



**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
AGENDA FOR
REGULAR COUNCIL MEETING
GRAND HAVEN CITY HALL*
COUNCIL CHAMBERS
519 WASHINGTON AVE
TUESDAY, JANUARY 21, 2025
7:30 PM**

1. MEETING CALLED TO ORDER

2. ROLL CALL

3. INVOCATION

A. Pastor Emmett Brown, Trinity Church.

4. PLEDGE OF ALLEGIANCE

5. REAPPOINTMENTS TO BOARDS & COMMISSIONS

6. NEW APPOINTMENTS TO BOARDS & COMMISSIONS ATTACHMENT A

A. Judith Swiftney-Dembowske, EDC/BRA, Term ending March 31, 2029.

B. John Groothuis, MSDDA, Term ending June 30, 2028.

C. Brant Raterink, MSDDA, Term ending June 30, 2028.

7. APPROVAL OF CONSENT AND REGULAR AGENDAS

8. CALL TO AUDIENCE – ONE OF TWO OPPORTUNITIES

At this time, members of the audience may address Council on any item, whether on the agenda or not. Those addressing Council are asked to provide their name and address and will be limited to three minutes of speaking time. Council will hear all comments for future consideration but will not have a response at this time. Those not physically present who would like to call in may dial 616-935-3203.

9. PRESENTATION ATTACHMENT B

A. A resolution honoring Roger Bergman for his years of Public Service.

B. Water License Presentation. Derek Gajdos, Public Works Director

10. CONSENT AGENDA ATTACHMENT C

A. Approve Special Council meeting minutes of December 12, 2024, and Regular Council meeting minutes for January 6, 2025.

B. Approve the bill's memo in the amount of \$1,211,053.14.

- C. Approve a Grand Haven Entrance Light Historic Interpretation Development Michigan Coastal Management Program Grant Agreement in the amount of \$45,000 and authorize the City Manager to execute the necessary documents.
- D. Approve the bid proposal in the budgeted amount of \$36,500 annually from Equity Marine Construction, LLC of Fruitport, Michigan, to maintain the Northwest Ottawa Water System Lake Michigan North and South infiltration beds on schedule or emergency call during the 2025 and 2026 summer seasons and authorize the Mayor and City Clerk to execute the necessary documents.
- E. Approve a resolution honoring Roger Bergman for his years of Public Service.

11. UNFINISHED BUSINESS

ATTACHMENT D

- A. Consideration by City Council of a resolution to approve and adopt the Brownfield Redevelopment Plan for the 1500 Kooiman project, located at 1500 Kooiman Street, Grand Haven, MI 49417, for a period of 17 years, with an additional capture of five years for deposit into the Local Brownfield Revolving Fund.

Administration recommends approval.

- B. Consideration by City Council of a final resolution to amend the zoning map to remove the Sensitive Area Overlay designation from parcel #70-03-21-328-031.

Administration recommends approval.

- C. Consideration by City Council of a final resolution to approve a major amendment to Noto's Planned Development for an illuminated sign on the south wall located at 1223 S. Harbor Dr.

Administration recommends approval.

- D. Consideration by City Council of a final resolution to approve a major amendment to the Grand Landing Planned Development for a hotel located east of Miller Dr. and north of Adams Ave.

Administration recommends approval.

- E. Consideration by City Council of a final resolution to amend the zoning map to include 700 Washington Ave. (parcel #70-03-21-358-019) in the Centertown Overlay District.

Administration recommends approval.

12. NEW BUSINESS

ATTACHMENT E

- A. Consideration by City Council of a resolution to authorize the submission of a Revitalization and Placemaking Grant application for the 7th Street, Clinton to Beacon Boulevard project in the amount of \$1,000,000 and commit the local match, provided the project is funded.

Administration recommends approval.

- B. Consideration by City Council to approve a contract extension with Republic Services for residential solid waste, recycling, and composting through December 31st, 2029.

Administration recommends approval.

13. CORRESPONDENCE & BOARD MEETING MINUTES

ATTACHMENT F

- A. Airport Board meeting minutes of October 10, 2024 and November 26, 2024.
- B. Board of Light and Power Meeting Minutes of November 14, 2024.
- C. Economic Development Corporation and Brownfield Redevelopment Authority Meeting Minutes of October 7, 2024.
- D. Human Relations Commission Meeting Minutes of August 22, 2024 and October 24, 2024.
- E. Grand Haven Main Street Meeting Minutes of October 10, 2024.
- F. North Ottawa Water Systems Meetings Minutes of August 21, 2024.
- G. Planning Commission Meeting Minutes of October 8, 2024 and November 12, 2024.
- H. Sustainability and Energy Commission Meeting Minutes of October 10, 2024 and November 14, 2024.

14. REPORT BY CITY COUNCIL

15. REPORT BY CITY MANAGER

16. CALL TO AUDIENCE—SECOND OPPORTUNITY

At this time, members of the audience may address Council on any item, whether on the agenda or not. Those addressing Council are asked to provide their name and address and will be limited to three minutes of speaking time. Council will hear all comments for future consideration but will not have a response at this time. Those not physically present who would like to call in may dial 616-935-3203.

17. ADJOURNMENT

Attachment

A

From: [COGH Application to Serve](#)
To: [Clerk; Bob Monetza](#)
Subject: COGH Application to Serve
Date: Saturday, December 14, 2024 7:07:59 PM

The following application came through the Application to Serve form at GrandHaven.org.

First Name **Judith**

Last Name **Swiftney-Dembowske**

Home Address [REDACTED]

City **Grand Haven**

State **MI**

Zip / Post Code **49417**

Primary Phone [REDACTED]

Alternate Phone

Email [REDACTED]

Application Choice(s) for Citizen Board/Commission , **Human Relations Commission, Planning Commission, Other**

Are you over 21 years of age? **Yes**

Are you a resident of the City of Grand Haven? **Yes**

Are you a registered voter in the City of Grand Haven? **Yes**

Educational Qualifications **Dear Council Members:**

I am interested in serving my community as a GH City Council member. I believe my experience in business, and as a college business instructor, provides me with a breadth of experience that would be useful in such a position. I am a late bloomer in life.

EDUCATIONAL HISTORY

Graduate Work

University of Michigan

Graduation: May 2, 1999

Degree: Master's in Business Administration

Classes Completed:

Economics 591

Business Economics 551

International Management 585
Marketing Strategies 532
Marketing Management 531
Managerial Accounting 521
Communication in Organizations 501
Managerial Statistics 511
Applied Quantitative Analysis 512
Production and Operations Management 571
Business and Its Environment 552
Management Strategy 589
Human Resource Management 542
Individual and Organizational Behavior 541
Selected Readings 502
Managerial Finance 561
Integrated Management Information System 581

Undergraduate Work

Grand Valley State University – Allendale, MI

Graduated: December 19, 1995

Degree: Bachelor's in Business Administration,

Emphasis Human Resource Management and/or General Management

Major Classes Completed:

Accounting 212 and 213

Business Law 201

Finance 320

Concepts of Management 331

Administration Behavior 332

Business, government and Society 339

Management Science 361

Operation's Management 366

Management Information Systems 368

Administrative Policy 495

Marketing Management 350

Emphasis:

Personnel Management 333

Law of Labor and Management Relations 334

Advanced Human Resources 431

Grievance Administration/Arbitration/Collective Bargaining 432

International Management 466

Administrative Policy 495

Independent Research 499

Place of Employment **BUSINESS EXPERIENCE**

THE FINISHING CONNECTION 1990 to 1995

Spring Lake, MI

Consultant/Owner/Entrepreneur

Functions - Analysis of finishing processes for the purpose of making improvements,

recommendations, and/or employee training for such industries as automotive and office furniture. I have worked with Fortune 500 companies; New York based conglomerates; and small local companies. Engagements usually involved facilitating employee teamwork in preparation of ISO and working with companies in turn around situations.

SPECTRUM INDUSTRIES, INC. 1981 to 1990
Grand Rapids, MI

Spectrum Industries is a supplier to General Motors, Ford, Chrysler, Revco drug store chain, and government General Services.

Executive Vice President and Operations Manager (1985-1990) – Responsible for oversight and planning of marketing, operating, and financial performance for a manufacturing plant of 185 employees including long range planning, bottom-line, and systems development. Specific responsibilities include product development, budget development and analysis, human resource management, customer base development.

Major accomplishments:

Led progressive implementation and development to address customer needs and improve products. This resulted in increasing sales from \$100,000 to \$8 million annually and reducing rework to less than .5 percent. This success was due to an emphasis put on internal and external customer satisfaction.

Earlier positions (1981 – 1985) Human Resources, Quality Control, Inventory Control, and Purchasing.

Duties included the hiring, training and supervision of management, administrative and hourly associates; scheduling; implementation of quality control procedures to include employee training customer service; purchasing and production scheduling; the selection of software (for integrated manufacturing process).

Special projects:

Developed job descriptions through time and motion study, including wage and salary classifications.

Researched and developed company's first quality control manual to serve the automotive industry customers e.g. G.M., Chrysler, and Ford.

Led teamwork development of and Spectrum's Employee Policies and Procedures Manual Responsible for working with EPA, MIOSHA, and development of the work place "Right to Know Law".

Technology:

Built two websites using Square Space

Current personal programs knowledge:

Blackboard, Microsoft Word, Excel, PowerPoint, Access; Smart Suite, Ami Pro, Lotus 1-2-3, Freelance Graphics; WordPerfect, Five in One, Apple Works, Microsoft Publishing, Mira Scan, Adobe, WebCt, Blackboard Online Teaching Certification, PowerPoint Presentation projector, LCD screen and projector, scanning equipment

TEACHING EXPERIENCE:

GRAND RAPIDS COMMUNITY COLLEGE, Instructor in Bus. Dept. 2007 until May 2010

LINCOLN LAND COMMUNITY COLLEGE, IL, Instructor of Business Law 2006 until

2007

MUSKEGON COMMUNITY COLLEGE, Instructor in Business Department August 2005 until 2006

RICHLAND COMMUNITY COLLEGE, IL, Instructor in Bus. Department August 2003 – August 2005

KALAMAZOO COLLEGE, Instructor in Economics Department Winter Term 2003

K/RESA/KALAMAZOO PUBLIC SCHOOLS, Sub September 2001 to June 2003

GLEN OAKES COMMUNITY COLLEGE, Bus. Instructor September 2000 to May 2001

KALAMAZOO VALLEY COMMUNITY COLLEGE, Bus. Instructor August 1, 1997 to January 2000

DAVENPORT UNIVERSITY, Kzoo, Business Instructor January 1, 1997 to April 2000

Type of Work Performed **Management for a company of approx. 200 employees and Educator: Business**

Please List Other Relevant Experience **Very capable with APPS and Programs. Built two webistes using Square Space.**

VOLUNTEER WORK

Grand Rapids Home for Veterans, GR

Loutit Library Cheat Stacks

American Red Cross

NOCH Ladies Auxiliary

Read Ottawa

Harbor Humane Society

STUDENT COMMENTS:

“Along my career as a full time business student I have had the pleasure of knowing Judie and enjoying MANY of her classes. She has helped me become the thriving student, women, and entrepreneur that will proudly accept a diploma next month. Judie has touched my life in so many ways. Thank you Judie for all you time and patience. Thank you for being there as an instructor and a friend”. Alecia Genet

“Her efforts as a teacher are greatly appreciated from the students that have experienced her. She is held in high regards by those that have learned from her. She teaches with a great deal of compassion and understanding for each student and treats each one as an individual. The benefits of learning from such a fantastic instructor will be lost by future students as well as returning. She will be greatly missed”. William Merrell

“There have been a number of times in which she has come in early and stayed later to help me with questions that I had. She did this on her own with no thought of extra compensation in mind or extra benefits to her. Judy is one of the kindest most considerate people I have ever met. Judie made dull topics interesting and challenging topics easier. Judie is the best instructor I have ever had and if she had not been so generous in showing me how to learn, there is no way I would have made it to the point that I am currently at”. Joshua Bilbrey

“Like many of you, I have had some good teachers and I’ve had some that weren’t so

good. But I have had one GREAT teacher; Judie Dembowski. She is the only instructor that I have had in my four years here at Richland that made a personal investment in each and every one of her students. She has touched me, driven me, taught me, and poked me when I needed it. She has made a personal difference not only in my academic life, but in my personal life as well. No other teacher has demonstrated such a deep devotion to her students as Judie. I have taken away more from four classes with her than I have with all my other classes combined". Andrew Jenkins

"I had been out of school for 35 years when I returned. I had no idea even how to study properly. I was needless to say overwhelmed with all that I had to learn how to do. When I was told by Judie in her Business Law class to outline the chapter, I asked, outline? This was the start to a learning relationship that I will cherish for the rest of my life. She sat with me, explained to me, and would be an inspiration to me for all that I accomplished here at Richland. She always had time for her students, regardless of the situation. I did not have any other instructor do as much for my education as Judie did, and I'm sure you could ask any student that has had her for a class would say the same. When I stop to think of the top ten people that have had the most effect on my life I can guarantee you that Ms. Judie Dembowski will be in that top ten. Not only has she affected my education, but she has made me look at obstacles of life with a new perspective. Thank you Judie for all you have done, not only for me, but for all the students that were able to have you for an instructor." Joseph Wilske

City of Grand Haven
Application for Consideration for Appointment to
Citizen Boards and Commissions

(Applications are kept on file for one year from date of completion)

Name John Groothuis Date 7-15-24

Address _____

Telephone (Home) n/a (Cell) _____ (Work) _____

E-Mail Address _____

I wish to be considered for appointment or reappointment to the following Citizen Board(s) or Commission(s). (If selecting more than one board/commission, indicate order of preference --- "1" being first choice.)

- | | |
|---|---|
| <input type="checkbox"/> Airport Board | <input type="checkbox"/> Historic Conservation District |
| <input type="checkbox"/> Audit Review Committee | <input type="checkbox"/> Human Relations Commission |
| <input type="checkbox"/> Board of Review | <input type="checkbox"/> Loutit District Library Board |
| <input type="checkbox"/> Cemetery Board | <input checked="" type="checkbox"/> Main Street DDA |
| <input type="checkbox"/> Community Center Board | <input type="checkbox"/> Musical Fountain Committee |
| <input type="checkbox"/> Compensation Commission | <input type="checkbox"/> Parks & Recreation Board |
| <input type="checkbox"/> Construction Board of Appeals | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Duncan Park Commission | <input type="checkbox"/> Zoning Board of Appeals |
| <input type="checkbox"/> Economic Develop. Corp. & Brownfield Redevelopment | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Harbor Board | |

Are you over 21 years of age? Yes No

Are you a resident of Grand Haven? Yes No

Are you a registered voter in the City of Grand Haven? Yes No

Educational Qualifications: B.A. GVSU

Place of Employment: Capstone Real Estate

Type of Work performed: Development, Management, Brokerage

Other experience that would assist you in performing the duties of a Board/Commission member:
Previous Downtown Grand Haven Inc, YMCA, United Way, First Priority & other boards.

Please return complete form to: City Clerk's Office: 519 Washington Avenue, Grand Haven, MI 49417

From: [COGH Application to Serve](#)
To: [Clerk; Bob Monetza](#)
Subject: COGH Application to Serve
Date: Monday, December 9, 2024 6:25:12 PM

The following application came through the Application to Serve form at GrandHaven.org.

First Name **Brant**

Last Name **Raterink**

Home Address [REDACTED]

City **Grand Haven**

State **MI**

Zip / Post Code **49417**

Primary Phone [REDACTED]

Alternate Phone

Email [REDACTED]

Application Choice(s) for Citizen Board/Commission , **Main Street DDA**

Are you over 21 years of age? **Yes**

Are you a resident of the City of Grand Haven? **No**

Are you a registered voter in the City of Grand Haven? **No**

Educational Qualifications **BBA Business and Real Estate Economics, Grand Valley State University, 2002**

BBA Interior Design, Kendall College of Art and Design, 2005

Place of Employment **Self Employed, Owner of BRANT DANIEL DESIGN. An architecture and interior design studio**

Type of Work Performed **Residential and hospitality architectural and interior design**

Please List Other Relevant Experience **Current member of the Preservation and Place Committee**

Past community involvement:

Spring Lake Sparkle, 2020

Artprize as artist and venue curator, 2009-2013

Lead for Experience Design at TEDx Grand Rapids, 2012-2014

Attachment B

**CITY OF GRAND HAVEN, MICHIGAN
ROGER BERGMAN PUBLIC SERVICE
RECOGNITION**

Whereas, Roger Bergman has been a steadfast and devoted public servant for over four decades, consistently exemplifying the highest standards of leadership, service, and dedication to the betterment of our City and County; and

Whereas, Roger’s journey of public service began with the opening of his local business, Borrs, in 1979, which not only contributed to the local economy but also served as a foundation for his commitment to fostering growth and prosperity in our community; and

Whereas, Roger’s passion for the well-being of our City led him to serve on the Central Business District Development Authority in 1986, and the TIFA Board in 1987, where his vision and efforts contributed to the revitalization and economic development of our downtown area; and

Whereas, in 1999, Roger was elected to the City Council, where he served with distinction until 2003, tirelessly working on behalf of our citizens and ensuring that their voices were heard in the decision-making process; and

Whereas, Roger’s leadership and dedication to the community were further demonstrated when he was elected as Mayor in 2003, a role he served in with honor and integrity until 2011, guiding the City through significant milestones, improvements, and challenges; and

Whereas, Roger continued his public service by serving as a County Commissioner from 2012 to 2024, where his deep commitment to the welfare of our region persisted, and his work helped shape the policies and direction of the County for over a decade; and

Whereas, Roger’s unwavering dedication to public service has had a lasting impact on the lives of countless residents and has played a crucial role in shaping the community as we know it today; and

Whereas, Roger Bergman’s legacy of service and commitment to the people of this community will continue to inspire future generations to serve with the same dedication and passion;

Now, Therefore Be It Resolved, I, Robert Monetza, Mayor of Grand Haven, do hereby acknowledge Roger Bergman’s many years of dedicated public service. We extend our deepest gratitude to Roger for his contributions, his tireless efforts, and his passion for making this community a better place to live, work, and thrive.

Robert Monetza, Mayor

Attachment C

**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
SPECIAL CITY COUNCIL WORK SESSION
THURSDAY DECEMBER 12, 2024**

The Regular Meeting of the Grand Haven City Council was called to order at 6:00 p.m. by Mayor Bob Monetza in the Council Chambers of City Hall, 519 Washington Ave.

Present: Council Members Mike Fritz, Karen Lowe, Kevin McLaughlin, Mayor Pro-tem Ryan Cummins, and Mayor Bob Monetza.

