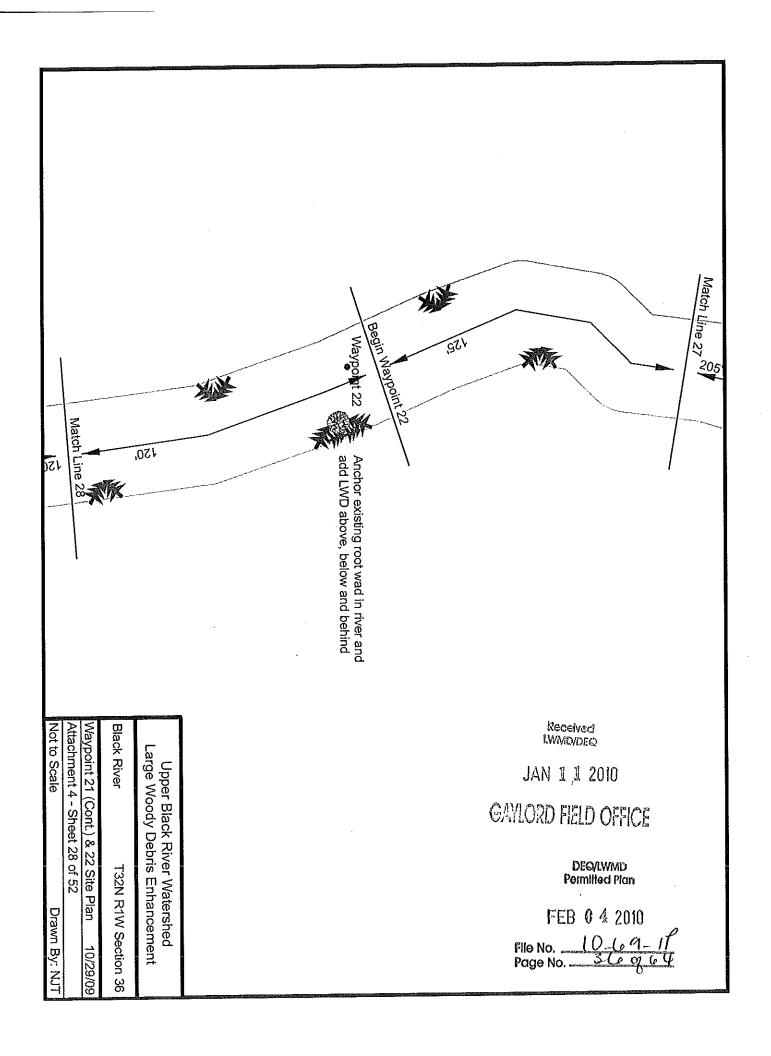
File No. 10-69-17 Page No. 32 of 64

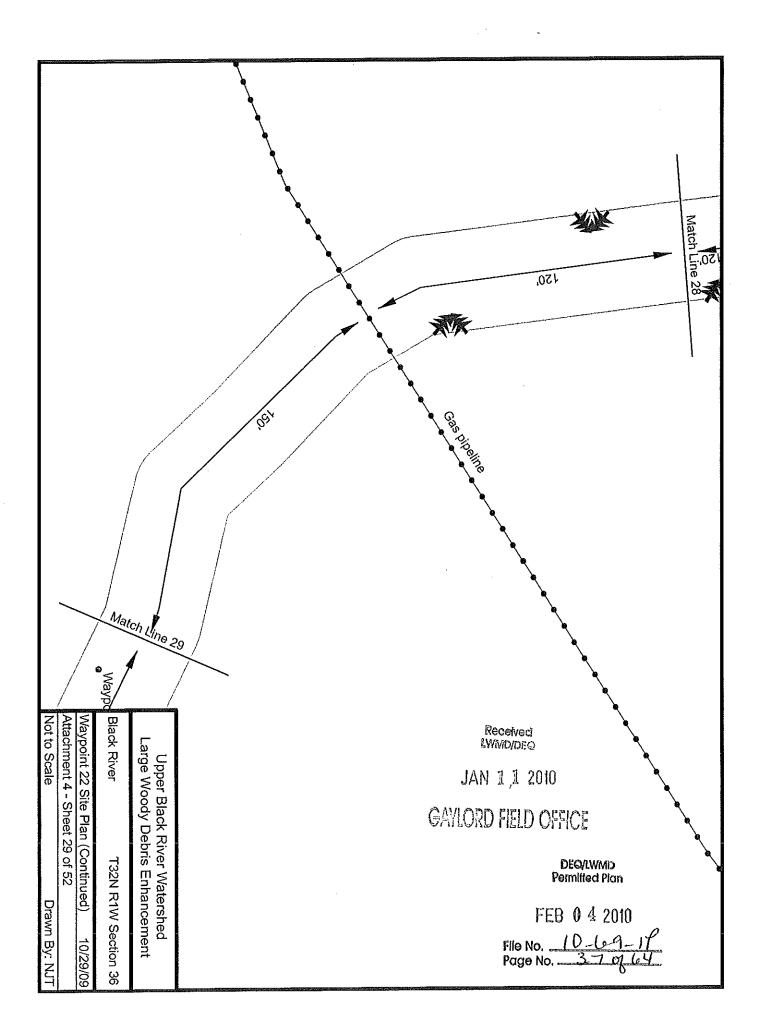
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t 