

NOTICE OF AUTHORIZATION

Permit Number: WRP029229 v. 1 Site Name: 75-21081 First Street-Three Rivers

Date Issued: June 23, 2021 Expiration Date: June 23, 2026

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), 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.

Part 301, Inland Lakes and Streams.

Authorized activity:

Remove existing sluice gates spanning 46 feet and take off site. Remove existing concrete embankments and existing backfill soils amounting to approximately 190 cubic yards of material and re-grade at a 2.5:1 slope, stabilizing as appropriate with a mixture of coconut fiber mats, fast-growing seed mix, live stakes, and approximately 2 cubic yards of clean fieldstone riprap. Remove existing diversion dam structure including metal rebar, concrete support walls, and fieldstone amounting to approximately 77 cubic yards of material and take off site. Banks are to be re-graded at a 2.5:1 slope, stabilizing as appropriate with a mixture of coconut fiber mats, fast-growing seed mix, live stakes, and approximately 77 cubic yards of material and take off site. Banks are to be re-graded at a 2.5:1 slope, stabilizing as appropriate with a mixture of coconut fiber mats, fast-growing seed mix, live stakes, and approximately 2 cubic yards of clean fieldstone riprap fieldstone riprap. All work shall be done in accordance with the attached plans and procedures, dated June 23, 2021.

To be conducted at property located in: St. Joseph County, Waterbody: Portage River Section 24, Town 05S, Range 11W, Park Township

Permittee: Carolyn Grace 693 E. Main Centreville, MI 49032

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Blake Winstead Kalamazoo District Office Water Resources Division 269-716-6060

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.

EGLE-WRD WRD029229 v1.0 Approved Issued On:06/23/2024 Eventees: On:06/23/2026



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY WATER RESOURCES DIVISION PERMIT

PERIV

Issued To:

Carolyn Grace 693 E. Main Centreville, MI 49032

Permit No:WRP029229 v.1Submission No.:HP6-19JJ-ECD75Site Name:75-21081 First Street-Three RiversIssued:June 23, 2021Revised:June 23, 2026

This permit is being issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), 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:

Remove existing sluice gates spanning 46 feet and take off site. Remove existing concrete embankments and existing backfill soils amounting to approximately 190 cubic yards of material and re-grade at a 2.5:1 slope, stabilizing as appropriate with a mixture of coconut fiber mats, fast-growing seed mix, live stakes, and approximately 2 cubic yards of clean fieldstone riprap. Remove existing diversion dam structure including metal rebar, concrete support walls, and fieldstone amounting to approximately 77 cubic yards of material and take off site. Banks are to be re-graded at a 2.5:1 slope, stabilizing as appropriate with a mixture of coconut fiber mats, fast-growing seed mix, live stakes, and appropriate with a mixture of coconut fiber mats, fast-growing seed mix, live stakes, and approximately 2 cubic yards of clean fieldstone riprap. All work shall be done in accordance with the attached plans and procedures, dated June 23, 2021.

Waterbody Affected: Property Location: Portage River St. Joseph County, Park Township, Town/Range/Section 05S11W24 Property Tax No. 75-013-850-022-00

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 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 EGLE 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 EGLE.
- 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, EGLE 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, EGLE 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, EGLE 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 EGLE. 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 EGLE prior to being implemented.
- Q. This permit may be transferred to another person upon written approval of EGLE. The permittee must submit a written request to EGLE to transfer the permit to the new owner. The new owner must also submit a written request to EGLE 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 the above information may

be provided to EGLE. EGLE 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:
 - 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/eglestormwater</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 EGLE, 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. Exposed streambanks resulting from this construction shall be stabilized with temporary measures in accordance with appropriate Best Management Practices based on site conditions, and if necessary, may be riprapped extending above the ordinary high water mark, to provide adequate erosion protection. Temporary stabilization measures shall be maintained until permanent measures are in place.All other exposed slopes, ditches, and other raw areas draining directly to the stream may be protected with riprap, sod and/or seed and mulch as may be necessary to provide effective erosion protection. The placement of riprap shall be_-wRD

limited to the minimum necessary to ensure proper stabilization of the side slopes and fill in the immediate vicinity of the structure.