Absent: None.

Others Present: City Manager Ashley Latsch, City Clerk Maria Boersma, Assistant City Manager Dana Kollewehr, Finance Director Emily Greene, and Public Works Director Derek Gajdos.

PRESENTATIONS

City Manager Ashley Latsch presented on the City of Grand Haven's Year in Review. The presentation highlighted the goals made at last year's Strategic Planning Session and the status of their progress. **Attachment A**

City Manager Latsch presented a high-level overview of the Community Satisfaction and Budget Priority Survey Results.

COUNCIL DISCUSSION

City Council members shared their goals for the City in 2025. Key topics that were discussed included creating a concise list of City-owned properties and evaluating if any property could be sold in the future, hiring a consultant to develop a paid-parking RFP (Request for Proposals), a Public Safety Operating Millage, continuing to seek outside funding for Harbor Island and other projects, methods to support affordable housing, and continuing to make additional payments towards the pension liability.

CALL TO THE AUDIENCE

ADJOURNMENT

After hearing no further business, Mayor Monetza adjourned the meeting at 8:19 p.m.

Robert Monetza, Mayor

Maria Boersma, City Clerk

Attachment A

City of Grand Haven Year in Review

2024 Highlights



Sale of Excess Property
 Executed sale of the annex building and have begun evaluating the future of the current Harbor Transit facility upon their move.



Tree Plantings
 Department of Public Works planted 107 street trees and 27 trees in parks.



Public Art
 Partnered to add public art installations in the City at both the marina and Harbor Island.



MERS Surplus Payments
 Created MERS surplus fund and began making \$50,000 per month over-payments to begin to reduce UAL.



Remediation Efforts
 Received approval from EGLE to proceed with the Coal Pile Removal project, at a greater cost savings.



Public Safety
 Completed a Fire Code update. Purchased Taser 10s and completing training, and budgeted and executed preventative technology system upgrades throughout the City.



Budget Efficiencies
 Found efficiency in reworking IT to better utilize and leverage partnership with Grand Haven Area Public Schools, at a cost savings, and privatized custodial services at an additional cost savings near \$100,000.



Community Energy Plan
 Final draft of the Community Energy Plan is complete and coming before Council for adoption.



Chinook Pier
 Executed RFP process for Chinook Pier and selected a development partner for the project.



Boardwalk Overhaul
 Funded the complete replacement of the boardwalk, effectively fundraising enough to lower the City's contribution and save nearly \$100k in funds for future repairs.



2-Way Conversions
 Received approval from the railway to fully convert Frank and Columbus to 2-way from US-31 to Harbor.



Grant Funding
 Leveraged general fund dollars to secure over **\$8.1 million** in local, state and federal funding for various city projects.



Forest Management
 In the current budget year, we incorporated \$175k for invasive species treatment at Murgan's Hollow and an additional \$70k at the Cemetery, treating over 327 trees.



Drone Purchase
 Purchased a thermal imaging drone to conduct inspections for invasive species and additional ecological studies.



Incentive Policy
 Created Economic Incentive Policy that was evaluated and passed by City Council.



Harbor Island
 Future use planning round completed for Harbor Island, executed with grant funding from the State utilizing our current environmental consultant HDR.



Road & Sidewalk Improvements
 Improved 2.33 miles of road. Also, repaired and replaced 3,500 sq. ft. of sidewalk and corrected 72 tripping hazards.



Communications
 Created a Budget in Brief document to summarize budgetary decisions, and implemented a Community Budget Priority Survey.

**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
REGULAR CITY COUNCIL MEETING
MONDAY, JANUARY 6, 2025**

The Regular Meeting of the Grand Haven City Council was called to order at 7:30 p.m. by Mayor Bob Monetza in the Council Chambers of City Hall, 519 Washington Ave.

Present: Council Members Mike Fritz, Karen Lowe, and Mayor Bob Monetza.

Absent: Mayor Pro-tem Kevin McLaughlin.

Others Present: City Manager Ashley Latsch, City Clerk Maria Boersma, Assistant City Manager Dana Kollewehr, Finance Director Emily Greene, and City Planner Brian Urquhart.

INVOCATION/PLEDGE OF ALLEGIANCE

Pastor Emmett Brown, Trinity Church.

APPROVAL OF CONSENT AND REGULAR AGENDAS

Council Member **Fritz** moved, seconded by Council Member **Lowe** to approve the agendas as presented.

25-001 Council Member **Fritz** moved, seconded by Council Member **Lowe** to amend the agenda by removing items “9A” and “10C” from the agenda, and changing the lettering of the Second Public Hearing from “A” and “B” to “C” and “D”

Roll Call Vote:

This motion carried unanimously.

25-002 Council Member **Fritz** moved, seconded by Council Member **Lowe** to approve the agendas as amended.

FIRST CALL TO AUDIENCE

Tom R, Grand Haven Salvation Army: Commented on item 13 C of New Business.

Jacob Horner, Dwelling Place: Commented on item 13 C of New Business.

David Tencate, Capstone: Commented on item 13 C of New Business.

Josh Bruegger, Ottawa County Commissioner 10th District. Commented on item 13 C of New Business and introduced himself as the new Commissioner for the 10th District.

CONSENT AGENDA.

25-003 Approve the Regular Council Meeting Minutes of December 16, 2024.

25-004 Approve the bill's memo in the amount of \$835,328.19.

Attachment A

25-005 Approve a resolution to authorize Change Order 004 to Task Order 003, Task 006 for groundwater monitoring and reporting for the remainder of the Fiscal Year 2024/25 with HDR of ANN Arbor, MI, in the not to exceed the amount of \$160,351.00

25-006 Approve the proposal from Fishbeck Engineers, of Grand Rapids, MI, to conduct a feasibility study on the expansion of the finished water storage and standby power capacity at the NOWS water treatment plant in the budget amount of \$49,800.00 and authorize the Mayor and City Clerk to execute the necessary documents.

Council Member **Fritz** moved, seconded by Council Member **Lowe** to approve the Consent Agenda as amended.

Roll Call Vote:

This motion carried unanimously.

PUBLIC HEARING

The Mayor opened a public hearing concerning the approval of a resolution to adopt the Northwest Ottawa County Joint Recreation Plan.

Assistant City Manager Dana Kollewehr introduced the 5-year Northwest Ottawa Recreation Plan.

Oliver Shampine, 540 D Ave: Appreciates the collaboration between the area municipalities for the creation of the 5-year plan.

After hearing no further comment, the Mayor closed the public hearing.

25-007 Council Member **Lowe** moved, seconded by Council Member **Fritz** to approve a resolution to adopt the Northwest Ottawa County Joint Recreation Plan.

Roll Call Vote:

This motion carried unanimously.

The Mayor opened a public hearing concerning the approval and adoption of the Brownfield Redevelopment Plan for the 1500 Kooiman project, located at 1500 Kooiman Street, Grand Haven, MI 49417, for a period of 17years, with an additional capture of five years for deposit into the Local Brownfield Revolving Fund.

City Manager Ashley Latsch introduced the Brownfield Redevelopment Plan.

After hearing no further comment, the Mayor closed the public hearing.

UNFINISHED BUSINESS

Council Member **Fritz** moved, seconded by Council Member **Lowe** to approve a final resolution to approve a major amendment to the Noto's Planned Development for an illuminated sign on the south wall located at 1223 S. Harbor Dr.

Roll Call Vote:

Ayes: Fritz, Monetza.

Nays: Lowe.

This motion failed.

NEW BUSINESS

25-008 Council Member **Lowe** moved, seconded by Council Member **Fritz** to approve an introductory resolution to amend the zoning map to include 700 Washington Ave. (parcel #70-03-21-358-019) in the Centertown Overlay District.

Roll Call Vote:

This motion carried unanimously.

25-009 Council Member **Fritz** moved, seconded by Council Member **Lowe** to award the Department of Public Safety Garage Design-Build contract to Lakewood Construction of Holland, MI in the amount of \$36,000, and authorize the Mayor and City Clerk to execute the necessary documents.

Roll Call Vote:

This motion carried unanimously.

25-010 Council Member **Fritz** moved, Council Member **Lowe** to approve an introductory resolution to amend the zoning map to remove the Sensitive Area Overlay designation from parcel #70-03-21-328-031.

Roll Call Vote:

This motion carried unanimously.

REPORT BY CITY COUNCIL

City Council thanked city staff for their work on the New Year's Eve event.

Mayor Monetza explained the reason the second reading for the major amendment to the Noto's Planned Development failed. The City Charter specifies that the City Council cannot take action on anything without three affirmative votes from the Council. Since the second reading was not denied by three council members, the item is eligible to return on a future agenda.

CITY MANAGER REPORT

CALL TO AUDIENCE SECOND OPPORTUNITY

Tom Noto, Noto's: Commented on Unfinished Business Item A.

Tony Noto, Noto's: Commented on Unfinished Business Item A.

ADJOURNMENT

After hearing no further business, Mayor Monetza adjourned the meeting at 8:37 p.m.

Robert Monetza, Mayor

Maria Boersma, City Clerk

Attachment A

To: Ashley Latsch, City Manager
From: Emily Greene, Finance Director *ELG*
CM Date: 01.06.25
RE: Bills From Payables Warrant

NEW FUND NUMBER	FUND NAME	WARRANT 12.20.24	ACH WARRANT 12.20.24	WARRANT 12.31.24	ACH WARRANT 12.31.24	TOTALS
101	General Fund	\$36,144.36	\$0.00	\$1,428.96	\$9,025.69	\$46,599.01
151	Cemetery Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
202	Major Street Fund	\$2,760.68	\$0.00	\$0.00	\$12,042.03	\$14,802.71
203	Local Street Fund	\$150.00	\$0.00	\$0.00	\$2,655.70	\$2,805.70
225	Land Acquisition Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
242	Brd LSRRF TIF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
243	Brownfield Redevelopment Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
244	Econ. Dev. Corp. Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
245	Downtown TIF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
246	GLTIF Spec Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
248	Main St Dist Dev	\$5,161.33	\$0.00	\$0.00	\$0.00	\$5,161.33
272	UTGO Inf Spec Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
273	LTGO Bond Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
274	2015 UTGO Bond Rev	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
276	LightHouse Maintenance Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
278	Community Land Trust	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
310	Assessment Bond Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
351	Operating Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
352	Brownfield TIF Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
355	GLTIF Debt Serv Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
369	Building Auth Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
372	UTGO Inf Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
373	LTGO Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
374	2015 UTGO Bond Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
384	2020 LTGO Bond - Warber Drain	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
394	Downtown TIF Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
401	Public Improvements Fund	\$41,367.81	\$0.00	\$0.00	\$37,008.75	\$78,376.56
402	Fire Truck Replacement Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
403	Brownfield TIF Const	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
404	Downtown TIF Const.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
410	Harbor Island	\$0.00	\$0.00	\$0.00	\$170.00	\$170.00
455	G/L TIF Construction Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
456	UTGO Inf Construction Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
457	LTGO Bond Construction Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
458	2015 UTGO Bond Inf Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
469	Building Auth. Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
508	North Ottawa Rec Authority	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
509	Sewer Authority Operations	\$41,027.67	\$0.00	\$5,194.85	\$21,052.94	\$67,275.46
509	Sewer Authority SL Force Mn	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
509	Sewer Authority Plant Mod	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
509	GH/SL SA-2013 Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
509	GH/SL SA-SLPS/Force Main Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
509	GH/SL SA-Local Lift Station Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
509	GH/SL SA-2018 Plant Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
510	NOWS Operating	\$3,196.88	\$0.00	\$0.00	\$466.75	\$3,663.63
510	NOWS Plant Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
510	NOWS Replacement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
535	Housing Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
572	Chinook Pier Rental Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
581	Airpark Fund	\$39.22	\$0.00	\$564.96	\$1,237.50	\$1,841.68
590	City Sewer Fund	\$125,009.20	\$0.00	\$0.00	\$2,351.21	\$127,360.41
591	City Water Fund	\$7,888.63	\$0.00	\$0.00	\$8,356.19	\$16,244.82
594	City Marina Fund	\$239.22	\$0.00	\$0.00	\$141.47	\$380.69
597	City Boat Launch Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
661	Motorpool Fund	\$3,399.33	\$0.00	\$0.00	\$17,124.13	\$20,523.46
677	Self Insurance Fund	\$72,747.25	\$0.00	\$0.00	\$0.00	\$72,747.25
678	OPEB/Retiree Benefits Fund	\$1,336.39	\$0.00	\$0.00	\$0.00	\$1,336.39
679	Health Benefit Fund	\$1,367.80	\$0.00	\$0.00	\$0.00	\$1,367.80
701	Trust & Agency Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
703	Tax Collection Fund	\$239,950.70	\$132,700.91	\$2,019.68	\$0.00	\$374,671.29
704	Payroll Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$581,786.47	\$132,700.91	\$9,208.45	\$111,632.36	\$835,328.19

\$835,328.19 Total Approved Bills
\$450,122.73 Minus eligible bills for release without prior approval, including Utility,
\$385,205.46 Retirement, Insurance, Health Benefit, and Tax Collection Funds

To: Ashley Latsch, City Manager
 From: Emily Greene, Finance Director
 CM Date:
 RE: Bills From Payables Warrant

EG

01.20.25

NEW FUND NUMBER	FUND NAME	WARRANT 01.08.25	ACH WARRANT 01.08.25	WARRANT 01.15.25	ACH WARRANT 01.15.25	CREDIT CARD WARRANT 01.14.25	TOTALS
101	General Fund	\$74,361.37	\$0.00	\$24,056.54	\$29,525.10	\$12,763.34	\$140,706.35
151	Cemetery Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
202	Major Street Fund	\$9,163.59	\$0.00	\$83,027.87	\$1,034.41	\$47.94	\$93,273.81
203	Local Street Fund	\$7,082.58	\$0.00	\$14,936.61	\$1,034.41	\$22.49	\$23,076.09
225	Land Acquisition Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
242	Brfd LSRRF TIF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
243	Brownfield Redevelopment Fund	\$0.00	\$0.00	\$0.00	\$2,432.54	\$0.00	\$2,432.54
244	Econ. Dev. Corp. Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
245	Downtown TIF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
246	GLTIF Spec Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
248	Main St Dist Dev	\$343.79	\$0.00	\$6,384.99	\$0.00	\$478.38	\$7,207.16
272	UTGO Inf Spec Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
273	LTGO Bond Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
274	2015 UTGO Bond Rev	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
276	LightHouse Maintenance Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
278	Community Land Trust	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
310	Assessment Bond Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
351	Operating Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
352	Brownfield TIF Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
355	GLTIF Debt Serv Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
369	Building Auth Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
372	UTGO Inf Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
373	LTGO Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
374	2015 UTGO Bond Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
384	2020 LTGO Bond - Warber Drain	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
394	Downtown TIF Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
401	Public Improvements Fund	\$65,371.32	\$10,156.70	\$0.00	\$11,674.26	\$0.00	\$87,202.28
402	Fire Truck Replacement Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
403	Brownfield TIF Const	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
404	Downtown TIF Const.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
410	Harbor Island	\$0.00	\$0.00	\$0.00	\$27,767.88	\$0.00	\$27,767.88
455	G/L TIF Construction Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
456	UTGO Inf Construction Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
457	LTGO Bond Construction Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
458	2015 UTGO Bond Inf Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
469	Building Auth. Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
508	North Ottawa Rec Authority	\$0.00	\$0.00	\$0.00	\$0.00	\$303.44	\$303.44
509	Sewer Authority Operations	\$70,115.02	\$0.00	\$38,844.37	\$45,225.33	\$496.11	\$154,680.83
509	Sewer Authority SL Force Mn	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
509	Sewer Authority Plant Mod	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
509	GH/SL SA-2013 Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
509	GH/SL SA-SLPS/Force Main Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
509	GH/SL SA-Local Lift Station Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
509	GH/SL SA-2018 Plant Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
510	NOWS Operating	\$34,201.47	\$0.00	\$28,860.02	\$15,932.57	\$41.49	\$79,035.55
510	NOWS Plant Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
510	NOWS Replacement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
535	Housing Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
572	Chinook Pier Rental Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
581	Airpark Fund	\$8,571.12	\$0.00	\$110.91	\$240.65	\$0.00	\$8,922.68
590	City Sewer Fund	\$1,228.65	\$0.00	\$14,535.91	\$2,841.98	\$46.89	\$18,653.43
591	City Water Fund	\$29,713.06	\$0.00	\$4,124.11	\$9,050.31	\$1,461.80	\$44,349.28
594	City Marina Fund	\$3,717.66	\$0.00	\$488.90	\$328.49	\$0.00	\$4,535.05
597	City Boat Launch Fund	\$40.01	\$0.00	\$0.00	\$600.00	\$0.00	\$640.01
661	Motorpool Fund	\$7,660.08	\$0.00	\$2,912.35	\$28,481.56	\$1,295.00	\$40,348.99
677	Self Insurance Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
678	OPEB/Retiree Benefits Fund	\$951.57	\$0.00	\$70.61	\$0.00	\$0.00	\$1,022.18
679	Health Benefit Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
701	Trust & Agency Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
703	Tax Collection Fund	\$425,672.74	\$51,222.85	\$0.00	\$0.00	\$0.00	\$476,895.59
704	Payroll Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		\$738,194.03	\$61,379.55	\$218,353.19	\$176,169.49	\$16,956.88	\$1,211,053.14

\$1,211,053.14 Total Approved Bills
 \$477,917.77 Minus eligible bills for release without prior approval: including Utility,
 \$733,135.37 Retirement, Insurance, Health Benefit, and Tax Collection Funds

**City of Grand Haven
Department of Public Works
616-847-3493**



MEMORANDUM

TO: Ashley Latsch – City Manager

CC: Derek Gajdos – Director of Public Works
Derek Lemke – Facilities and Grounds Manager
Dave Karpin – Grand Haven Lighthouse Conservancy
Emily Green – Finance Director

FROM: Dana Kollewehr – Assistant City Manager *DK*

DATE: January 7, 2025

SUBJECT: Michigan Coastal Management Grant Agreement

The City of Grand Haven successfully applied for a Michigan Coastal Management Program (MCMP) grant on behalf of the Lighthouse Conservancy to re-create the 6th Order Fresnel Lens, and develop educational exhibits and displays for the entrance light on the south pier. The grant request was for \$45,000, with a 1:1 local match to be reimbursed by the Grand Haven Lighthouse Conservancy for a total project cost of \$90,000.

The City has received the attached grant agreement from the Michigan Department of Environment, Great Lakes and Energy (EGLE). To proceed with the project, city staff recommends that the City Council approve the grant agreement, commit to the project terms and match funding, and authorize the City Manager to sign it.