24 of 52	Attachment 4 - Sheet 24 of 52
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T32N R1W Section 36	Black River
Upper Black River Watershed Large Woody Debris Enhancement	Upper Black Large Woody I

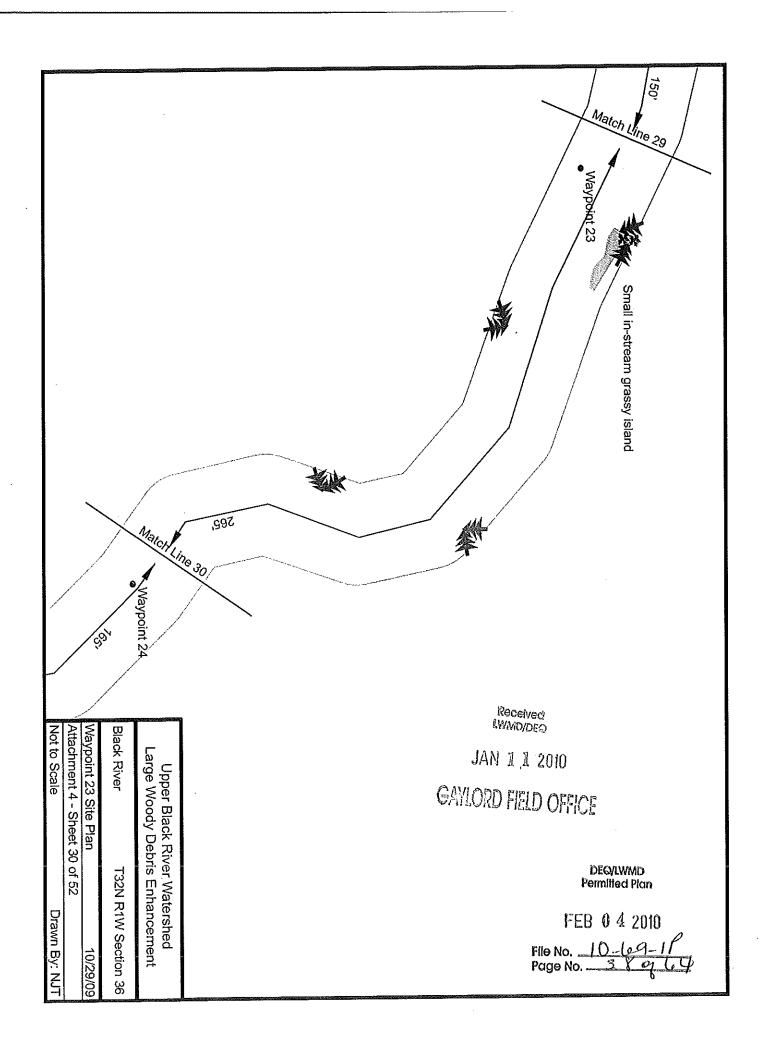


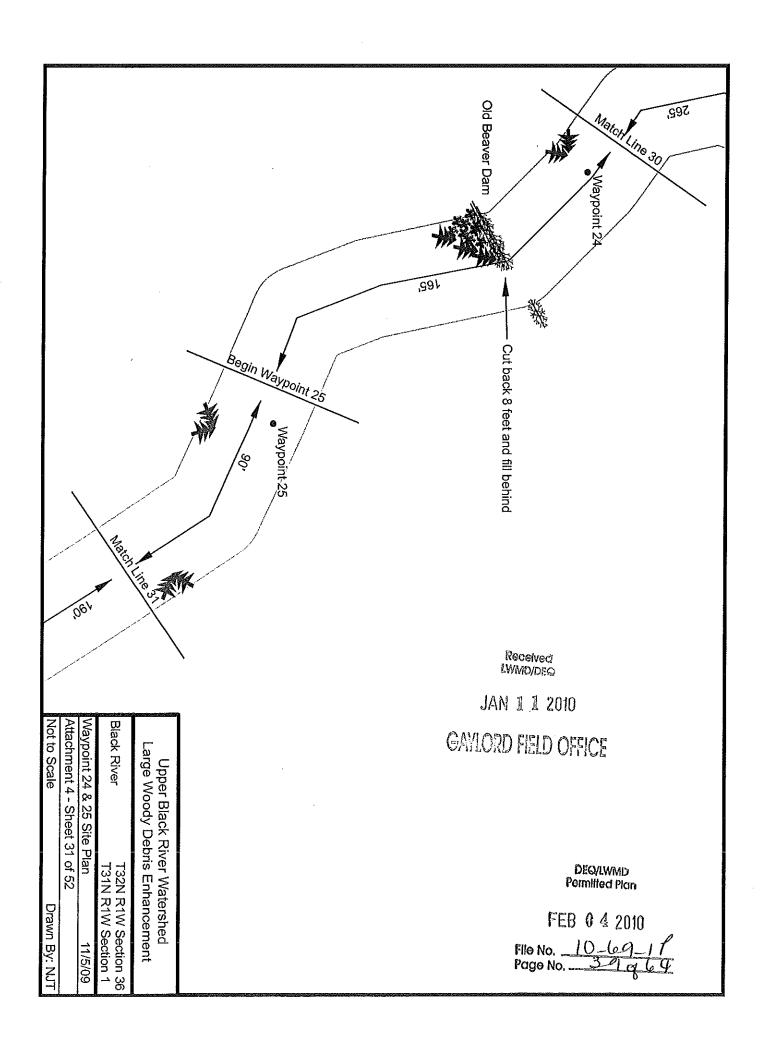