- 8. No fill, excess soil, or other material shall be placed in the 100-year floodplain, any wetland or surface water area not specifically authorized by this permit, its plans, and specifications.
- 9. All riprap shall be properly sized and graded based on wave action and velocity, and shall consist of natural field stone or rock (free of paint, soil or other fines, asphalt, soluble chemicals, or organic material). Broken concrete is not allowed.
- 10. During removal or repair of the existing structure, every precaution shall be taken to prevent debris from entering any watercourse. Any debris reaching the watercourse during the removal and/or reconstruction of the structure shall be immediately retrieved from the water. All material shall be disposed of in an acceptable manner consistent with local, state, and federal regulations.

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Issued By:

Blake Winstead Kalamazoo District Office Water Resources Division 269-716-6060

cc: Park Township Clerk St. Joseph County Drain Commissioner Thiamkeelakul, Kesiree (DNR)





Project Overview











NOTICE OF AUTHORIZATION

Permit Number: WRP019705 v. 1 Site Name: 75-21081 First Street-Three Rivers

Date Issued: December 3, 2019 Expiration Date: December 3, 2024

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), 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.

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:

Install turbidity curtain prior to in-water work. Remove rebar structures from Portage River. Remove existing concrete wall structures. Excavate approximately 416 cubic yards in the 100year floodplain of the Portage River to grade streambanks to a minimum of a 2.5:1 slope from the stream. Place approximately 3 cubic yards of riprap shore protection along approximately 52 feet of shoreline and 100-year floodplain of the Portage River on each streambank. Repair existing dam apron by filling gaps in with riprap. All work shall be completed in accordance with the approved plans and the specifications of this permit.

To be conducted at property located in: St. Joseph County, Waterbody: Portage River Section 24, Town 05S, Range 11W, Park Township

Permittee: Carolyn Grace, St Joseph County Conservation District 693 East Main Street Centreville, MI 49032

Jaron and

Jason Combs Kalamazoo District Office Water Resources Division 269-568-2693

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.

EGLE-WRD WRP019705 v1.0 Approved Issued On:12/03/2019 Expires On:12/03/2024



Extra-WRD WRP019705 v1.0 Approved Issued On:12/03/2019 Expires On:12/03/2024







Issued On 12/03/2019









Project Overview











ST. JOSEPH COUNTY ROAD COMMISSION 20914 M-86 CENTREVILLE, MI 49032 P: 269-467-6393 F: 269-467-4433 C: 269-503-2427

Estimate

TO: Caroline Grace, St. Joseph County Conservation District

FROM: Michel Harris

DATE: 12/10/2020

SUBJ: Parkville Dam Removal

Haul crushed concrete from Parkville Dam to Stark Excavation on M-60. To include equipment and labor.

Estimate, actual billing not to exceed:	\$5000.00

Any questions please contact.

Michel Harris Director of Operations St Joseph County Road Commission 269-503-2427 Cell 269-467-6393 Office 269-467-4433 Fax



Grace, Carolyn - NRCS, CENTREVILLE, MI

From: Sent: To: Subject: Winstead, Blake (EGLE) <WinsteadB@michigan.gov> Monday, November 18, 2019 2:46 PM Grace, Carolyn - NRCS, CENTREVILLE, MI RE: letter for grant

Hi Carolyn,

Thanks for following up, I just had a discussion with Jason and Kesiree to make sure we're all on the same page as things progress. So at this point I think our best course of action is to have Jason move forward in issuance of his permit (minor permit, \$100 fee). This will cover the concrete removal of the millrace, leaving the apron, as well as the removal of the old sluice gate between the wing walls. This means there will be a second application for the removal and grading of the wing walls, as well removal of the current small diversion dam that is restricting flow. This will be another minor permit, so we should be able to avoid public noticing and a \$500 fee. The two categories that will be covered are removal of structure (GP) and removal of small dam (MP). Thus, for two MP permits the fees associated with all the permits necessary should be \$200 (Jason's + Mine).