MICHIGAN COASTAL MANAGEMENT PROGRAM
GRANT AGREEMENT
BETWEEN THE
MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
AND THE
CITY OF GRAND HAVEN

This Grant Agreement (Agreement) is made between the Michigan Department of Environment, Great Lakes, and Energy, Water Resources Division (State), and the city of Grand Haven (Grantee).

The purpose of this Agreement is to provide funding in exchange for work to be performed for the project named below. The State is authorized to provide grant assistance pursuant to the Coastal Zone Management Act of 1972, as amended, P.L. 109-58 (Title 16 of the United States Code [U.S.C.], Sections 1451-1465). Legislative appropriation of funds for grant assistance is set forth in Public Act 121 of 2024. This Agreement is subject to the terms and conditions specified herein.

PROJECT INFORMATION:

Project Name: Grand Haven Entrance Light Historic Interpretation Development

Project #: 2025-306-008

Amount of Grant: \$45,000.00

% of Grant State 50 / % of Grant Federal 50

Amount of Match: \$45,000.00 = 50%

PROJECT TOTAL: \$90,000.00 (grant plus match)

Start Date: 11/1/2024

End Date: 12/31/2025

GRANTEE CONTACT INFORMATION:

Name/Title: Dana Kollewehr, Special Events and Project Manager

Organization: City of Grand Haven

Address: 519 Washington Avenue

City, State, and ZIP: Grand Haven, Michigan 49417

Phone Number: 616-502-2674

Fax Number: N/A

Email Address: DKollewehr@GrandHaven.org

Federal ID Number (Required for Federal Funding): 38-6004687

Grantee DUNs/UEI Number (Required for Federal Funding): LHCRQXLJJWV1

SIGMA Vendor Number: CV0047861-005

STATE CONTACT INFORMATION:

Name/Title: Emily Kirkpatrick, Coastal Hazards Coordinator

Division/Bureau/Office: Coastal Management Program Unit, Water Resources Division

Address: P.O. Box 30458

City, State, and ZIP: Lansing, Michigan 48909-7958

Phone Number: 517-290-5476

Fax Number: 517-241-9003

Email Address: KirkpatrickE@Michigan.gov

The individuals signing below certify by their signatures that they are authorized to sign this Agreement on behalf of their agencies and that the parties will fulfill the terms of this Agreement, including any attached appendices, as set forth herein.

FOR THE GRANTEE:

Signature	Ashley Latsch, City Manager	Date
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FOR THE STATE:

Signature	Phil Argiroff, Acting Director Water Resources Division	Date
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I. PROJECT SCOPE

This Agreement and its appendices constitute the entire Agreement between the State and the Grantee and may be modified only by written agreement between the State and the Grantee.

(A) The scope of this project is limited to the activities specified in Appendix A and such activities as are authorized by the State under this Agreement. Any change in project scope requires prior written approval in accordance with Section III, Changes, in this Agreement.

(B) By acceptance of this Agreement, the Grantee commits to complete the project identified in Appendix A within the time period allowed for in this Agreement and in accordance with the terms and conditions of this Agreement.

II. AGREEMENT PERIOD

Upon signature by the State, the Agreement shall be effective from the start date until the end date on page 1 of this Agreement. The State shall have no responsibility to provide funding to the Grantee for project work performed except between the start date and the end date specified on page 1 of this Agreement. Expenditures made by the Grantee prior to the start date or after the end date of this Agreement are not eligible for payment under this Agreement.

III. CHANGES

Any changes to this Agreement other than budget line-item revisions less than 10 percent (10%) of the budget line item shall be requested by the Grantee or the State in writing and implemented only upon approval in writing by the State. The State reserves the right to deny requests for changes to the Agreement or to the appendices. No changes can be implemented without approval by the State.

IV. GRANTEE DELIVERABLES AND REPORTING REQUIREMENTS

The Grantee shall submit deliverables and follow reporting requirements specified in Appendix A of this Agreement.

(A) The Grantee must complete and submit quarterly financial and progress reports according to a form and format prescribed by the State and must include supporting documentation of eligible project expenses. These reports shall be due according to the following:

Reporting Period	Due Date
October 1 – December 31	January 31
January 1 – March 31	April 30
April 1 – June 30	July 30
July 1 – September 30	Before October 15*

*Due to the State's year-end closing procedures, there will be an accelerated due date for the report covering July 1 – September 30. Advance notification regarding the due date for the quarter ending September 30 will be sent to the Grantee. If the Grantee is unable to submit a report in early October for the quarter ending September 30, an estimate of expenditures through September 30 must be submitted to allow the State to complete its accounting for that fiscal year.

The forms provided by the State shall be submitted to the State's contact at the address on page 1 of this Agreement. All required supporting documentation (invoices, proof of payment, etc.) for expenses must be included with the report and submitted by the respective Grantee contact specifying the amount of reimbursement requested for the respective reporting period.

(B) The Grantee shall provide the final quarterly report in a format prescribed by the State and specified in Appendix A. The Grantee shall submit the final quarterly report, including all supporting documentation for expenses within 30 days from the end date of this Agreement.

(C) The Grantee must provide all work products and deliverables in accordance with Appendix A.

(D) All work products shall acknowledge that the grant was supported in whole or in part by the State per the guidelines provided by the program.

V. GRANTEE RESPONSIBILITIES

(A) The Grantee agrees to abide by all applicable local, state, and federal laws, rules, ordinances, and regulations in the performance of this grant.

(B) All local, state, and federal permits, if required, are the responsibility of the Grantee. Award of this Agreement is not a guarantee of permit approval by the State.

(C) The Grantee shall be solely responsible to pay all applicable taxes and fees, if any, that arise from the Grantee's receipt or execution of this Agreement.

(D) The Grantee is responsible for the professional quality, technical accuracy, timely completion, and coordination of all designs, drawings, specifications, reports, and other services submitted to the State under this Agreement. The Grantee shall, without additional compensation, correct or revise any errors, omissions, or other deficiencies in drawings, designs, specifications, reports, or other services.

(E) The State's approval of drawings, designs, specifications, reports, and incidental work or materials furnished hereunder shall not in any way relieve the Grantee of responsibility for the technical adequacy of the work. The State's review, approval, acceptance, or payment for any of the services shall not be construed as a waiver of any rights under this Agreement or of any cause of action arising out of the performance of this Agreement.

(F) The Grantee acknowledges that it is a crime to knowingly and willingly file false information with the State for the purpose of obtaining this Agreement or any payment under this Agreement, and that any such filing may subject the Grantee, its agents, and/or employees to criminal and civil prosecution and/or termination of the grant.

VI. USE OF MATERIAL

Unless otherwise specified in this Agreement, the Grantee may release information or material developed under this Agreement, provided it is acknowledged that the State funded all or a portion of its development.

The State and federal awarding agency, if applicable, retains a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, and use in whole or in part, and authorize others to do so, any copyrightable material or research data submitted under this Agreement whether or not the material is

copyrighted by the Grantee or another person. The Grantee will only submit materials that the State can use in accordance with this paragraph.

VII. ASSIGNABILITY

The Grantee shall not assign this Agreement or assign or delegate any of its duties or obligations under this Agreement to any other party without the prior written consent of the State. The State does not assume responsibility regarding the contractual relationships between the Grantee and any subcontractor.

VIII. SUBCONTRACTS

The State reserves the right to deny the use of any consultant, contractor, associate, or other personnel to perform any portion of the project. The Grantee is solely responsible for all contractual activities performed under this Agreement. Further, the State will consider the Grantee to be the sole point of contact with regard to contractual matters, including payment of any and all charges resulting from the anticipated grant. All subcontractors used by the Grantee in performing the project shall be subject to the provisions of this Agreement and shall be qualified to perform the duties required.

IX. NONDISCRIMINATION

The Grantee shall comply with the Elliott Larsen Civil Rights Act, 1976 PA 453, as amended, MCL 37.2101 *et seq.*; the Persons with Disabilities Civil Rights Act, 1976 PA 220, as amended, MCL 37.1101 *et seq.*; and all other federal, state, and local fair employment practices and equal opportunity laws and covenants that it shall not discriminate against any employee or applicant for employment, to be employed in the performance of this Agreement, with respect to his or her hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment, because of his or her race, religion, color, national origin, age, sex, height, weight, marital status, or physical or mental disability that is unrelated to the individual's ability to perform the duties of a particular job or position. The Grantee agrees to include in every subcontract entered into for the performance of this Agreement this covenant not to discriminate in employment. A breach of this covenant is a material breach of this Agreement.

X. UNFAIR LABOR PRACTICES

The Grantee shall comply with the [State Contracts with Certain Employers Prohibited](#), 1980 PA 278, as amended, MCL 423.321 *et seq.*

XI. LIABILITY

(A) The Grantee, not the State, is responsible for all liabilities as a result of claims, judgments, or costs arising out of activities to be carried out by the Grantee under this Agreement, if the liability is caused by the Grantee, or any employee or agent of the Grantee acting within the scope of their employment or agency.

(B) Nothing in this Agreement should be construed as a waiver of any governmental immunity by the Grantee, the State, its agencies, or their employees as provided by statute or court decisions.

XII. CONFLICT OF INTEREST

No government employee; member of the legislative, judicial, or executive branches of government; or member of the Grantee's Board of Directors, its employees, partner agencies, or their families shall benefit financially from any part of this Agreement.

XIII. ANTI-LOBBYING

If all or a portion of this Agreement is funded with federal funds, then in accordance with Title 2 of the Code of Federal Regulations (CFR), Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as appropriate, the Grantee shall comply with 18 U.S.C., Section 1913, Lobbying with Appropriated Moneys, commonly known as the Anti-Lobbying Act, which prohibits the use of all project funds regardless of source, to engage in lobbying the state or federal government or in litigation against the State. Further, the Grantee shall require that the language of this assurance be included in the award documents of all subawards at all tiers.

If all or a portion of this Agreement is funded with state funds, the Grantee shall not use any of the grant funds awarded in this Agreement for the purpose of lobbying as defined in the Lobbyists, Lobbying Agents, and Lobbying Activities Act, 1978 PA 472, as amended; specifically, MCL 4.415(2), which states "Lobbying' means communicating directly with an official of the executive branch of state government or an official in the legislative branch of state government for the purpose of influencing legislative or administrative action." The Grantee shall not use any of the grant funds awarded in this Agreement for the purpose of litigation against the State. Further, the Grantee shall require that language of this assurance be included in the award documents of all subawards at all tiers.

XIV. DEBARMENT AND SUSPENSION

By signing this Agreement, the Grantee certifies that it has checked the federal debarment and suspension list at the federal System for Award Management (SAM) at [SAM.gov](https://www.sam.gov) to verify that its agents, and its subcontractors:

- (1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or the state.
- (2) Have not within a three (3) year period preceding this Agreement been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction, as defined in 45 CFR, Part 1185, Governmentwide Debarment and Suspension (Nonprocurement); violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
- (3) Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in subsection (2).
- (4) Have not within a three (3) year period preceding this Agreement had one (1) or more public (federal, state, or local) transactions terminated for cause or default.
- (5) Will comply with all applicable requirements of all other state or federal laws, executive orders, regulations, and policies governing this program.

Each eligible applicant must obtain a Unique Entity Identifier (UEI) and maintain an active registration with the federal SAM at [SAM.gov](https://sam.gov).

XV. AUDIT AND ACCESS TO RECORDS

The State reserves the right to conduct a programmatic and financial audit of the project, and the State may withhold payment until the audit is satisfactorily completed. The Grantee will be required to maintain all pertinent records and evidence pertaining to this Agreement, including grant and any required matching funds, in accordance with generally accepted accounting principles and other procedures specified by the State. The State or any of its duly authorized representatives must have access, upon reasonable notice, to such books, records, documents, and other evidence for the purpose of inspection, audit, and copying. The Grantee will provide proper facilities for such access and inspection. All records must be maintained for a minimum of five (5) years after the final payment has been issued to the Grantee by the State.

XVI. INSURANCE

(A) The Grantee must maintain insurance or self-insurance that will protect it from claims that may arise from the Grantee's actions under this Agreement.

(B) The Grantee must comply with applicable workers' compensation laws while engaging in activities authorized under this Agreement.

XVII. OTHER SOURCES OF FUNDING

The Grantee guarantees that any claims for reimbursement made to the State under this Agreement must not be financed by any source other than the State under the terms of this Agreement. If funding is received through any other source, the Grantee agrees to delete from Grantee's billings, or to immediately refund to the State, the total amount representing such duplication of funding.

XVIII. COMPENSATION

(A) A breakdown of costs allowed under this Agreement is identified in Appendix A. The State will pay the Grantee a total amount not to exceed the amount on page 1 of this Agreement, in accordance with Appendix A, and only for expenses incurred and paid. All other costs necessary to complete the project are the sole responsibility of the Grantee.

(B) Expenses incurred by the Grantee prior to the start date or after the end date of this Agreement are not allowed under this Agreement.

(C) The State will approve payment requests after approval of reports and related documentation as required under this Agreement.

(D) The State reserves the right to request additional information necessary to substantiate payment requests.

(E) Payments under this Agreement may be processed by Electronic Funds Transfer (EFT). The Grantee may register to receive payments by EFT at the SIGMA Vendor Self Service Web site at SIGMA.Michigan.gov/PRDVSS1X1/Advantage4.

(F) An amount equal to 25 percent (25%) of the grant award will be withheld by the State until the project is completed in accordance with Section XIX, Closeout, and Appendix A in this Agreement.

(G) The Grantee is committed to the match percentage on page 1 of this Agreement, in accordance with Appendix A. The Grantee shall expend all local match committed to the grant by the end date on page 1 of this Agreement.

XIX. CLOSEOUT

(A) A determination of project completion, which may include a site inspection and an audit, shall be made by the State after the Grantee has met any match obligations, satisfactorily completed the activities, and provided products and deliverables described in Appendix A.

(B) Upon issuance of final payment from the State, the Grantee releases the State of all claims against the State arising under this Agreement. Unless otherwise provided in this Agreement or by State law, final payment under this Agreement shall not constitute a waiver of the State's claims against the Grantee.

(C) The Grantee shall immediately refund to the State any payments in excess of the costs allowed by this Agreement.

XX. CANCELLATION

This Agreement may be canceled by the State, upon 30 days' written notice, due to Executive Order, budgetary reduction, other lack of funding, upon request by the Grantee, or upon mutual agreement by the State and Grantee. The State may honor requests for just and equitable compensation to the Grantee for all satisfactory and eligible work completed under this Agreement up until 30 days after written notice, upon which time all outstanding reports and documents are due to the State and the State will no longer be liable to pay the grantee for any further charges to the grant.

XXI. TERMINATION

(A) This Agreement may be terminated by the State as follows.

(1) Upon 30 days written notice to the Grantee:

- a. If the Grantee fails to comply with the terms and conditions of this Agreement, the requirements of the authorizing legislation cited on page 1 of this Agreement or the rules promulgated thereunder, or other applicable law or rules.
- b. If the Grantee knowingly and willingly presents false information to the State for the purpose of obtaining this Agreement or any payment under this Agreement.
- c. If the State finds that the Grantee, or any of the Grantee's agents or representatives, offered or gave gratuities, favors, or gifts of monetary value to any official, employee, or agent of the State in an attempt to secure a subcontract or favorable treatment in awarding, amending, or making any determinations related to the performance of this Agreement.
- d. If the Grantee or any subcontractor, manufacturer, or supplier of the Grantee appears in the register of persons engaging in unfair labor practices that is compiled by the Michigan Department of Licensing and Regulatory Affairs or its successor.
- e. During the 30-day written notice period, the State shall withhold payment for any findings under subparagraphs a through d, above, and the Grantee will immediately cease charging to the grant and stop earning match for the project (if applicable).

- (2) Immediately and without further liability to the State if the Grantee, or any agent of the Grantee, or any agent of any subcontract is:
- a. Convicted of a criminal offense incident to the application for or performance of a state, public, or private contract or subcontract.
 - b. Convicted of a criminal offense, including but not limited to any of the following: embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or attempting to influence a public employee to breach the ethical conduct standards for State of Michigan employees.
 - c. Convicted under state or federal antitrust statutes.
 - d. Convicted of any other criminal offense that, in the sole discretion of the State, reflects on the Grantee's business integrity.
 - e. Added to the federal or state suspension and debarment list.

(B) If this Agreement is terminated, the State reserves the right to require the Grantee to repay all or a portion of funds received under this Agreement.

XXII. IRAN ECONOMIC SANCTIONS ACT

By signing this Agreement, the Grantee is certifying that it is not an Iran linked business and that its contractors are not Iran linked businesses, as defined in the Iran Economic Sanctions Act, 2012 PA 517, MCL 129.312.

XXIII. DISCLOSURE OF INFORMATION

All reports and other printed or electronic material prepared by or for the Grantee under this Agreement will not be distributed without the prior written consent of the State except for items disclosed in response to a court order, subpoena, or Freedom of Information Act, 1976 PA 442, as amended, request.

XXIV. PREVAILING WAGE

This project is subject to the Davis-Bacon Act of 1931, as amended, 40 U.S.C., Section 3141 *et seq*, Wage Rate Requirements, which requires that prevailing wages and fringe benefits be paid to contractors and subcontractors performing on federally funded projects over \$2,000 for the construction, alteration, repair (including painting and decorating) of public buildings or works.

XXV. PROGRAM GENERAL PROVISIONS

(A) All project work products must acknowledge financial assistance of the Michigan Coastal Management Program and the National Oceanic and Atmospheric Administration (NOAA).

(1) This grant acknowledgement will include Michigan Department of Environment, Great Lakes, and Energy (EGLE) and NOAA logos to be provided by the State and the following language: "Financial assistance for this project was provided by the Michigan Coastal Management Program, Water Resources Division, EGLE, with funding through the National Coastal Zone Management Program."

(2) A view disclaimer is required for reports/videos in addition to EGLE and NOAA logos and financial acknowledgment language listed in the above paragraph. The view disclaimer shall include the following language: "The statements, findings, conclusions, and recommendation in

this (report/video) are those of the (Grantee) and do not necessarily reflect the views of EGLE and NOAA.”

(3) For outreach materials including, but not limited to, press releases, newsletters, newspaper articles, graphic displays, public presentations, Web sites, and in other public facing materials shall include the grant acknowledgement stated in (1), above.

(4) The cover, title page, or other prominent place within, all reports, studies, or other documents, published or distributed electronically or hard copy, and acknowledgement pages of Web sites/pages, that are supported by this award or any subawards shall include the grant acknowledgement stated in (1), above.

(B) Extensions

In accordance with Section III, Changes, in this Agreement, the Grantee shall submit to the State, for review and approval, written change request no less than 90 days prior to the end date of this Agreement. The Grantee shall provide justification for the extension and the requested new end date of this Agreement.