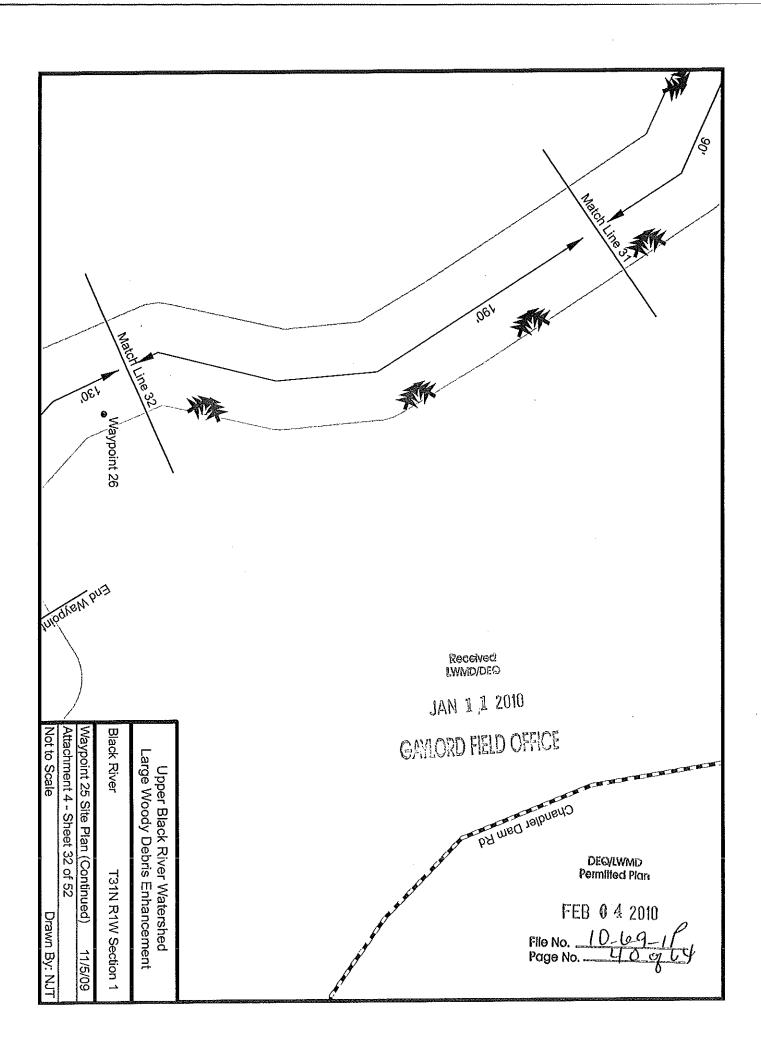


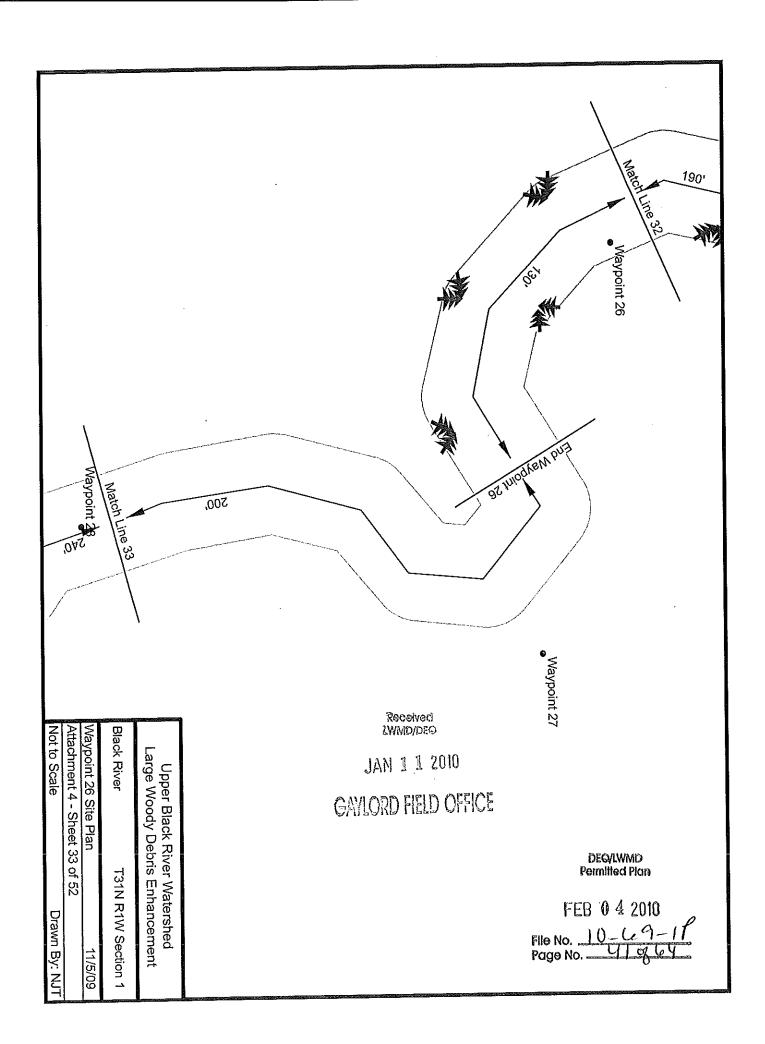


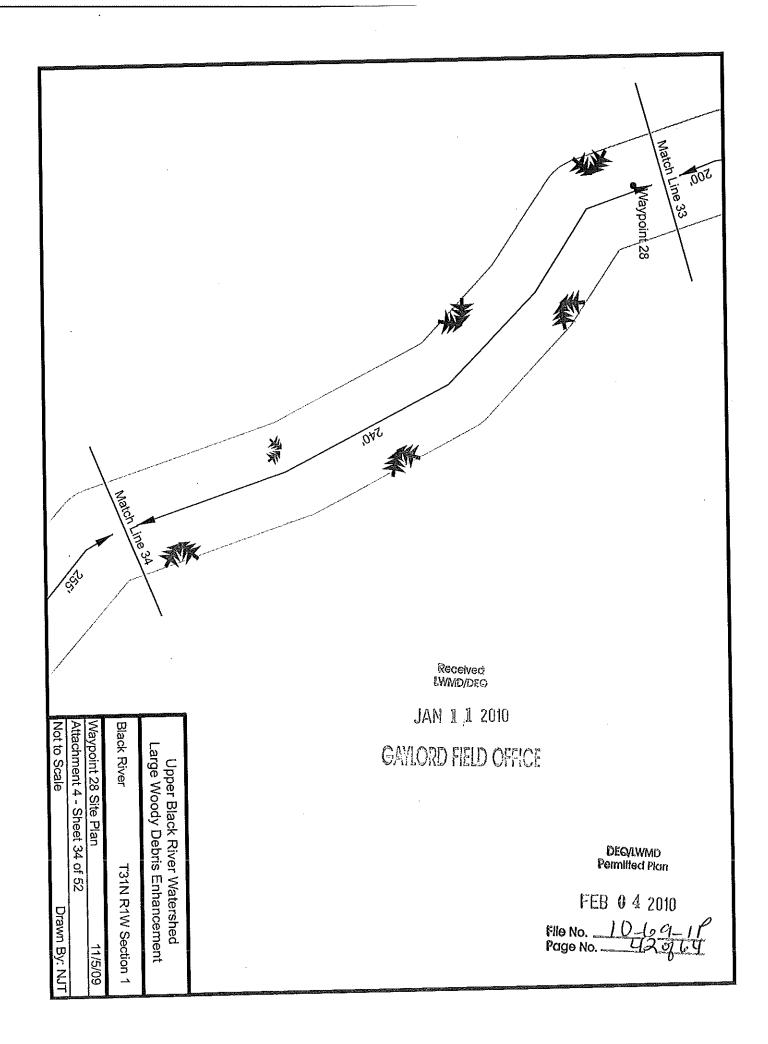


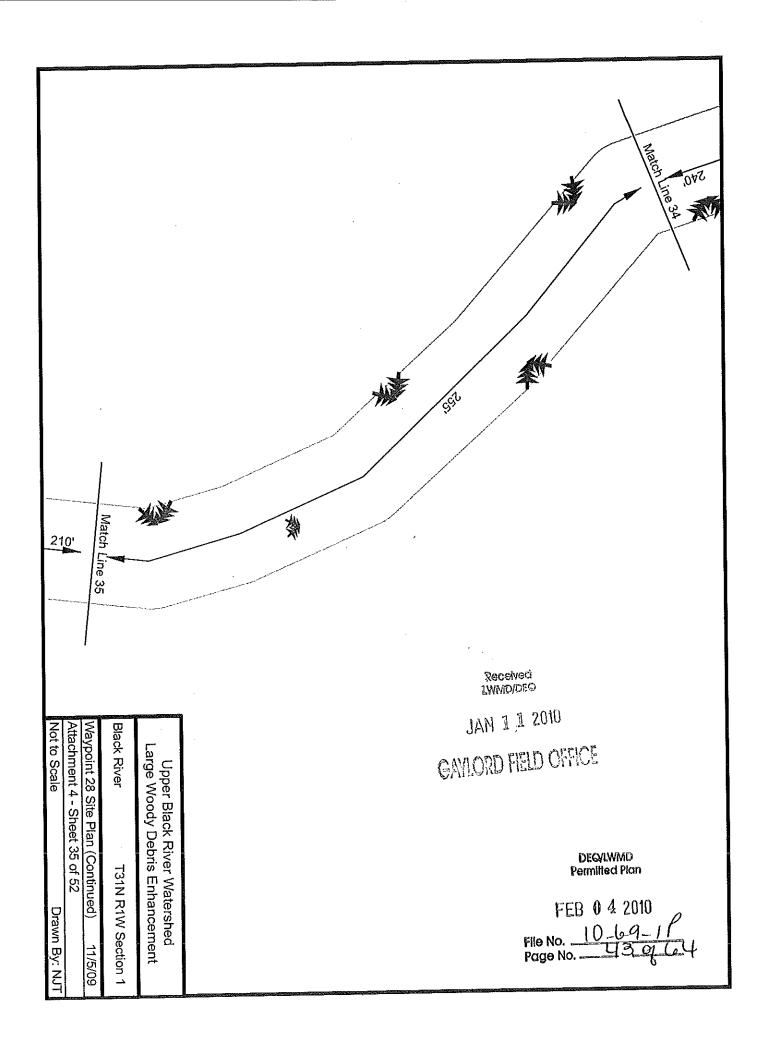