These determinations are made in part from reviewing the submitted material from the DNR as well as the on site visit on the 8th. After the site visit I have no concerns of any significant wetland impact or mobilization of sediment that may arise from the removal of the dam structures. Kesiree has brought up potential mussel survey efforts, which will be discussed as things go further but won't impact the overall permit review process. I appreciate the coordination of everyone to have a productive on-site meeting as well as the conservation districts input to help keep EGLE informed as the project develops.

For right now I don't see there being any significant barriers to permitting the removal and grading that are required to realize the projects purpose. Of course, I'll be reviewing everything more closely when the additional site plans are submitted from the DNR. If you have any further questions or concerns please let me know.

Thanks again,

Blake Winstead

269-716-6060 Environmental Quality Analyst Water Resources Division, Kalamazoo District Office Michigan Department of Environment, Great Lakes, and Energy

From: Grace, Carolyn - NRCS, CENTREVILLE, MI <Carolyn.Grace@mi.nacdnet.net> Sent: Monday, November 18, 2019 12:53 PM To: Winstead, Blake (EGLE) <WinsteadB@michigan.gov> Subject: letter for grant

Good afternoon Blake,

I was wondering if you could write a short letter or respond to this email explaining what you found out about the permit from Jason.

What type of permit do we need? A small dam or large dam removal? Also a statement about our site visit on Nov 8th at the actual Parkville Dam.



130 N. Nottawa St. Sturgis, MI 49091 www.sturgismi.gov Ph: 269-651-2321 Fax: 269-659-7295

October 30, 2019

Carolyn Grace Administrator St. Joseph Conservation District 693 East Main Street Centreville, MI 49032

RE: Parkville Dam Removal Grant Application

Dear Ms. Grace,

The City has an escrow account established by a Settlement Agreement dated April 11, 2002 in accordance with FERC License Article 404 of the Sturgis Hydroelectric Project (P-2964). Article 404 states that the City of Sturgis must establish and maintain an interest-bearing account to fund fish protection devices at the project intake, an evaluation of fish protection technology in the 10th and 20th year of the license, or other fisheries enhancement projects within the watershed at the discretion of the U.S. Fish and Wildlife Service (USFWS) or the Michigan Department of Natural Resources (MDNR).

On August 29, 2019, MDNR, with USFWS support, submitted a request in the amount of \$70,000 for the use of the escrow account funds for the Parkville dam removal project. As of August 28, 2019, the balance in the escrow account is \$71,094.76. The funds will be disbursed at the time of payment request. All payment requests should be accompanied by a billing statement.

Best regards, **CITY OF STURGIS Michael Hughes**

City Manager

Cc: Holly Keyser, City Controller/Finance Director John Griffith, Electric Superintendent



ST. JOSEPH COUNTY DRAIN COMMISSIONER

Jeffery J. Wenzel

November 6, 2019

Carolyn Grace, Administrator St. Joseph County Conservation District 693 East Main Street Centreville, MI 49032

Re: Parkville Dam Removal

St. Joseph County is excited to support the St. Joseph County Conservation District in its application for grant funds to remove the structures on the Portage River in Parkville. St. Joseph County is currently developing a river trail master plan to make use of one of our most valuable resources – the rivers. The removal of the two structures will make the river passable without having to get out to get around the structures. Future development of the site is planned as the County begins implementing access points throughout the County.

The St. Joseph County Drain Commissioner's Office will provide administrative support for the project. The value of this assistance is \$725.00. The entire County will benefit with the Michigan Department of Natural Resources action to fund the project so that we can open a navigable waterway to residents and visitors.