(C) Geospatial Data

All geospatial data collected and/or produced for the purposes of this Agreement and put into a GIS layer must be provided, along with associated metadata (requirements described below), to the State on a CD, DVD, or portable hard drive in ESRI’s ArcGIS format (shapefile including appropriate projection file or geodatabase).

The Grantee shall provide relevant information (e.g., expected dates of data collection, type of collection, flight lines, etc.) on the collection or production of geospatial data (e.g., information for GIS data layers, acquisition of topographic or bathymetric data, or other remotely sensed data) to the State Contact as early as practicable and before data collection commences.

The Grantee shall ensure the data and the planned acquisition activities are registered in Geospatial Platform at www.GeoData.gov and comply with Office of Management and Budget (OMB) Circular A-16, Coordination of Geographic Information and Related Spatial Data Activities. The Grantee shall document all new geospatial data it collects or produces using the metadata standards developed by the Federal Geospatial Data Committee (FGDC), and make that standardized documentation electronically accessible to NOAA, if requested.

Current FGDC standards can be found at <https://www.fgdc.gov/metadata/csdlgm/>. Metadata that conforms to the proposed North American Profile of the International Organization for Standardization (IOS) 19115, which may be adopted by the FGDC, is also acceptable. To the greatest extent practicable, the Grantee shall also, prior to the conclusion of the award, make the data collected publicly accessible online, except where limited by law, regulation, policy, or security requirements.

In accordance with the NOAA Data Sharing Policy, the Grantee shall ensure the geospatial data and information collected and/or created under this Agreement will be made visible, accessible, and independently to users free of charge or at minimal cost. Information shall be made available in a timely manner and typically no later than two (2) years after the data or information is collected or created except when limited by law, regulation, policy, or by security requirements.

(D) The Grantee shall ensure that any field work conducted for this project, including construction activities, surveys, educational, training or volunteer programs/activities will be conducted in accordance with appropriate, federal, state, and local laws and will follow recognized best practices and take the necessary steps to minimize the risk of spreading terrestrial and aquatic invasive species and to minimize the impact to the human environment during this project. The Grantee's selection of project-appropriate measures is required to take into consideration the type of work being conducted and the specific site situation, including the changes in risk level according to season and weather.

(E) For construction projects, the Grantee agrees to follow the 2010 Americans with Disabilities Act Standards for Accessible Design, or any updated version of these requirements in effect at the time of construction, as described in the Department of Commerce Financial Assistance Standard Terms and Conditions. The Grantee further agrees that any construction project will be properly and efficiently administered, operated, and maintained for the purpose authorized by this Agreement and in accordance with the provisions of the award for its estimated useful life.

(F) The Grantee is responsible for safety in the project, including the safety of project personnel, associates, visitors, and volunteers. In addition, for any Self-Contained Underwater Breathing Apparatus (SCUBA) diving activities in a project, it is the responsibility of the Grantee to ensure that SCUBA divers are certified to a level commensurate with the type and conditions of the diving activity being undertaken. Furthermore, it is the responsibility of the Grantee to ensure that any SCUBA diving activities under this Agreement meet, at a minimum, all applicable federal, state, and local laws and regulations pertaining to the type of SCUBA diving being undertaken.

(G) If the grant involves Unoccupied Aircraft Systems (UAS or drone technology), the Grantee is responsible for complying with applicable federal, state, and local laws and have the appropriate permits prior to conducting drone operations.

(H) If the grant is a construction project, all related activities shall be located on publicly owned land and open to the general public free of charge. If the property or elements constructed under this Agreement are leased or sold out of public ownership or are used for purposes other than public use, the Grantee shall reimburse the State for grant funds received for the project.

(I) If the grant is a construction project, in accordance with Appendix A of this Agreement, the Grantee shall acquire all federal, state, and local required permits prior to any earth movement can commence on any aspects of the construction project.

(J) If the grant is a construction project, a sign provided by the State shall be erected at the project site during construction and permanently installed at the site indicating that the project is being funded under a grant from the Michigan Coastal Management Program and NOAA.

(K) The Grantee shall submit the grant's quarterly progress and financial reporting as specified in Section XVIII, Compensation, in this Agreement, and reimbursements shall be based on costs-incurred and paid within the respective reporting period. The Grantee shall provide the following to State when submitting quarterly reports:

- A written request submitted by the Grantee Contact to the State by means of an email, cover letter, or invoice with a statement of reimbursement request for the respective reporting period.
- Corresponding narrative progress and financial status report as provided by the State.

- PDF copies of supporting documentation that correspond to the reimbursement request and match earned for the respective reporting period.

(L) The Grantee shall submit to the State the final quarterly report no later than 30 days past the end date of this Agreement. The final quarterly report shall include:

- A written request submitted by the Grantee Contact to the State by means of an email, cover letter, or invoice with a statement of reimbursement request for the respective reporting period and including statement of final close out of all tasks, completion and submittal of work products as outlined in Appendix A of this Agreement, and the final reimbursement request.
- Corresponding narrative progress and financial status report as provided by the State.
- PDF copies of supporting documentation that correspond to the final reimbursement request and match earned for the grant close-out.
- The Final Project Narrative, form number EQP9288 (Rev. 08/2023).
- If the project involved construction, submit a set of high-quality color photographs depicting the before and after project construction and to include one (1) photograph of the installed project sign at the project site location.

XXVI. FEDERAL FUNDING REQUIREMENTS

A maximum of 100 percent (100%) of total disbursements is funded with federal funding. The Catalog of Federal Domestic Assistance (CFDA) title is Coastal Zone Management Administration Awards and the CFDA number is 11.419. The federal grant number is NA24NOSX419C0045, and this grant is funded with federal funds from NOAA. By accepting this Agreement, the Grantee agrees to comply with all applicable federal statutes and regulations in effect with respect to the period during which it receives grant funding. These regulations include, but are not limited to, the following:

(A) Single Audit

Grantees spending \$750,000 or more in federal funds in their fiscal year shall have a single audit performed in compliance with 2 CFR, Section 200.501(a). This audit must be performed and submitted to the Federal Audit Clearinghouse at www.Harvester.Census.gov/FACWeb/ within nine (9) months from the end of the Grantee's fiscal year or 30 days after receiving the report from the auditors. It is the responsibility of the Grantee to report the expenditures related to this Agreement on the Grantee's annual Schedule of Expenditures of Federal Awards.

(B) The Grantee will comply with the Hatch Political Activity Act of 1939, as amended, 5 U.S.C., Sections 1501-1508; and the Intergovernmental Personnel Act of 1970, as amended, 42 U.S.C., Section 4728, Transfer of Functions, which states that employees working in programs financed with federal grants may not be a candidate for elective public office in a partisan election, use official authority or influence to affect the result of an election, or influence a state or local officer to provide financial support for a political purpose.

(C) Historic Preservation

Any project directed toward historic preservation will include timely consultation with the State Historic Preservation Office (SHPO), Department of History, Arts, and Libraries. Agreements will not be awarded before adequate consultation with this agency. No construction or repair work will be performed prior to obtaining clearance from SHPO concerning possible effects to archeological or historic resources.

For projects not primarily aimed at historic preservation, federal and state agencies, principally the State Historic Preservation Officer, may make recommendations pursuant to federal and state requirements for minimizing possible adverse effects on historic and archaeological resources.

In consultation with the State Contact, the Grantee for such a project will consider such recommendations and will take steps to avoid or mitigate possible damage as appropriate and feasible.

(D) Availability to Users

Projects developed for public use with assistance from this Agreement shall be open to entry and use by all persons, regardless of race, color, religion, sex, or national origin, who are otherwise eligible. Discrimination on the basis of residence, including preferential reservation or membership systems, is prohibited, except to the extent that differences in admission or other fees may be maintained on the basis of residence where local contributions to the project make such differences reasonable.

(E) Obligation of Grant Funds

Grant funds may not, without advance written approval of the State Contact, be obligated prior to the start date or subsequent to the end date of this Agreement. Obligations outstanding as of the end date shall be liquidated within 45 days. Such obligations must be related to goods or services provided and utilized within the Agreement period, except that reasonable costs associated with the Agreement closeout, e.g., final reports, may be incurred within a short time after the end date.

(F) Bonds

Contractors/subcontractors performing construction work costing \$1,000 or more shall furnish, in acceptable form, surety bonds in the amount of 100 percent (100%) of their respective contract sums under this Agreement. These bonds will be security for faithful performance of this Agreement or sub agreements thereunder, and for payment of all persons performing labor and furnishing material in connection with this Agreements or sub agreements thereunder. The agency receiving a subgrant under this Agreement will secure evidence (e.g., a letter of certification from a reputable bonding company) that its construction contractors/subcontractors have obtained such bonds that will remain in effect for the duration of the project or will otherwise arrange for an equally effective performance bond. The State will not pay any charge for such bonds additional to the face value of this agreement/sub agreements.

(G) Guarantee

The public/nonprofit agency responsible for this project shall require each construction contractor/ subcontractor to furnish a written guarantee to remedy any defects due to faulty materials or workmanship which appear in the work within one (1) year from the date of final acceptance by the public/nonpublic agency responsible. Construction contractors and subcontractors shall provide such guarantees.

(H) Inspection

Construction contractors and subcontractors shall at all times permit and facilitate inspection of the work by appropriate representatives of the public/nonprofit agency responsible for the project and the State. Agencies responsible for projects shall include this requirement in all construction contracts and subcontracts.

(I) Operation and Maintenance

The subgrantee assures that property developed with assistance from this Agreement will be kept reasonably safe, clean, and sanitary. Structures and improvements (trails, boardwalks, etc.) shall be kept in reasonable repair throughout their estimated lifetime.

(J) Unemployment Claims

The Grantee is liable for any valid unemployment compensation claims. No unemployment compensation claims will be paid from this Agreement. This provision does not prohibit standard allocations to unemployment compensation funds as part of the approved indirect cost/fringe benefit arrangements.

(K) Flood Insurance Requirements

Funds from this Agreement will not be used to assist the construction or acquisition in identified flood hazard areas for which the appropriate governmental unit has failed to comply with flood insurance purchase requirements under Section 102(2) of the Flood Disaster Protection Act of 1973 (P.L. 93-234), approved December 31, 1976.

(L) Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

If applicable, and pursuant to the Infrastructure Investment and Jobs Act (IIJA), P.L. 117-58, which includes the Build America, Buy America Act, P.L. 117-58, Sections 70901-52 and OMB M-22-11, recipients of an award of federal financial assistance from the United States Department of Commerce (USDOC) are hereby notified that none of the funds provided under this Agreement may be used for a project for infrastructure unless (1) all iron and steel used in the project are produced in the United States, which means all manufacturing processes from the initial melting stage through the application of coatings occurred in the United States; (2) all manufactured products used in the project are produced in the United States, which means the manufactured product was manufactured in the United States and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent (55%) of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and (3) all construction materials are manufactured in the United States, which means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project. Waivers: When necessary, recipients may apply for, and the USDOC may grant, a waiver from these requirements. The USDOC will notify the recipient for information on the process for requesting a waiver from these requirements. When the USDOC has made a determination that one (1) of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the USDOC determines that: (a) applying the domestic content procurement preference would be inconsistent with the public interest; (b) the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or (c) the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by

more than 25 percent (25%). A request to waive the application of Page 4 of 8 the domestic content procurement preference must be in writing. The USDOC will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Made in America Office.

There may be instances where an award qualifies, in whole or in part, for an existing waiver described at [WhiteHouse.gov/OMB/Management/Made-in-America](https://www.whitehouse.gov/omb/management/made-in-america). Definitions: "Construction materials" includes an article, material, or supply, other than an item of primarily iron or steel; a manufactured product; cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives that is or consists primarily of nonferrous metals; plastic and polymer-based products (including polyvinyl chloride, composite building materials, and polymers used in fiber optic cables); glass (including optic glass); lumber; or drywall. "Domestic content procurement preference" means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States. "Infrastructure" includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy. "Project" means the construction, alteration, maintenance, or repair of infrastructure in the United States. -- 1 Excludes cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives [2 IIJA, Section 70917(c)(1)].

(M) Implementation of Domestic Sourcing (Buy American) Requirements

Prior to initiation of any construction that may arise in this award, the Recipient is required to inform the NOAA Grants Officer and the Federal Program Officer whether it is using iron, steel, manufactured products, or construction materials as described in the Specific Award Condition in this award on "Required Use of American Iron, Steel, Manufactured Products, and Construction Materials" (Buy American). In addition, the Recipient is required to inform the NOAA Grants Officer and the Federal Program Officer whether those materials are produced or manufactured in the United States, or alternatively, it is requesting one (1) or more waivers, as described in the Buy American condition. The Recipient is required to coordinate with NOAA regarding its compliance with this term."

Project Specific Requirements

Project Description:

The City of Grand Haven and the Grand Haven Lighthouse Conservancy have been steadily taking steps to rehabilitate the lighthouse structures, with the ultimate goal of opening the South Pier Entrance Light to the public and providing tours that share the vast amount of maritime history and cultural significance in the region. Having recently completed projects with the MCMP that make the structure water-tight and safe for public use, the city is eager to share the lighthouse with the public through interior interpretive and educational exhibits. This project will plan out, create, and install these exhibit displays. Anticipated exhibit content will feature the local U.S. Coast Guard Station presence and history, the South Pier catwalk and lights, the West Michigan and Southwest Michigan Underwater Preserves, accounts of the various lighthouse keepers, and more. One feature exhibit will display a reproduction of a 6th Order Fresnel Lens, which provides a unique opportunity for visitors to experience what was present during the period of significance for the Entrance Light.

The city's consultant, Abonmarche Consultants, Inc., will conduct the administrative and planning side of the project. Planning for this project will begin with forming a Historic Interpretation committee to identify the content to be shared with the public through these displays. Members of the committee are anticipated to include representatives from the City of Grand Haven, Lighthouse Conservancy, Tri-Cities Historical Museum, Convention and Visitors Bureau, and Chamber of Commerce. The committee will reach out to the public and a wide variety of groups to maximize the diversity, equity, inclusion, and justice elements of the exhibit content. All exhibits are to be installed in accordance with the Historic Structures Report for the Grand Haven South Pier Entrance and Inner Lights.

The city's consultant will subcontract to two consultants in the development of the production and installation of educational and interpretive exhibits and to complete electrical and lighting utility work.

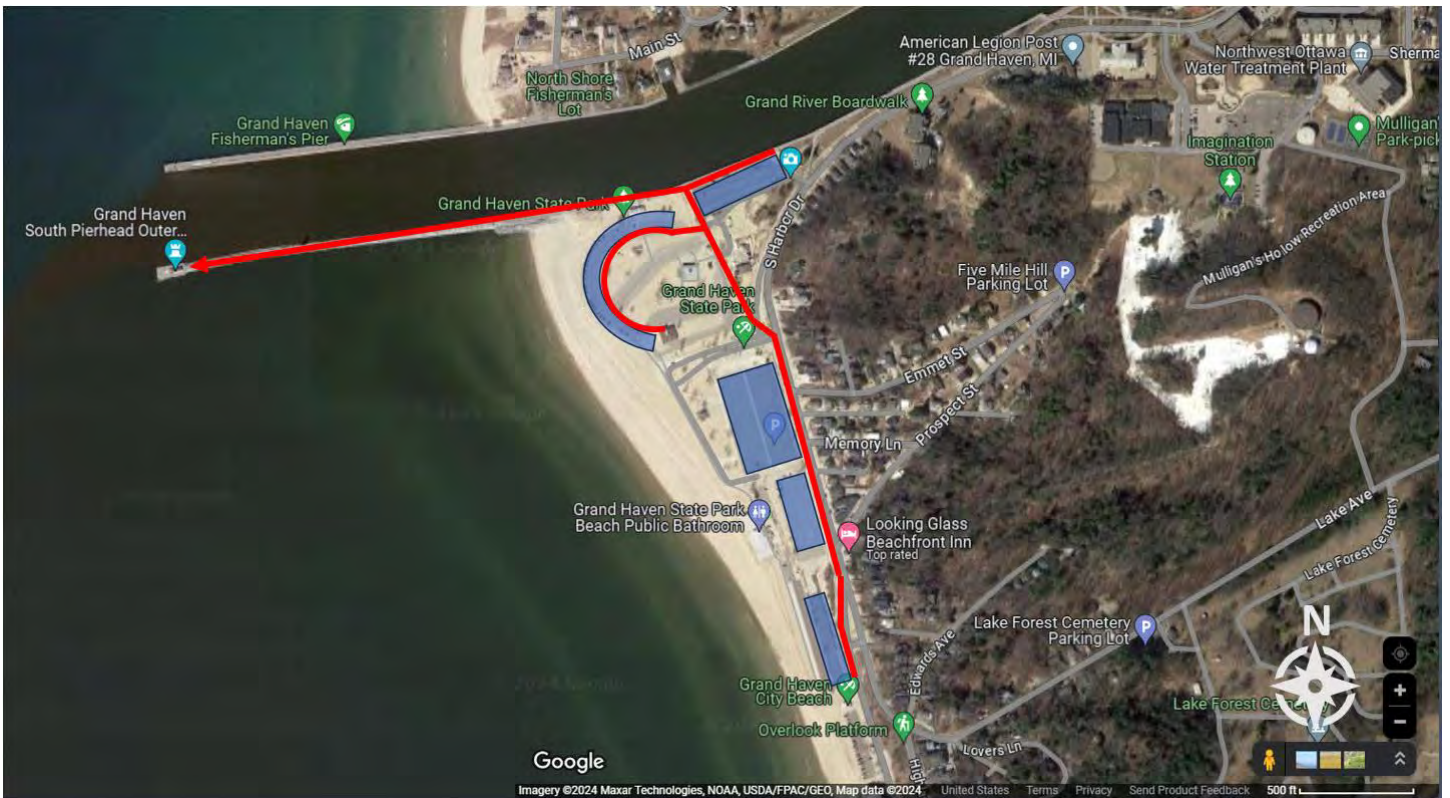
The city will contract services with Artworks Florida Classic Fresnel Lenses. LLC., for a custom, historically accurate reproduction of a 6th Order Fresnel lens and pedestal to hold lens.

Once the lens and electrical work is completed, the city's consultant will host educational tours of the Grand Haven lighthouse.