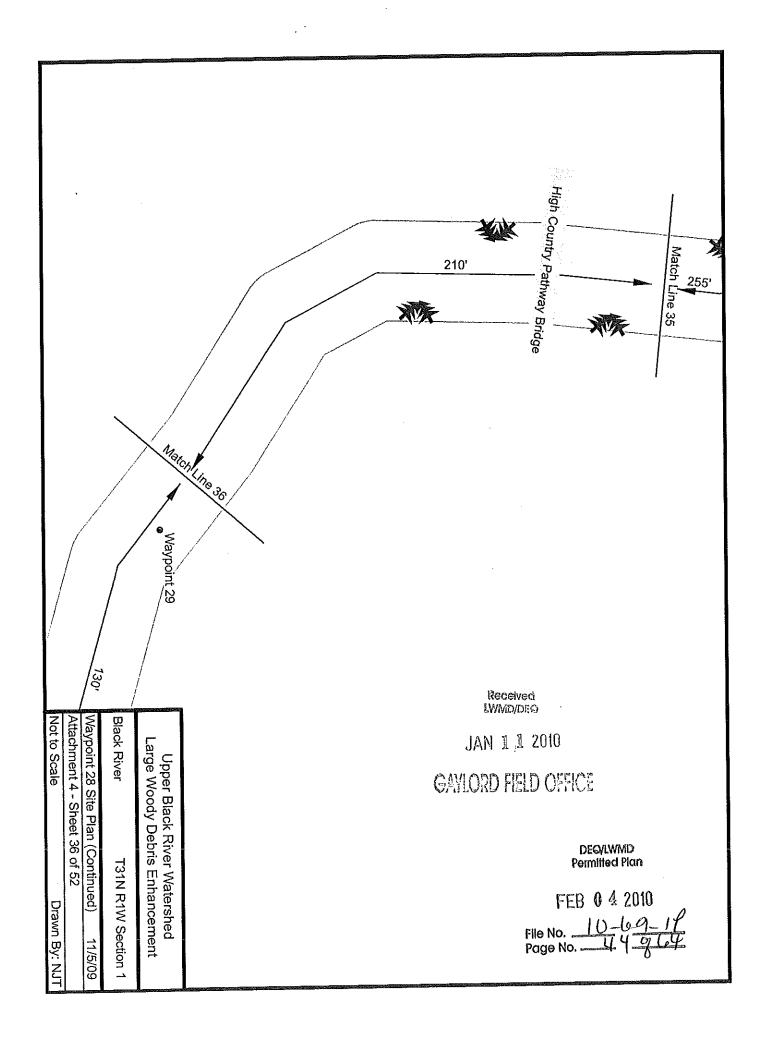


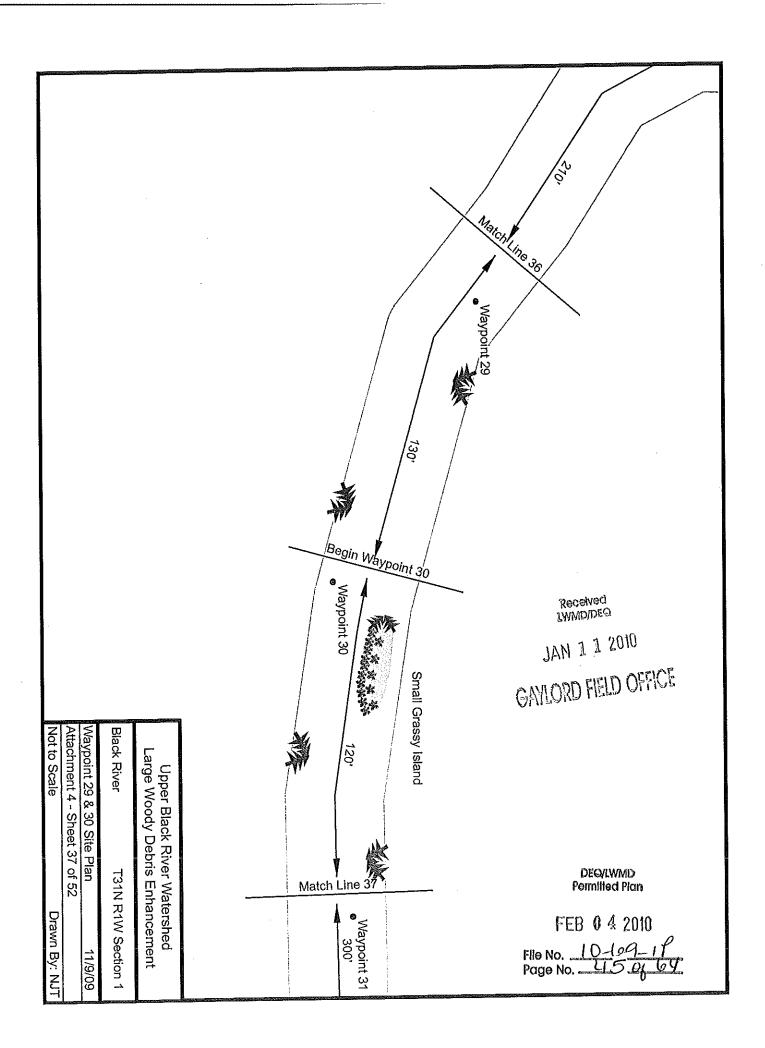












Match Line 37 Waypoint 31 300' Received LWMD/DEO JAN 1 1 2010 GAYLORD FIELD OFFICE Attachment 4 - Sheet 38 of 52

Not to Scale Waypoint 31 Site Plan Black River Upper Black River Watershed Large Woody Debris Enhancement DEG/LWMD Permitted Pian T31N R1W Section 1 Match Line 38 FEB 0 4 2010 Drawn By: NJT File No. 10-69-19 Page No. 46 964 Waypoint 3 11/9/09