Respectfully,

Jeffy & Weine

Jeffery J. Wenzel St. Joseph County Drain Commissioner



August 15th 2019

Michigan Department of Natural Resources P.O. Box 30028 Lansing, MI 48909

Re: Parkville Dam Removal Grant Application

Park Township is pleased to support the Parkville Dam Removal project. Our commitment to this project will include volunteer time of 20 hours @ 9.45/hr. for a total of \$ 189 and the 10% match amount needed for the grant up to a maximum of 5,000.00 dollars.

Sincerely

John E. English

John E. English Park Township Supervisor

KAUFFMAN FARMS LLC

October 25, 2019

St. Joseph County Conservation District C/O Carolyn Grace, Administrator 693 E. Main Centreville, Mi 49093

RE: Fisheries Habitat Grant Program: Dam Management

Dear Mrs. Grace,

The Kauffman Farms LLC is pleased to support the removal of the Parkville Dam. This project will be supported by our farm with the donation of a large load of field stone. This donation will include the help of loading and unloading of the truck load at the Parkville Dam site.

The donation is worth \$1,500.00

Sincerely, Matthew D. Kinffman Matt D. Kauffman



Friends of the St. Joe River Association, Inc.

P.O. Box 1794 South Bend, Indiana 46634 www.fotsjr.org

Established 1994 501(c)(3) Not-for-Profit

August 14, 2019

Carolyn Grace Administrator St. Joseph County Conservation District 693 East Main Street Centreville, MI 49032

Re: Parkville Dam Removal Grant Application

Dear Ms. Grace,

The Friends of the St. Joseph River Association, Inc. (FotSJR) supports the efforts of the St. Joseph County Conservation District to remove the Parkville dam on the Portage River. The FotSJR is a bi-state, non-profit organization working to improve water resources in the St. Joseph River Watershed of the Lake Michigan Basin. As one of the primary partners in the development of the U.S. Fish and Wildlife Service (USFWS) funded *St. Joseph River Watershed Fish Migration Barrier Inventory*, we are committed to restoring hydrology and native fish communities in our watershed.

According to the inventory reference above, the Parkville dam on the Portage River is one of the highest ranking dams for removal in the entire St. Joseph River Watershed. This removal project will restore sediment transport and improve recreational passage on the Portage River, which is heavily used by paddlers. Removal of the barrier will not only improve fish and recreational passage, it will also help restore natural hydrology in the watershed.

Given our interest in fish passage and restoring hydrology in the watershed, the FotSJR will play a supportive role as a partner in this project. Several members of our organization who were involved in the inventory project mentioned above are also committed to assisting with this dam removal project as needed. This support could include the use of equipment like waders, hosting an event to show off the project and providing outreach and meeting organization. These in-kind services can be valued at \$500 over the length of the project. The FotSJR strongly encourages the Michigan DNR to provide funding for this important project.

Sincerely,

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Matthew A. Meersman President

"A Bi-State Organization for Watershed-Wide Improvement & Protection"



ST. JOSEPH COUNTY PARKS AND RECREATION COMMISSION

602 East Main St. P.O. Box 427 Centreville, MI 49032-0427

Telephone: Fax: (269) 467-5519 (269) 467-5628

To Whom it May Concern,

I am writing this letter to voice our support for the Parkville Dam Removal Project. Additionally, St. Joseph County Parks and Recreation is willing to assist St. Joseph County Soil Conservation District with bank stabilization through the form of manual labor. St. Joseph County Parks and Recreation staff will donate 40 hours, totaling \$4,440 toward bank stabilization and the Dam Removal Project. St. Joseph County Parks and Recreation has also identified this area as a high-priority site for river access, and as a result, installed an improved kayak/canoe launch. Removal of the dam will assist in maintaining high-quality, safe recreational opportunities. Please contact me with any questions.

Sincerely,

Jaymes D MacDonald Parks and Recreation Director St. Joseph County, MI 269-467-5519