Outdoor Activities:

The city and the Grand Haven Lighthouse Conservancy will promote and offer tours to the public at the Entrance Light to celebrate the long-awaited opening after many years of restoration work. Tours are anticipated after project completion, between July and September 2024. Tours will feature the newly installed educational and interpretive exhibits. The public will access the lighthouse tour via the Grand Haven South Pier, which is ADA compliant. Tour participants have parking access at Grand Haven State Park, Grand Haven City Beach, or any of the surrounding city streets that allow curbside parking. Participants are responsible for their own travel to the event. Sidewalks are available from any of these parking locations and lead to the South Pier entrance, with no disturbance to the surrounding natural environment. There are not any concerns with the introduction and/or spread of invasive species nor with disturbing threatened and endangered species or associated critical habitat. The Entrance Light does not have an address, but the latitude and longitude coordinates are 43.056963, -86.255930. The below project area map depicts the Entrance Light and South Pier, parking, and walkways.

Project Site Map:



Site location map that shows how City of Grand Haven staff and lighthouse tour participants will access parking, walkways, and the Entrance Light.

Project Tasks and Schedule:

Tasks	Year				
	2024	2025			
	Quarters				
	Nov - Dec	Jan - Mar	Apr - Jun	Jul - Sept	Oct - Dec
1. Assemble Historical Interpretation Committee to identify historic and culturally significant content for exhibits desired within the Lighthouse.	X	X			X
2. Contract with Abonmarche Consultants to produce design sets for exhibits and electrical work, including appropriate installation methods.	X	X	X	X	X
3. Contract with Artworks Florida for the production of a replica 6th Order Fresnel Lens.	X	X	X		X
4. Procure contractual services for production and installation of exhibit content.		X	X		
5. Procure contractual services to complete exhibit electrical/lighting work.		X	X		
6. Host public tours within the Entrance Light to celebrate the newly installed interpretive and educational exhibits.				X	
7. Submit Quarterly Reports to State Contact within 30 days from end of quarter.	X	X	X	X	X

Detailed Budget Narrative

- Contractual: Expenses of \$45,000 for Abonmarche Consultants, Inc. to provide general project management and oversight, plan the most appropriate methods to present information to the public, and assist with exhibit design and layout. Abonmarche Consultants plan to sub-contract a to be determined consultant for the production and installation of educational and interpretive exhibits, anticipated \$20,000 expense. The second sub-contract for a to be determined consultant to complete electrical and lighting utility work for the exhibits, anticipated at \$15,000. Expense for general purpose equipment of \$45,000 from Artworks Florida Classic Fresnel Lenses, LLC to provide vendor services for a custom, historically accurate reproduction of a 6th Order Fresnel lens. An Artworks Florida quote lists \$40,000.00 for lens reproduction and \$5,000 for a custom pedestal for appropriate and safe display.

Project Budget

See attached Project Budget Form

To request this material in an alternate format, contact EGLE-Accessibility@Michigan.gov or 800-662-9278.

EGLE does not discriminate on the basis of race, sex, religion, age, national origin, color, marital status, disability, political beliefs, height, weight, genetic information, or sexual orientation in the administration of any of its programs or activities, and prohibits intimidation and retaliation, as required by applicable laws and regulations.

This form and its contents are subject to the Freedom of Information Act and may be released to the public.



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
 WATER RESOURCES DIVISION
 COASTAL MANAGEMENT PROGRAM
 PROJECT BUDGET

Organization Name: City of Grand Haven
 Project Name: Grand Haven Entrance Light Historic Interpretation Development
 Project Number: 2025-306-008

Staffing					
Name and Title of Staff	Hours	Rate	Grant Amount	Local Match Amount	Total
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
Staffing Subtotal			\$ -	\$ -	\$ -

Fringe Benefits					
Fringe	Rate	Grant Amount	Local Match Amount	Total	
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
Fringe Benefits Subtotal			\$ -	\$ -	\$ -
Staffing and Fringe Benefits Subtotal			\$ -	\$ -	\$ -

Contractual Services					
Name of Contractor	Hours or Units	Rate or Total	Grant Amount	Local Match Amount	Total
Abonmarche Consultants, Inc.	1.00	\$ 45,000.00	\$ 15,000.00	\$ 30,000.00	\$ 45,000.00
Artworks Florida Classic Fresnel Lenses, LLC	1.00	\$ 45,000.00	\$ 30,000.00	\$ 15,000.00	\$ 45,000.00
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
Contractual Services Subtotal			\$ 45,000.00	\$ 45,000.00	\$ 90,000.00

Supplies and Materials					
Itemized Supplies and Materials	Quantity	Cost	Grant Amount	Local Match Amount	Total
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
Supplies and Materials Subtotal			\$ -	\$ -	\$ -

Equipment (Any Item Over \$5,000)					
Itemized Equipment	Quantity	Cost	Grant Amount	Local Match Amount	Total
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
Equipment Subtotal		\$ -	\$ -	\$ -	\$ -
Travel					
Mileage	Miles	Rate	Grant Amount	Local Match Amount	Total
		\$ 0.655	\$ -	\$ -	\$ -
Lodging	Nights	Rate	Grant Amount	Local Match Amount	Total
		\$ -	\$ -	\$ -	\$ -
Meals	Quantity	Rate	Grant Amount	Local Match Amount	Total
		\$ -	\$ -	\$ -	\$ -
Other Travel (Tolls, Parking, Etc.)	Quantity	Rate	Grant Amount	Local Match Amount	Total
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
Travel Subtotal		\$ -	\$ -	\$ -	\$ -
Other					
Description	Quantity	Cost	Grant Amount	Local Match Amount	Total
			\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -
			\$ -	\$ -	\$ -
Other Subtotal			\$ -	\$ -	\$ -
Project Subtotal					
			Grant Amount	Local Match Amount	Total
Project Subtotal			\$ 45,000.00	\$ 45,000.00	\$ 90,000.00
Indirect					
Indirect Approach	No Indirect Expenses Requested				
Rate	0.00%				
Indirect Subtotal			\$ -	\$ -	\$ -
What expense categories are included in the indirect calculation (e.g. salary and fringe, travel)?					
Grant and Match Budget					
Grant and Match Total			\$ 45,000.00	\$ 45,000.00	\$ 90,000.00
Project Percentage Split			50.00%	50.00%	
Sources of Match					
Organization		Dollar Value Committed			
		In Kind	Cash	Total	
Grand Haven Lighthouse Conservancy		\$ -	\$ 45,000.00	\$ 45,000.00	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
		\$ -	\$ -	\$ -	
Subtotal		\$ -	\$ 45,000.00	\$ 45,000.00	
Total Match Must Equal Local Match Amount in Budget Sheet Above				\$ 45,000.00	

If you need this information in an alternate format, call 800-662-9278 or contact:

EGLE-Accessibility@Michigan.gov

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Michigan.gov/EGLE

EQP9307 (Rev. 9/2022)

Some NICRAs include up to \$25,000 per contractual line similar to the 10% de minimis. Use the totals at the bottom of these columns in the indirect formula if that is the case.

\$8,333.33	\$16,666.67
\$16,666.67	\$8,333.33
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$0.00	\$0.00
\$25,000.00	\$25,000.00

Memorandum

NORTHWEST OTTAWA WATER TREATMENT PLANT



To: Ashley Latsch, City Manager
CC: Derek Gajdos, Public Works Director
From: Eric Law, Water Facilities Manager
Date: December 18, 2024
Re: **North and South Water Intake Maintenance**

Since 1990 the Northwest Ottawa Water System (NOWS) intake structures have provided an excellent initial protective barrier to the turbid waters of Lake Michigan. Buried 15 feet beneath the lake bed, the intakes provide pre-filtered raw source water to the NOWS filtration plant. As Lake Michigan water is drawn through the intakes, silt, clay, and organic particulate are captured at the most superficial layers on the lake floor directly above where the intakes are buried. A buildup of particulate over the intakes eventually restricts the flow/capacity of these structures. The system is designed to rectify these conditions with high-flow-rate backwashes during spring, fall, and winter. During the summer months, sediment builds quickly, requiring additional maintenance.



For the past two decades, during the summer months, NOWS has supplemented the maintenance of the intakes by adopting the practice of using a marine contractor to drag a modified I-beam over the buried intake structures mechanically by marine vessel. The action of the I-beam drag breaks up thick clay and silt particulate layers, which are then carried away by lake currents.

The scope of this project remains the same as in years past. The marine contractor is expected to perform ten scheduled maintenance events and be available for an emergency events.

On November 25th, 2024 NOWS management went out for bids for contract services. The request for proposal was arranged in a two-condition approach, one based on regular scheduled services and the other on an emergency response services. In addition, there is the potential for this agreement to be extended an additional year if after evaluation of the first year performance is satisfactory and the contractor is receptive to a second year extension. Contractors were asked to provide pricing for this additional year as well.



The result of the RFP process yielded a single bid from Equity Marine Construction LLC for a price not to exceed **\$4,450.00** per scheduled maintenance event and any unscheduled emergency event for the 2025 season as well as the 2026 season, should the contract be extended. This price was a 22% increase from the previous 2023-24 contract, also awarded to Equity Marine Construction LLC. NOWS believes the low participation in the RFP process results from multiple factors. Contractor proximity and contractor equipment are the most significant factors. Equity Marine has a purpose-built vessel explicitly designed with the NOWS intake maintenance in mind. With a tailored vessel and its proximity to location, Equity Marine has a distinct advantage over other marine contractors in terms of price. For this reason, NOWS believes this is why others are not participating in the RFP process. Equity Marine Construction LLC has provided many years of reliably adequate service at a highly competitive price. NOWS management has confidence that this level of service will continue and therefore recommends the Grand Haven City Council approve the bid proposal of \$44,500.00 from Equity Marine Construction LLC of Fruitport, Michigan, to maintain the Northwest Ottawa Water System Lake Michigan north and south intakes on schedule or emergency call, during the coming 2025 and 2026 summer seasons, and authorize the mayor and City Clerk to execute the necessary documents.



These services are recognized annual expenses by the NOWS executive committee and are funded within the NOWS budget.

Bid Summary:

Equity Marine Construction, LLC	\$44,500.00 - Scheduled Services (10 Total)
	\$4,450.00 - Emergency Services

Attachment D



CITY OF GRAND HAVEN

Finance Department
519 Washington Avenue
Grand Haven, MI 49417
Phone: (616) 847-4893

TO: Ashley Latsch, City Manager

FROM: Emily Greene, Finance Director EG

DATE: December 23, 2024

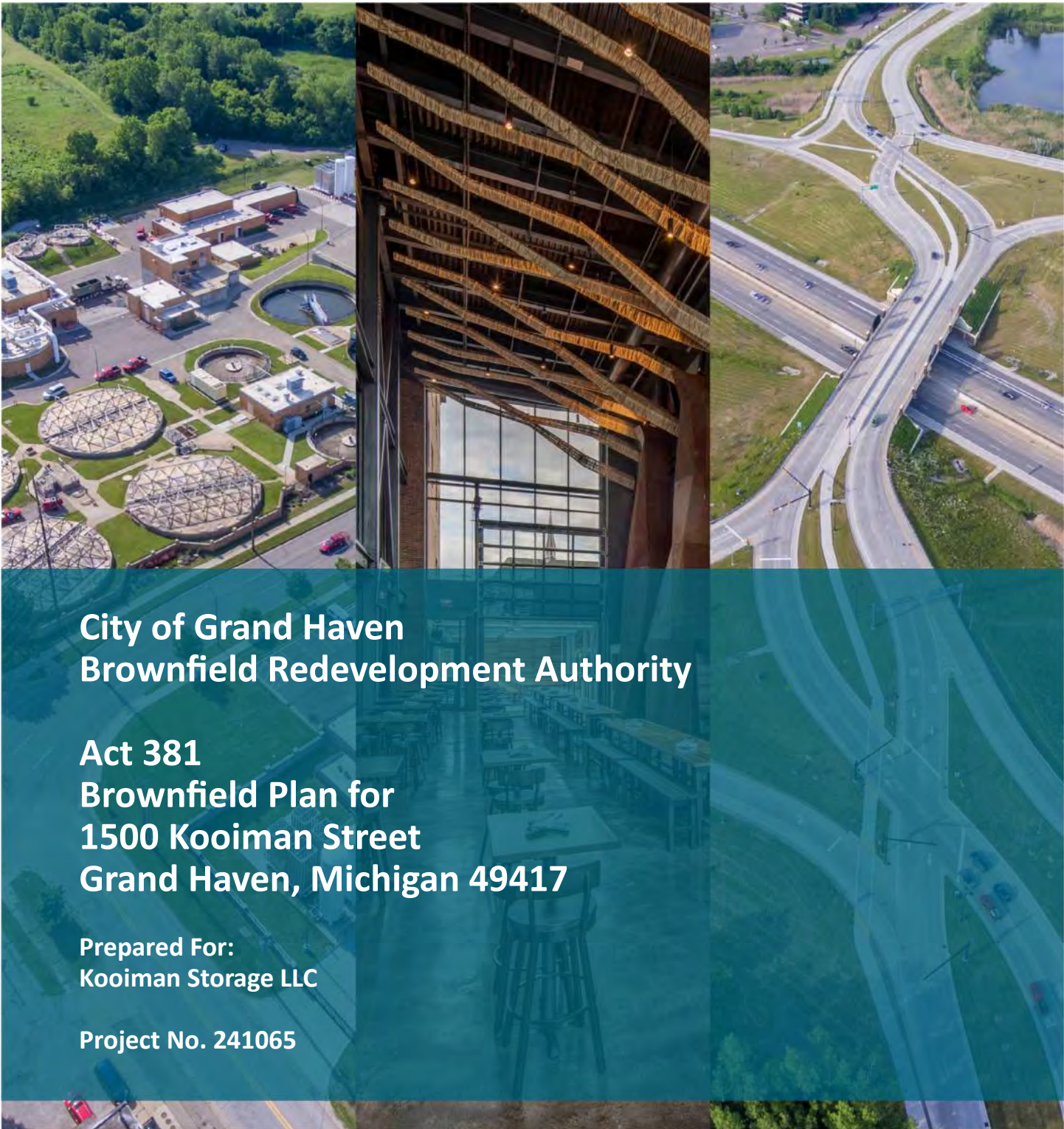
SUBJECT: 1500 Kooiman Brownfield Redevelopment Plan and TIF Request

On November 4, 2024, the EDC/BRA Board heard a presentation from Kirk Perschbacher, Fishbeck Senior Brownfield Specialist, on a Brownfield Redevelopment Plan for 1500 Kooiman Street. The request from the developer, Kooiman Storage, LLC, is for a Brownfield TIF capture of 23 years in the amount of \$532,250 to reimburse them for eligible activities pursuant to Act 381. Capture of tax increment revenues is anticipated to begin in 2026 and end in 2048 with the capture of five years for deposit into the BRA Local Brownfield Revolving Fund.

The Plan applies to this property and redevelopment activities include the construction of 12 commercial condominium storage units within the site located within two buildings (seven within the eastern building and five within the western building). The commercial condominium units on the property will be 1,248 sq. ft. The potential exists that the eastern building may be occupied by one tenant for use as a light manufacturing space. The development is expected to be completed in late 2024/early 2025.

As part of the review and approval process of the City's Economic Incentive Policy, the application for the Brownfield TIF was reviewed by a third party financial reviewer, and the reviewer recommends approval of this Brownfield TIF request.

The EDC/BRA Board approved the Brownfield Plan at their November 4, 2024, meeting.



**City of Grand Haven
Brownfield Redevelopment Authority**

**Act 381
Brownfield Plan for
1500 Kooiman Street
Grand Haven, Michigan 49417**

**Prepared For:
Kooiman Storage LLC**

Project No. 241065

**City of Grand Haven
Brownfield Redevelopment Authority**

**Act 381 Brownfield Plan for
1500 Kooiman Street
Grand Haven, Michigan 49417**

**Prepared For:
Kooiman Storage, LLC
Grand Haven, Michigan**

**October 29, 2024
Project No. 241065**

Approved by the City of Grand Haven Brownfield Redevelopment Authority: 11/04/2024
Approved by the City of Grand Haven City Council: _____

**Prepared with the assistance of:
Kirk Perschbacher
Fishbeck
1515 Arboretum Drive SE
Grand Rapids, Michigan 49546
616.464.3956**

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List of Abbreviations and Acronyms

BEA	Baseline Environmental Assessment
Developer	Kooiman Storage, LLC
DDCCR	Documentation of Due Care Compliance Report
ESA	Environmental Site Assessment
GHBRA	City of Grand Haven Brownfield Redevelopment Authority (or “Authority”)
GRCC	Generic Residential Cleanup Criteria
LBRF	Local Brownfield Revolving Fund
NREPA	Natural Resources and Environmental Protection Act
PA	Public Act
Plan	Brownfield Plan Amendment
Property	1500 Kooiman Street, Grand Haven, Michigan
QLGU	qualified local governmental unit

1.0 Introduction

The City of Grand Haven Brownfield Redevelopment Authority (the “Authority” or GHBRA) was established by the City of Grand Haven pursuant to the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, as amended (“Act 381”). The primary purpose of Act 381 is to encourage the redevelopment of eligible property by providing economic development incentives through tax increment financing for certain eligible properties.

This Brownfield Plan (“Plan”) permits the use of tax increment financing to reimburse Kooiman Storage, LLC (“Developer”) for the cost of eligible activities required to redevelop the eligible property described in Sections 1.1 and 1.2 below. See Appendix 1 for copies of Plan resolutions.

1.1 Proposed Redevelopment and Future Use for the Eligible Property

The Developer is proposing to redevelop the site located at 1500 Kooiman Street, Grand Haven, Michigan (the “Property”). Proposed redevelopment activities include the construction of 12 commercial condominium storage units within the site located within two buildings (seven within the eastern building and five within the western building). The commercial condominium units on the Property will be 1,248 sq ft. The potential exists that the eastern building may be occupied by one tenant for use as a light manufacturing space. The development is expected to be completed in late 2024/early 2025.

This Property has been vacant for approximately 50 years and is not being utilized to its fullest and best use. When completed, this Project will result in a significant increase in the overall taxable value of the Property. Sustainable development concepts are proposed throughout the Project, including green building techniques and low-impact development stormwater management. Total private investment for the Project, not including Property acquisition, is approximately \$1,200,000. Project renderings are provided in Appendix 2.

The Project serves a public purpose and is located within the City of Grand Haven, which is a qualified local governmental unit (QLGU).

1.2 Eligible Property Information

Parcel ID: 70-03-28-301-019

1500 Kooiman Street, Grand Haven, Ottawa County, Michigan 49417

Approximately 1.14 acres

The 1.14-acre Property is situated in a transitional industrial-zoned neighborhood, including adjoining commercial and residential uses. Historically, the Property was developed, circa 1938, for agricultural purposes. By the 1960s, the land was no longer maintained as farmland. The Property has since remained vacant.

The Developer, Kooiman Storage, LLC, conducted environmental due diligence activities including, but not limited to, a Phase I Environmental Site Assessment (ESA), Phase II ESA, Baseline Environmental Assessment (BEA), and Documentation of Due Care Compliance Report (DDCCR). These investigations identified the presence of widespread contamination across the Property as a result of historical surrounding industrial land uses. Based on the presence of contaminants on the Property at concentrations exceeding Part 201 Generic Residential Cleanup Criteria (GRCC), the Property is a “facility,” as defined in Section 20101(1)(o) of Part 201 of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended. Contaminants identified above Part 201 GRCC include selenium in the shallow soil and arsenic, copper, and lead in the groundwater.

The Property owner/Developer is not a liable party as they did not cause the contamination and a BEA was completed, in accordance with Part 201 of the NREPA, 1995 PA 451, as amended, for the northern and southern portions of the Property in 2021 and 2022, respectively.

The Property is considered an “eligible property” as defined by the Michigan Redevelopment Financing Act, Act 381 of 1996, based on its “facility” status.

Maps depicting the location and layout of the Property are attached as Figures 1 and 2. Historic environmental data tables and associated sample location maps are provided in Appendix 3.

2.0 Information Required by Section 13(2) of the Statute

2.1 Description of Costs to Be Paid for With Tax Increment Revenues

Act 381 provides pre-approval for certain activities that have been conducted at the Property. Additional activities require Brownfield Redevelopment Authority approval for reimbursement from local, school operating, and state education taxes. This Plan includes due care and non-environmental activities with associated costs to be reimbursed through local and state tax increment revenues, as applicable.

The total cost of eligible activities anticipated to be reimbursed to the Developer, inclusive of contingencies, is anticipated to be \$532,250. Authority administrative costs are anticipated to be up to \$40,193. While all activities are eligible, as defined in Act 381, the estimated eligible activities and costs under this Plan are summarized in Table 1. The capture of tax increment revenue for the Local Brownfield Revolving Fund (LBRF) is estimated to be up to \$188,677.

2.1.1 Pre-Approved Activities

Eligible costs for reimbursement include Pre-Approved Activities, permitted to occur prior to Plan adoption. Preparation of a Phase I and II ESA(s), BEA, and DDCCR is necessary to protect the new Property owner/Developer from liability for environmental contamination.

The total Pre-Approved Activities cost is \$23,500.

2.1.2 Due Care Activities

Due care activities will include excavation, removal, and disposal of approximately 2,800 cubic yards of contaminated soil. The estimated cost for contaminated soil removal is \$252,000.

2.1.3 Public Infrastructure Improvements

Public infrastructure activities include the installation of an urban stormwater management system. The estimated cost is \$65,000.

2.1.4 Site Preparation Activities

Site preparation activities are anticipated to include cut and fill operations (\$22,000), fill (\$65,000), grading (\$8,000), staking (\$3,000), temporary construction access and/or roads (\$4,000), and geotechnical engineering (\$6,000). The total cost of site preparation activities (including soft costs associated with these activities) is anticipated to be \$108,000.

2.1.5 Brownfield Plan/Work Plan Preparation

Preparation of the Brownfield Plan is estimated to cost \$10,000.

2.1.6 Brownfield Plan/Work Plan Implementation

Implementation of the Brownfield Plan is estimated to cost \$10,000.

2.1.7 Contingency

A 15% contingency on future costs is included to cover unexpected cost overruns encountered during construction. The total contingency cost is anticipated at \$63,750.

2.1.8 Authority Administration Cost

Eligible costs incurred by the Authority are included in this Plan as an eligible expense at 10% of annual local tax increment capture per year. These expenses will be reimbursed with local tax increment revenues only and are estimated to total as much as \$40,193.

2.1.9 Local Brownfield Revolving Fund

The Authority intends to capture tax increments for deposits in the LBRF for an estimated five years, or as allowed by the statute. This capture is estimated to be up to \$188,677.

2.2 Summary of Eligible Activities

Eligible activities as defined by Act 381 and included in this Plan consist of the following:

Environmental Activities

Pre-approved environmental costs and due care activities are anticipated to be reimbursed through a Brownfield Plan state and local tax increment revenues. An Act 381 Work Plan will be prepared and submitted to the Michigan Department of Environment, Great Lakes, and Energy (EGLE) for review and approved for state tax capture.

Non-Environmental Activities

As the City of Grand Haven is a qualified local governmental unit (“QLGU”), additional non-environmental costs defined in Section 2(o)(ii) of Act 381 can be reimbursed through a Brownfield Plan. While all eligible activities as defined by Act 381 are eligible, this Plan is estimated to provide reimbursement of eligible public infrastructure, site preparation, and development of the Brownfield Plan costs. These costs will be reimbursed with state and local tax increment revenues. An Act 381 Work Plan will be prepared and submitted to the Michigan Economic Development Corporation (MEDC) for review and approved for state tax capture.

Authority Expenses

Eligible administrative costs incurred by the Authority are included as a flat fee of 10% of local tax capture. Administration expenses will be reimbursed with local tax increment revenues only.

Contingencies

A 15% contingency on future costs is included to cover unexpected cost overruns encountered during construction. The Plan does not include a contingency on pre-approved activities or the preparation of the Brownfield Plan.

2.3 Estimate of Captured Taxable Value and Tax Increment Revenues

For the purposes of this Plan, the taxable value base year is 2024. The 2024 taxable value of the eligible property is \$109,150. After completion of the development, the taxable value is estimated at \$680,000. This Plan assumes a 2% annual increase in the taxable value of the eligible property. Initial capture is anticipated to begin in 2026.

The estimated captured taxable value for the redevelopment by year and in aggregate for each taxing jurisdiction is depicted in tabular form (Table 2 – Tax Increment Revenue Capture). Actual taxable values and tax increment revenues may vary year to year based on economic and market conditions, tax incentives, building additions, and property improvements, among other factors. Once eligible expenses are reimbursed to the Developer, the

Authority may capture up to five full years of the tax increment and deposit the revenues into an LBRF or an amount not to exceed the total cost of eligible activities. The Authority intends to capture tax increments for deposits in the LBRF for an estimated five years. The Plan also includes a flat fee of 10% of the local tax increment for administrative and operating expenses of the Authority. A summary of the estimated reimbursement schedule and the amount of capture into the LBRF by year and in aggregate is presented in Table 3.

2.4 Method of Financing and Description of Advances Made by the Municipality

The eligible activities contemplated under this Plan will be financed by the Developer, as outlined in this Plan and the accompanying development and reimbursement agreement (Appendix 4). No advances from the City are anticipated at this time.

2.5 Maximum Amount of Note or Bonded Indebtedness

Bonds will not be issued for this Project.

2.6 Duration of Brownfield Plan

Capture of tax increment revenues for Developer reimbursement is anticipated to commence in 2026 and end in 2048, a total of 23 years. This Plan assumes approximately five years of additional capture of tax increment revenues (following Developer reimbursement) for deposit into a LBRF, if available. An analysis showing the reimbursement schedule is attached in Table 3.

2.7 Estimated Impact of Tax Increment Financing on Revenues of Taxing Jurisdiction

The estimated amount of tax increment revenues to be captured for this redevelopment from each taxing jurisdiction by year and in aggregate is presented in Tables 2 and 3.

2.8 Legal Description, Property Map, Statement of Qualifying Characteristics and Personal Property

The Property subject to this Plan consists of approximately 1.14 acres of land located at 1500 Kooiman Street, City of Grand Haven, Michigan. The Property currently consists of one tax parcel, with ID 70-03-28-301-019. A map showing eligible property dimensions is attached in Figure 2. The legal description is as follows:

Parcel ID 70-03-28-301-019

PART SW 1/4, COM 734.1 FT S ALG E LI KOOIMAN ST FROM N SEC LI, TH S 219.9 FT, W 254.15 FT, S 356 FT, E ALG N LI HILLCREST SUB. 15.8 FT, S 37D 18M E 13.45 FT, E 451.19 FT TO W R/W LI C&O RR, TH N 581.84 FT M OR L ALG SD R/W TO A PT E OF BEG, TH W 212.3 FT M OR L TO BEG. SEC 28 T8N R16W.

The Property is located in the City of Grand Haven (the “City”), a QLGU pursuant to Act 381. Contamination on the Property in soil and groundwater above GRCC indicates that the Property meets the definition of a “facility” as defined by Part 201 of the NREPA (1994 PA 451). As such, the Property is an “eligible property” under Act 381. “Facility” verification is included in Appendix 3. This Brownfield Plan does intend to capture tax increment revenues associated with personal property tax, if available.

2.9 Estimates of Residents and Displacement of Individuals/Families

No residents or families will be displaced because of the Project.

2.10 Plan for Relocation of Displaced Persons

Not applicable.

2.11 Provisions for Relocation Costs

Not applicable.

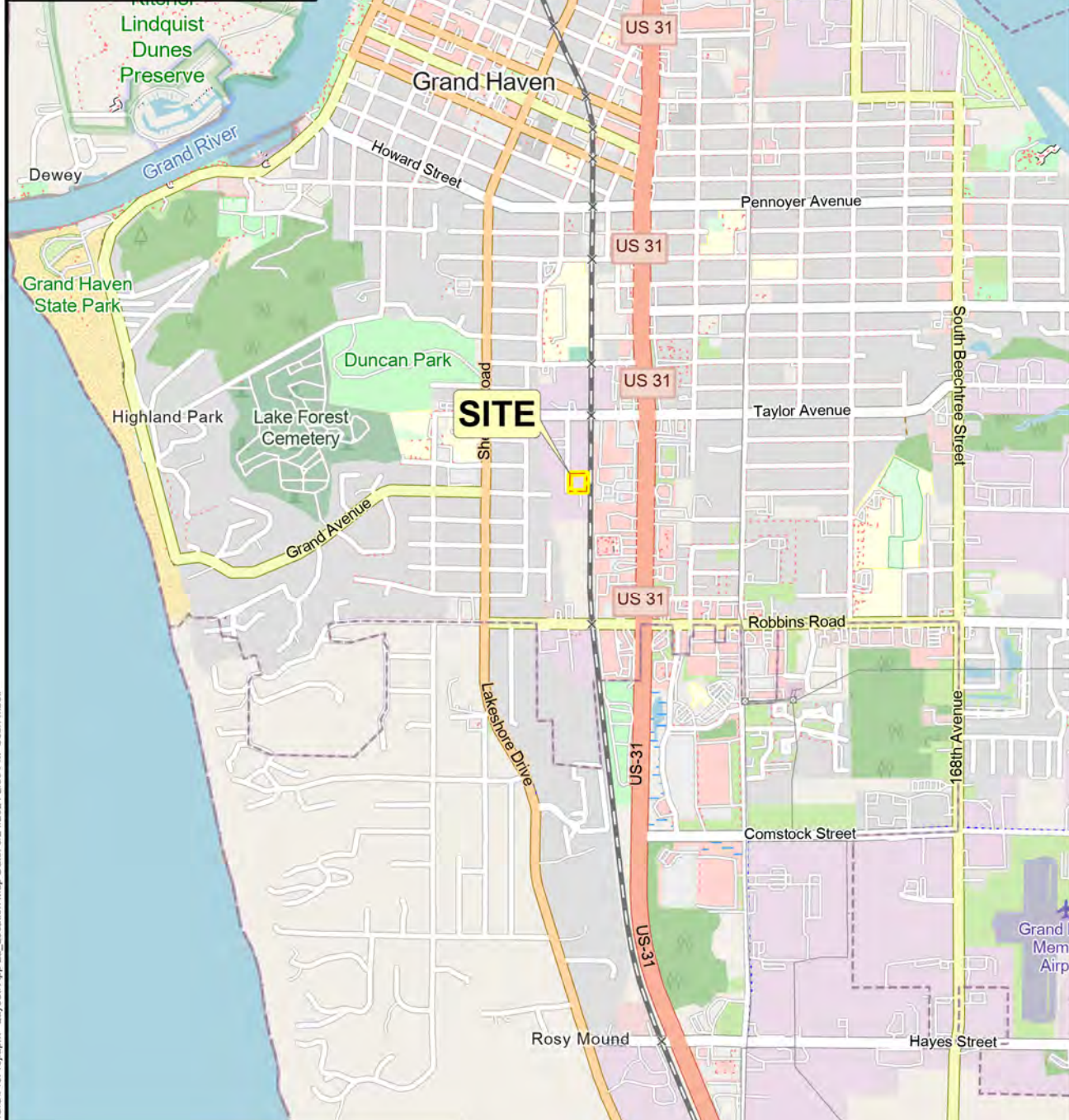
2.12 Strategy for Compliance with Michigan's Relocation Assistance Law

Not applicable.

2.13 Other Material that the Authority or Governing Body Considers Pertinent

The redevelopment project, as a whole, is anticipated to significantly increase the taxable value of the Property, resulting in substantial new tax revenue for the community. This investment will also improve the aesthetic and environmental conditions of the Property. It is anticipated that these activities may increase nearby property values and encourage additional private business investment opportunities near the redevelopment site.

Figures

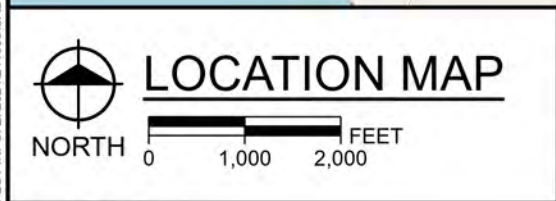


Hard copy is intended to be 8.5"x11" when plotted. Scale(s) indicated and graphic quality may not be accurate for any other size.

Northern 1.1-Acre Portion of 1600 Kooiman Street
Grand Haven, Michigan
Phase I
Environmental Site Assessment

PROJECT NO.
241065

FIGURE NO.
1




PLOT INFO: Z:\2024\241065\CAD\GIS\PreProj.aprx Layout: App 2a_Location Map Date: 6/24/2024 2:36 PM User: mbell

DATA SOURCES: ESRI STREET MAP.

PLOT INFO: Z:\2024\241065\CAD\GIS\Proj\Proj.aprx Layout: App 2b_Site Map Date: 6/24/2024 2:36 PM User: mbell



LEGEND

 Approximate Property Boundary



Hard copy is intended to be 8.5"x11" when plotted. Scale(s) indicated and graphic quality may not be accurate for any other size.

Northern 1.1-Acre Portion of 1600 Kooiman Street
 Grand Haven, Michigan
Phase I
Environmental Site Assessment

 **SITE MAP**

NORTH  FEET

DATA SOURCES: ESRI HYBRID REFERENCE LAYER & MISAIL IMAGERY.

PROJECT NO.
241065

FIGURE NO.
2

Tables

Table 1 – Summary of Eligible Costs

Act 381 Brownfield Plan

Kooiman, Grand Haven

EGLE Eligible Activities Costs and Schedule		
EGLE Eligible Activities	Cost	Completion Season/Year
Pre-Approved Environmental Activities	\$ 23,500	
<i>Phase I ESA/ Phase II ESA</i>	\$ 17,500	Fall 2024
<i>BEA/DDCCR</i>	\$ 6,000	Fall 2024
Due Care Activities	\$ 252,000	
<i>Contaminated Soil Removal*</i>	\$ 252,000	Winter 2024/Spring 2025
EGLE Eligible Activities Subtotal	\$ 275,500	
Contingency (15%)*	\$ 37,800	
Brownfield Plan/Work Plan Preparation	\$ 10,000	
Brownfield Plan/Work Plan Implementation	\$ 10,000	
EGLE Eligible Activities Total Costs	\$ 333,300	

*Eligible activities for contingency calculation

MEDC Eligible Activities Costs and Schedule		
MEDC Eligible Activities	Cost	Completion Season/Year
Public Infrastructure Improvements	\$ 65,000	
<i>Urban Storm Water Management System (Traditional and Low Impact)</i>	\$ 65,000	Winter 2024/Spring 2025
Site Preparation	\$ 108,000	
<i>Cut & Fill Operations</i>	\$ 22,000	Winter 2024/Spring 2025
<i>Fill</i>	\$ 65,000	Winter 2024/Spring 2025
<i>Grading</i>	\$ 8,000	Winter 2024/Spring 2025
<i>Staking</i>	\$ 3,000	Winter 2024/Spring 2025
<i>Temporary Construction Access and/or Roads</i>	\$ 4,000	Winter 2024/Spring 2025
<i>Geotechnical Engineering</i>	\$ 6,000	Winter 2024/Spring 2025
MEDC Eligible Activities Subtotal	\$ 173,000	
Contingency (15%)*	\$ 25,950	
MEDC Eligible Activities Total Costs	\$ 198,950	

*Eligible activities for contingency calculation

Table 3 – Estimated Reimbursement Schedule

Act 381 Brownfield Plan
Kooiman, Grand Haven, MI

Developer Maximum Reimbursement	Proportionality	School & Local Taxes	Local-Only Taxes	Total
State	50.5%	\$ 268,931	\$ -	\$ 268,931
Local	49.5%	\$ 263,319	\$ -	\$ 263,319
TOTAL				
EGLE	62.6%	\$ 333,300	\$ -	\$ 333,300
MEDC	37.4%	\$ 198,950	\$ -	\$ 198,950
MSHDA	0.0%	\$ -	\$ -	\$ -

Estimated Total 23 years (including 5 Years of Plan: years of LBRF)

Estimated Capture	
Administrative Fees	\$ 40,193
State Brownfield Redevelopment Fund	\$ 51,312
Local Brownfield Revolving Fund	\$ 188,677

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	TOTAL
	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	
Total State Incremental Revenue	\$ 13,700	\$ 14,027	\$ 14,360	\$ 14,699	\$ 15,046	\$ 15,399	\$ 15,759	\$ 16,127	\$ 16,502	\$ 16,884	\$ 17,274	\$ 17,672	\$ 18,078	\$ 18,492	\$ 18,914	\$ 19,345	\$ 19,784	\$ 20,232	\$ 20,689	\$ 21,156	\$ 21,631	\$ 22,116	\$ 22,611	\$ 410,499
State Brownfield Redevelopment Fund (50% of SET)	\$ 1,713	\$ 1,753	\$ 1,795	\$ 1,837	\$ 1,881	\$ 1,925	\$ 1,970	\$ 2,016	\$ 2,063	\$ 2,111	\$ 2,159	\$ 2,209	\$ 2,260	\$ 2,312	\$ 2,364	\$ 2,418	\$ 2,473	\$ 2,529	\$ 2,586	\$ 2,644	\$ 2,704	\$ 2,765	\$ 2,826	\$ 51,312
State TIR Available for Reimbursement	\$ 11,988	\$ 12,273	\$ 12,565	\$ 12,862	\$ 13,165	\$ 13,474	\$ 13,789	\$ 14,111	\$ 14,439	\$ 14,774	\$ 15,115	\$ 15,463	\$ 15,818	\$ 16,181	\$ 16,550	\$ 16,927	\$ 17,311	\$ 17,703	\$ 18,103	\$ 18,511	\$ 18,927	\$ 19,352	\$ 19,784	\$ 359,187
Total Local Incremental Revenue	\$ 13,415	\$ 13,734	\$ 14,060	\$ 14,393	\$ 14,732	\$ 15,078	\$ 15,431	\$ 15,790	\$ 16,158	\$ 16,532	\$ 16,914	\$ 17,304	\$ 17,701	\$ 18,106	\$ 18,520	\$ 18,941	\$ 19,371	\$ 19,810	\$ 20,258	\$ 20,714	\$ 21,180	\$ 21,655	\$ 22,139	\$ 401,933
BRA Administrative Fee (10%)	\$ 1,341	\$ 1,373	\$ 1,406	\$ 1,439	\$ 1,473	\$ 1,508	\$ 1,543	\$ 1,579	\$ 1,616	\$ 1,653	\$ 1,691	\$ 1,730	\$ 1,770	\$ 1,811	\$ 1,852	\$ 1,894	\$ 1,937	\$ 1,981	\$ 2,026	\$ 2,071	\$ 2,118	\$ 2,165	\$ 2,214	\$ 40,193
Local TIR Available for Reimbursement	\$ 12,073	\$ 12,361	\$ 12,654	\$ 12,953	\$ 13,259	\$ 13,570	\$ 13,887	\$ 14,211	\$ 14,542	\$ 14,879	\$ 15,223	\$ 15,573	\$ 15,931	\$ 16,296	\$ 16,668	\$ 17,047	\$ 17,434	\$ 17,829	\$ 18,232	\$ 18,643	\$ 19,062	\$ 19,489	\$ 19,925	\$ 361,740
Total State & Local TIR Available	\$ 24,061	\$ 24,634	\$ 25,219	\$ 25,815	\$ 26,424	\$ 27,044	\$ 27,677	\$ 28,322	\$ 28,981	\$ 29,653	\$ 30,338	\$ 31,036	\$ 31,749	\$ 32,476	\$ 33,218	\$ 33,974	\$ 34,746	\$ 35,532	\$ 36,335	\$ 37,154	\$ 37,989	\$ 38,841	\$ 39,710	\$ 720,927
DEVELOPER																								
Reimbursement Balance	\$ 532,250	\$ 508,189	\$ 483,555	\$ 458,336	\$ 432,521	\$ 406,097	\$ 379,053	\$ 351,376	\$ 323,054	\$ 294,073	\$ 264,420	\$ 234,083	\$ 203,046	\$ 171,297	\$ 138,821	\$ 105,603	\$ 71,629	\$ 36,884	\$ 1,351	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
EGLE Environmental Costs	\$ 333,300	\$ 333,300	\$ 318,233	\$ 302,807	\$ 287,014	\$ 270,849	\$ 254,302	\$ 237,367	\$ 220,035	\$ 202,299	\$ 184,151	\$ 165,583	\$ 146,585	\$ 127,150	\$ 107,268	\$ 86,931	\$ 66,130	\$ 44,855	\$ 23,097	\$ 846				\$ -
State Tax Reimbursement	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 168,407	\$ 166,484
Local Tax Reimbursement	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 164,893	\$ 166,816
Total EGLE Reimbursement Balance	\$ 318,233	\$ 302,807	\$ 287,014	\$ 270,849	\$ 254,302	\$ 237,367	\$ 220,035	\$ 202,299	\$ 184,151	\$ 165,583	\$ 146,585	\$ 127,150	\$ 107,268	\$ 86,931	\$ 66,130	\$ 44,855	\$ 23,097	\$ 846	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 333,300
MEDC Non-Environmental Costs	\$ 198,950	\$ 198,950	\$ 189,956	\$ 180,748	\$ 171,322	\$ 161,672	\$ 151,795	\$ 141,687	\$ 131,341	\$ 120,754	\$ 109,922	\$ 98,838	\$ 87,498	\$ 75,897	\$ 64,029	\$ 51,890	\$ 39,474	\$ 26,774	\$ 13,787	\$ 505				\$ -
State Tax Reimbursement	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 100,524	\$ 98,871
Local Tax Reimbursement	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 98,426	\$ 100,079
Total MEDC Reimbursement Balance	\$ 189,956	\$ 180,748	\$ 171,322	\$ 161,672	\$ 151,795	\$ 141,687	\$ 131,341	\$ 120,754	\$ 109,922	\$ 98,838	\$ 87,498	\$ 75,897	\$ 64,029	\$ 51,890	\$ 39,474	\$ 26,774	\$ 13,787	\$ 505	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 198,950
Total Annual Developer Reimbursement	\$ 24,061	\$ 24,634	\$ 25,219	\$ 25,815	\$ 26,424	\$ 27,044	\$ 27,677	\$ 28,322	\$ 28,981	\$ 29,653	\$ 30,338	\$ 31,036	\$ 31,749	\$ 32,476	\$ 33,218	\$ 33,974	\$ 34,746	\$ 35,532	\$ 36,335	\$ 37,154	\$ 37,989	\$ 38,841	\$ 39,710	\$ 532,250
LOCAL BROWNFIELD REVOLVING FUND																								
LBRF Deposits *	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 188,677
State Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 93,831
Local Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 94,845
Total LBRF Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 188,677

* Up to five years of capture for LBRF Deposits after eligible activities are reimbursed. May be taken from state and local TIR.

Appendix 1

**CITY OF GRAND HAVEN
519 WASHINGTON AVENUE
GRAND HAVEN, MICHIGAN**

NOTICE OF PUBLIC HEARING TO ADOPT A BROWNFIELD PLAN

PUBLIC HEARING ON THE ADOPTION OF A BROWNFIELD PLAN OF THE CITY OF GRAND HAVEN BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE 815 VERHOEKS STREET, LLC LOCATED AT 1500 KOOIMAN STREET

PLEASE TAKE NOTICE THAT a Public Hearing shall be held before the City of Grand Haven City Council on Monday, **January 6, 2025, at 7:30 pm** in the **Grand Haven Council Chambers at 519 Washington Avenue, Grand Haven, MI 49417**, on the adoption of a Brownfield Plan for the 815 Verhoeks Street, LLC project, in accordance with the Brownfield Redevelopment Finance Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended.

The description of the proposed brownfield property is:

Land situated in the City of Grand Haven, County of Ottawa, State of Michigan, described as follows:

Address	Tax ID
1500 Kooiman Street	70-03-28-301-019

The proposed Brownfield Plan would allow the developer and Brownfield Redevelopment Authority to be reimbursed for eligible costs incurred to prepare the brownfield property for redevelopment. Eligible costs may include environmental and/or site preparation costs. The Brownfield Plan must first be approved by the Grand Haven City Council.

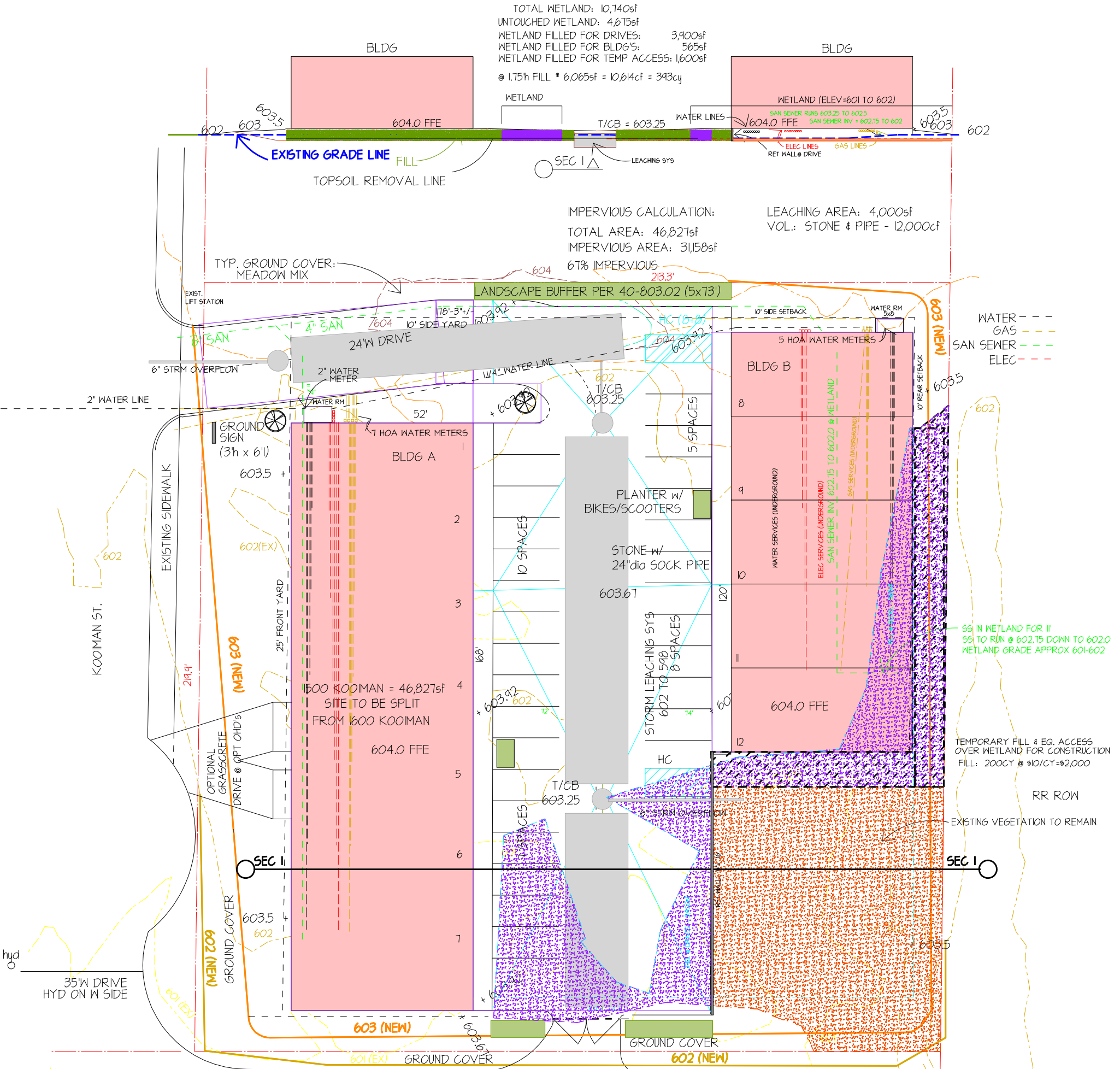
This description of the property along with any maps and a description of the Brownfield Plan are available for public inspection at Grand Haven City Hall, 519 Washington Avenue, Grand Haven, MI 49417.

All aspects of the Brownfield Plan are open for discussion at the public hearing.

Maria Boersma
City Clerk

Appendix 2

TOTAL WETLAND: 10,740sf
 UNTOUCHED WETLAND: 4,675sf
 WETLAND FILLED FOR DRIVES: 3,900sf
 WETLAND FILLED FOR BLDG'S: 565sf
 WETLAND FILLED FOR TEMP ACCESS: 1,600sf
 @ 1.75h FILL * 6,065sf = 10,614cf = 393cy



IMPERVIOUS CALCULATION:
 TOTAL AREA: 46,827sf
 IMPERVIOUS AREA: 31,588sf
 67% IMPERVIOUS

LEACHING AREA: 4,000sf
 VOL.: STONE & PIPE - 12,000cf

TYP. GROUND COVER:
 MEADOW MIX

LANDSCAPE BUFFER PER 40-803.02 (5x13')

WATER ---
 GAS ---
 SAN SEWER ---
 ELEC ---

1600 KOOIMAN = 46,827sf
 SITE TO BE SPLIT
 FROM 1600 KOOIMAN

TEMPORARY FILL & EQ. ACCESS
 OVER WETLAND FOR CONSTRUCTION
 FILL: 200CY @ \$10/CY=\$2,000

2 PARKING SPACES/UNIT =
 24 SPACES W/ 2 HC
 30 SPACES SHOWN W/ 2HC & 2 TREES

LANDSCAPE BUFFER PER
 40-803.02 (5'x16'+24')
 1 DECIDUOUS TREE +
 3-3h SHRUBS PER 25'

UNDERGROUND UTILITIES (NOT IN WETLAND):
 NATURAL GAS SERVICES
 ELECTRICAL SERVICES
 STORM WATER LEACHING SYS.
 WATER

UNDERGROUND UTILITY IN WETLAND:
 12" OF SAN SEWER @ UNIT #4

SITE PLAN FOR:
 MIXED USE UNITS

KOOIMAN AVE
 GRAND HAVEN, MI

dryer architectural group
 architecture/interiors/design consultants
 220.1/2 WASHINGTON
 GRAND HAVEN, MICHIGAN 49417
 616/846-5400
 dryerarch@gmail.com

DRAWING INFORMATION

Drawn: ddd	Checked: ddd
Date: 07-09-24	PROJ. No. 22-126
REVISIONS	Sheet:
# Date By	SP-30-0109
FILE No.: 726 SP-30-0709	1/16

KOOIMAN MIXED USE SITE PLAN

SCALE: 1" = 40 ON 8 1/2"x11"
 SCALE: 1" = 30 ON 11"x17"

12 units @ 24x52 (1248sf)

TOTAL WETLAND: 10,740sf
 UNTOUCHED WETLAND: 4,675sf
 WETLAND FILLED FOR DRIVES: 3,900sf
 WETLAND FILLED FOR BLDG'S: 565sf
 WETLAND FILLED FOR TEMP ACCESS: 1,600sf
 @ 1.75h FILL * 6,065sf = 10,614cf = 393cy

07-09-24

Appendix 3

PLOT INFO: Z:\2024\241065\CAD\GIS\BEA.aprx Layout: FIG03_Site Map with Exceedances Date: 8/16/2024 1:31 PM User: ebuyc



LEGEND

 Approximate Property Boundary

Results expressed in µg/L



Hard copy is intended to be 8.5"x11" when plotted. Scale(s) indicated and graphic quality may not be accurate for any other size.

Northern 1.1-Acre Portion of 1600 Kooiman Street
Grand Haven, Michigan
Baseline Environmental Assessment



SITE MAP WITH EXCEEDANCES

0 25 50 FEET

DATA SOURCES: ESRI HYBRID REFERENCE LAYER & MISAIL IMAGERY.

PROJECT NO.
241065

FIGURE NO.

3

Table 1 - Soil Data Summary

1500 Kooiman Street (Parcel 70-03-28-301-019), Grand Haven, Michigan
July 2024

Sample Location: Depth Interval (ft): Investigative/Field Duplicate/QC: Laboratory ID: Collection Date:	Statewide Default Background Levels ⁽¹⁾	Drinking Water Protection Criteria ⁽¹⁾	GSIP Criteria ⁽¹⁾	Soil Volatilization to Indoor Air Inhalation Criteria ⁽¹⁾	Infinite Source VSIC ⁽¹⁾	Finite VSIC for 5 Meter Source Thickness ⁽¹⁾	Finite VSIC for 2 Meter Source Thickness ⁽¹⁾	Particulate Soil Inhalation Criteria ⁽¹⁾	Direct Contact Criteria ⁽¹⁾	Soil Saturation Concentration SL ⁽¹⁾	Soil VIAP SL ⁽²⁾	HAB-1 @0-1 Investigative S64669.01 07/29/24	HAB-1 @1.5-2.5 Investigative S64669.02 07/29/24	HAB-2 @0-1 Investigative S64669.03 07/29/24	HAB-2 @1.5-2.5 Investigative S64669.04 07/29/24	HAB-3 @0-1 Investigative S64669.05 07/29/24	HAB-4 @0-1 Investigative S64669.06 07/29/24	M-1-SB @0-1 Dup of HAB-4 S64669.07 07/29/24	
Polynuclear Aromatic Compounds (PNA)	CAS Number																		
1-Methylnaphthalene	90-12-0	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	330 U	330 U	
2-Methylnaphthalene ⁽³⁾	91-57-6	NA	57,000	4,200	2.70E+06	1.50E+06	1.50E+06	1.50E+06	6.70E+08	8.10E+06	NA	1,700	--	--	--	--	330 U	330 U	
Acenaphthene	83-32-9	NA	3.00E+05	8,700	1.90E+08	8.10E+07	8.10E+07	8.10E+07	1.40E+10	4.10E+07	NA	2.00E+05	--	--	--	--	330 U	330 U	
Acenaphthylene	208-96-8	NA	5,900	ID	1.60E+06	2.20E+06	2.20E+06	2.20E+06	2.30E+09	1.60E+06	NA	DATA	--	--	--	--	330 U	330 U	
Anthracene	120-12-7	NA	41,000	ID	1.00E+09	1.40E+09	1.40E+09	1.40E+09	6.70E+10	2.30E+08	NA	1.30E+07	--	--	--	--	330 U	330 U	
Benzo(a)anthracene	56-55-3	NA	NLL	NLL	NLV	NLV	NLV	NLV	ID	20,000	NA	1.60E+05 (MM)	--	--	--	--	330 U	330 U	
Benzo(a)pyrene	50-32-8	NA	NLL	NLL	NLV	NLV	NLV	NLV	1.50E+06	2,000	NA	NA	--	--	--	--	330 U	330 U	
Benzo(b)fluoranthene	205-99-2	NA	NLL	NLL	ID	ID	ID	ID	ID	20,000	NA	NA	--	--	--	--	330 U	330 U	
Benzo(g,h,i)perylene	191-24-2	NA	NLL	NLL	NLV	NLV	NLV	NLV	8.00E+08	2.50E+06	NA	NA	--	--	--	--	330 U	330 U	
Benzo(k)fluoranthene	207-08-9	NA	NLL	NLL	NLV	NLV	NLV	NLV	ID	2,00E+05	NA	NA	--	--	--	--	330 U	330 U	
Chrysene	218-01-9	NA	NLL	NLL	ID	ID	ID	ID	ID	2,00E+06	NA	NA	--	--	--	--	330 U	330 U	
Dibenzo(a,h)anthracene	53-70-3	NA	NLL	NLL	NLV	NLV	NLV	NLV	ID	2,000	NA	NA	--	--	--	--	330 U	330 U	
Fluoranthene	206-44-0	NA	7.30E+05	5,500	1.00E+09	7.40E+08	7.40E+08	7.40E+08	9.30E+09	4.60E+07	NA	NA	--	--	--	--	330 U	330 U	
Fluorene	86-73-7	NA	3.90E+05	5,300	5.80E+08	1.30E+08	1.30E+08	1.30E+08	9.30E+09	2.70E+07	NA	4.70E+05	--	--	--	--	330 U	330 U	
Indeno(1,2,3-cd)pyrene	193-39-5	NA	NLL	NLL	NLV	NLV	NLV	NLV	ID	20,000	NA	NA	--	--	--	--	330 U	330 U	
Naphthalene ⁽³⁾	91-20-3	NA	35,000	730	2.50E+05	3.00E+05	3.00E+05	3.00E+05	2.00E+08	1.60E+07	NA	67 (M*)	--	--	--	--	330 U	330 U	
Phenanthrene	85-01-8	NA	56,000	2,100	2.80E+06	1.60E+05	1.60E+05	1.60E+05	6.70E+06	1.60E+06	NA	1,700	--	--	--	--	330 U	330 U	
Pyrene	129-00-0	NA	4.80E+05	ID	1.00E+09 (D)	6.50E+08	6.50E+08	6.50E+08	6.70E+09	2.90E+07	NA	2.50E+07	--	--	--	--	330 U	330 U	
Metals, Total	CAS Number																		
Arsenic	7440-38-2	5,800	4,600	4,600	NLV	NLV	NLV	NLV	7.20E+05	7,600	NA	NA	760	550	390	300	990	580	1,170
Barium (B)	7440-39-3	75,000	1.30E+06	4.42E+05 (G)	NLV	NLV	NLV	NLV	3.30E+08	3.70E+07	NA	NA	14,400	2,470	5,760	3,300	18,400	11,600	28,400
Cadmium (B)	7440-43-9	1,200	6,000	3,600 (G,X)	NLV	NLV	NLV	NLV	1.70E+06	5.50E+05	NA	NA	240	200 U	200 U	200 U	250	200 U	470
Chromium, Total (B, H)	7440-47-3	18,000 (total)	30,000	3,300	NLV	NLV	NLV	NLV	2.60E+05	2.50E+06	NA	NA	3,670	1,650	1,700	1,620	4,200	2,740	5,560
Copper (B)	7440-50-8	32,000	5.80E+06	74,880 (G)	NLV	NLV	NLV	NLV	1.30E+08	2.00E+07	NA	NA	8,550	1,220	1,940	1,060	11,100	5,940	19,200
Lead (B)	7439-92-1	21,000	7.00E+05	5.98E+06 (G,X)	NLV	NLV	NLV	NLV	1.00E+08	4.00E+05	NA	NA	8,650	950	1,730	1,030	8,720	3,500	17,800
Mercury (Total) (B)	7439-97-6	130	1,700	50 (M); 1.2	48,000	52,000	52,000	52,000	2.00E+07	1.60E+05	NA	22 (M*)	50 U	50 U	50 U	50 U	86	50 U	118
Selenium (B)	7782-49-2	410	4,000	400	NLV	NLV	NLV	NLV	1.30E+08	2.60E+06	NA	NA	400 U	400 U	400 U	400 U	400 U	400 U	530
Silver (B)	7440-22-4	1,000	4,500	100 (M); 27	NLV	NLV	NLV	NLV	6.70E+06	2.50E+06	NA	NA	200 U	200 U	200 U	200 U	200 U	200 U	200 U
Zinc (B)	7440-66-6	47,000	2.40E+06	1.66E+05 (G)	NLV	NLV	NLV	NLV	ID	1.70E+08	NA	NA	29,400	4,170	3,440	3,230	11,500	12,300	37,500
Solids, Total (%)	--	--	--	--	--	--	--	--	--	--	--	84	80	77	77	89	86	85	

Results expressed in µg/Kg dry weight.

Bolded values indicate analyte detection.

Shaded values exceed Statewide Default Background Level and an applicable criterion or screening level.

Italicized values are below Statewide Default Background Level but exceed an applicable criterion or screening level.

Underlined parameters are classified as Polynuclear Aromatic Compounds.

Data Qualifiers:

U Not detected

Footnotes/Abbreviations:

⁽¹⁾ Part 201 Residential Soil Generic Cleanup Criteria and Screening Levels/Part 213 Risk-based Screening Levels, October 12, 2023.

⁽²⁾ Volatilization to Indoor Air Pathway Screening Levels; EGLE Guidance for the Vapor Intrusion Pathway, February, 2024.

⁽³⁾ Method 8260 is used for quantitation of volatile organics with boiling points below 200 °C. With boiling points >200 °C, 2-methylnaphthalene and naphthalene are better suited to analysis by Method 8270.

(B) Background, as defined in R 299.5701(b), may be substituted if higher than the calculated criterion.

(C) Value is screening level based on the chemical-specific generic soil saturation concentration (Csat).

(D) Calculated criterion exceeds 100 percent; hence it is reduced to 100 percent or 1.00E+09 parts per billion (ppb).

(G) Criterion dependent on receiving surface water (SW) hardness; calculated criteria based on water hardness of 150 mg/L.

(H) Data provided for total chromium only; evaluated against hexavalent chromium criteria.

(I) Hazardous substance may be present in several isomer forms. Isomer-specific concentrations must be added together for comparison to criteria.

(JT) Hazardous substance may be present in several isomer forms. The VIAP SL may be used for the individual isomer provided that it is the sole isomer detected; however, when multiple isomers are detected in a medium, the isomer-specific concentrations must be added together and compared to the most restrictive VIAP SL of the detected isomers.

(M) Calculated criterion is below the target detection limit (TDL); first number is the criterion (TDL), the second is the risk-based value.

(M*) The VIAP SL may be below TDL. In accordance with Sec. 20120a(10) when the TDL for a hazardous substance is greater than the developed VIAP SL, the TDL is used to evaluate the risk posed from the pathway.

(W) Concentrations of trihalomethanes must be added together to determine compliance with criterion.

(X) Criterion is not protective for SW used as a drinking water (DW) source.

(DD) Hazardous substance causes developmental effects. Residential direct contact criteria are protective of both prenatal and postnatal exposure.

(DD*) Hazardous substance causes developmental effects. Residential VIAP SLs are protective of both prenatal exposure using a pregnant female receptor and postnatal exposure using a child receptor. Prenatal developmental effects may occur after an acute (i.e. short-term) or full-term exposure.

(EE) The acceptable air concentration (AAC) for the volatile hazardous substances is not derived using standard equations. The hazardous substance may cause adverse human health effects for less than chronic exposures (i.e. short-term or acute). The AAC for these hazardous substances is the acute or intermediate minimum risk level (MRL) developed by the Agency for Toxic Substances and Disease Registry (ATSDR), a USEPA Integrated Risk Information System (IRIS) acute reference concentration, or an acute initial threshold screening level (ITSL) by the EGLE's Air Quality Division.

(MM) Hazardous substance is a carcinogen with a mutagenic mode of action. The cancer potency values used in calculating VIAP SLs are modified using age-dependent adjustment factors for those carcinogenic chemicals identified as mutagenic.

DATA Insufficient physical chemical parameters to calculate a VIAP SL for specified media. If detections are present in specified media, health-based soil vapor value should be used to evaluate risk.

GSIP groundwater surface water interface protection

ID Insufficient data to develop criterion.

NA not available

NLL Not likely to leach under most soil conditions.

NLV Not likely to volatilize under most conditions.

SL screening level

VIAP volatilization to indoor air pathway

VSIC volatile soil inhalation criteria

Table 2 - Groundwater Data Summary

1500 Kooiman Street (Parcel 70-03-28-301-019), Grand Haven, Michigan

July 2024

Monitoring Location: Field Duplicate: Laboratory ID: Collection Date:		Residential DWC ⁽¹⁾	GSI Criteria ⁽¹⁾	Residential Groundwater VIAIC ⁽¹⁾	Water Solubility ⁽¹⁾	Flammability and Explosivity SL ⁽¹⁾	Residential GW- Shallow VIAP SL ⁽²⁾	Residential GW- Not in Contact VIAP SL ⁽²⁾	TMW-1 @0-5' S64669.08 07/29/24	TMW-2 @0-5' S64669.09 07/29/24	M-1-TMW @0-5' Dup of TMW-2 S64669.10 07/29/24
Volatile Organic Compounds (VOC)	CAS Number										
1,1,1,2-Tetrachloroethane	630-20-6	77	ID	15,000	1.10E+06	ID	3.1	89	1.0 U	1.0 U	1.0 U
1,1,1-Trichloroethane	71-55-6	200 (A)	89	6.60E+05	1.33E+06	ID	180 (FF*)	14,000 (EE*)	1.0 U	1.0 U	1.0 U
1,1,2,2-Tetrachloroethane	79-34-5	8.5	78 (X)	12,000	2.97E+06	ID	2.4	71	1.0 U	1.0 U	1.0 U
1,1,2-Trichloroethane	79-00-5	5.0 (A)	330 (X)	17,000	4.42E+06	NA	0.47 (M*)	14	1.0 U	1.0 U	1.0 U
1,1-Dichloroethane	75-34-3	880	740	1.00E+06	5.06E+06	3.80E+05	4.7	130	1.0 U	1.0 U	1.0 U
1,1-Dichloroethene	75-35-4	7.0 (A)	130	200	2.25E+06	97,000	18	330	1.0 U	1.0 U	1.0 U
1,2,3-Trichlorobenzene	87-61-6	--	--	--	--	--	58	1,700	5.0 U	5.0 U	5.0 U
1,2,3-Trichloropropane	96-18-4	42	NA	8,300	1.90E+06	NA	1.9	57	1.0 U	1.0 U	1.0 U
1,2,3-Trimethylbenzene	526-73-8	--	--	--	--	--	43 (JT)	1,200 (JT)	1.0 U	1.0 U	1.0 U
1,2,4-Trichlorobenzene	120-82-1	70 (A)	99 (X)	3.00E+05 (S)	3.00E+05	NA	3.8 (M*)	110	5.0 U	5.0 U	5.0 U
1,2,4-Trimethylbenzene	95-63-6	63/1,000 (E)	17	56,000 (S)	55,890	56,000 (S)	25 (JT)	670 (JT)	1.0 U	1.0 U	1.0 U
1,2-Dibromo-3-chloropropane (DBCP)	96-12-8	0.20 (A)	ID	220	1,230	NA	0.00045 (M*,MM)	0.00045 (M*,CC*,MM)	5.0 U	5.0 U	5.0 U
1,2-Dibromoethane (EDB)	106-93-4	0.050 (A)	5.7 (X)	2,400	4.20E+06	ID	0.13	3.8	1.0 U	1.0 U	1.0 U
1,2-Dichlorobenzene	95-50-1	600 (A)	13	1.60E+05 (S)	1.56E+05	NA	370	11,000	1.0 U	1.0 U	1.0 U
1,2-Dichloroethane	107-06-2	5.0 (A)	360 (X)	9,600	8.52E+06	2.50E+06	1.4	41	1.0 U	1.0 U	1.0 U
1,2-Dichloropropane	78-87-5	5.0 (A)	230 (X)	16,000	2.80E+06	5.50E+05	2.6	74	1.0 U	1.0 U	1.0 U
1,3,5-Trimethylbenzene	108-67-8	72/1,000 (E)	45	61,000 (S)	61,150	ID	18 (JT)	470 (JT)	1.0 U	1.0 U	1.0 U
1,3-Dichlorobenzene	541-73-1	6.6	28	18,000	1.11E+05	ID	2.6	75	1.0 U	1.0 U	1.0 U
1,3-Dichloropropene, cis-	10061-01-5	--	--	--	--	--	--	--	1.0 U	1.0 U	1.0 U
1,3-Dichloropropene, trans-	10061-02-6	--	--	--	--	--	--	--	1.0 U	1.0 U	1.0 U
1,3-Dichloropropene (Total) (Calc.)	542-75-6	8.5	9.0 (X)	3,900	2.80E+06	1.30E+05	3.3 (J)	95 (J)	2.0 U	2.0 U	2.0 U
1,4-Dichlorobenzene	106-46-7	75 (A)	17	16,000	73,800	NA	5.9	170	1.0 U	1.0 U	1.0 U
2-Butanone (MEK)	78-93-3	13,000	2,200	2.40E+08 (S)	2.40E+08	ID	2,600 (DD)	4.30E+06 (DD)	25 U	25 U	25 U
2-Hexanone	591-78-6	1,000	ID	4.20E+06	1.60E+07	NA	660	20,000	50 U	50 U	50 U
2-Methylnaphthalene ⁽³⁾	91-57-6	260	19	25,000 (S)	24,600	ID	66	2,000	5.0 U	5.0 U	5.0 U
4-Isopropyltoluene	99-87-6	--	--	--	--	--	--	--	5.0 U	5.0 U	5.0 U
4-Methyl-2-pentanone (MIBK)	108-10-1	1,800	ID	2.00E+07 (S)	2.00E+07	ID	200 (FF*)	3.30E+05 (EE*)	50 U	50 U	50 U
Acetone	67-64-1	730	1,700	1.00E+09 (D,S)	1.00E+09	1.50E+07	50,000 (FF*)	4.00E+07 (EE*)	50 U	50 U	50 U
Acrylonitrile	107-13-1	3.0	2.0 (M); 1.2	34,000	7.50E+07	6.40E+06	4.6	140	2.0 U	2.0 U	2.0 U
Benzene	71-43-2	5.0 (A)	200 (X)	5,600	1.75E+06	68,000	1.0	28	1.0 U	1.0 U	1.0 U
Bromobenzene	108-86-1	18	NA	1.80E+05	4.13E+05	ID	62	1,800	1.0 U	1.0 U	1.0 U
Bromochloromethane	74-97-5	--	--	--	--	--	--	--	1.0 U	1.0 U	1.0 U
Bromodichloromethane	75-27-4	80 (A,W)	ID	4,800	6.74E+06	ID	1.2	34	1.0 U	1.0 U	1.0 U
Bromoform	75-25-2	80 (A,W)	ID	4.70E+05	3.10E+06	ID	89	2,700	1.0 U	1.0 U	1.0 U
Bromomethane	74-83-9	10	5.0 (M); 4.2	4,000	1.45E+07	ID	2.1 (M*)	55	5.0 U	5.0 U	5.0 U
Carbon disulfide	75-15-0	800	ID	2.50E+05	1.19E+06	13,000	92	2,100	5.0 U	5.0 U	5.0 U
Carbon tetrachloride	56-23-5	5.0 (A)	38 (X)	370	7.93E+05	ID	0.41 (M*)	7.7	1.0 U	1.0 U	1.0 U
Chlorobenzene	108-90-7	100 (A)	25	2.10E+05	4.72E+05	1.60E+05	33	940	1.0 U	1.0 U	1.0 U
Chloroethane	75-00-3	430	1,100 (X)	5.70E+06 (S)	5.74E+06	1.10E+05	620	15,000	5.0 U	5.0 U	5.0 U
Chloroform	67-66-3	80 (A,W)	350	28,000	7.92E+06	ID	0.49 (M*)	14	1.0 U	1.0 U	1.0 U
Chloromethane	74-87-3	260	ID	8,600	6.34E+06	36,000	15	380	5.0 U	5.0 U	5.0 U
cis-1,2-Dichloroethene	156-59-2	70 (A)	620	93,000	3.50E+06	5.30E+05	3.4	95	1.0 U	1.0 U	1.0 U

Table 2 - Groundwater Data Summary

1500 Kooiman Street (Parcel 70-03-28-301-019), Grand Haven, Michigan

July 2024

Monitoring Location: Field Duplicate: Laboratory ID: Collection Date:		Residential DWC ⁽¹⁾	GSI Criteria ⁽¹⁾	Residential Groundwater VIAIC ⁽¹⁾	Water Solubility ⁽¹⁾	Flammability and Explosivity SL ⁽¹⁾	Residential GW- Shallow VIAP SL ⁽²⁾	Residential GW- Not in Contact VIAP SL ⁽²⁾	TMW-1 @0-5' S64669.08 07/29/24	TMW-2 @0-5' S64669.09 07/29/24	M-1-TMW @0-5' Dup of TMW-2 S64669.10 07/29/24
Dibromochloromethane	124-48-1	80 (A,W)	ID	14,000	2.60E+06	ID	0.78 (M*,MM)	23 (MM)	5.0 U	5.0 U	5.0 U
Dibromomethane	74-95-3	80	NA	ID	1.10E+07	ID	8.8	260	5.0 U	5.0 U	5.0 U
Dichlorodifluoromethane	75-71-8	1,700	ID	2.20E+05	3.00E+05	ID	13	49	5.0 U	5.0 U	5.0 U
Diethyl ether	60-29-7	10/3,700 (E)	ID	6.10E+07 (S)	6.10E+07	6.50E+05	1,200	36,000	10 U	10 U	10 U
Ethylbenzene	100-41-4	74/700 (E)	18	1.10E+05	1.69E+05	43,000	2.8	74	1.0 U	1.0 U	1.0 U
Hexachloroethane	67-72-1	7.3	6.7 (X)	27,000	50,000	ID	1.5 (M*)	43	5.0 U	5.0 U	5.0 U
Iodomethane	74-88-4	--	--	--	--	--	--	--	1.0 U	1.0 U	1.0 U
Isopropylbenzene (Cumene)	98-82-8	800	28	56,000 (S)	56,000	29,000	0.60 (M*)	15	5.0 U	5.0 U	5.0 U
Methyl tert-butyl ether (MTBE)	1634-04-4	40/240 (E)	7,100 (X)	4.70E+07 (S)	4.68E+07	ID	250	7,400	5.0 U	5.0 U	5.0 U
Methylene chloride	75-09-2	5.0 (A)	1,500 (X)	2.20E+05	1.70E+07	ID	79 (FF*)	8,400	5.0 U	5.0 U	5.0 U
n-Butylbenzene	104-51-8	80	ID	ID	NA	ID	44	1,100	1.0 U	1.0 U	1.0 U
n-Propylbenzene	103-65-1	80	ID	ID	NA	ID	43 (DD)	6,100 (DD)	1.0 U	1.0 U	1.0 U
Naphthalene ⁽³⁾	91-20-3	520	11	31,000 (S)	31,000	NA	4.2 (M*)	130	5.0 U	5.0 U	5.0 U
sec-Butylbenzene	135-98-8	80	ID	ID	NA	ID	270	8,100	1.0 U	1.0 U	1.0 U
Styrene	100-42-5	100 (A)	80 (X)	1.70E+05	3.10E+05	1.40E+05	33	960	1.0 U	1.0 U	1.0 U
t-Butylbenzene	98-06-6	80	ID	ID	NA	ID	0.077 (M*)	1.8	1.0 U	1.0 U	1.0 U
Tetrachloroethene (PCE)	127-18-4	5.0 (A)	60 (X)	25,000	2.00E+05	ID	1.5 (FF*)	130 (EE*)	1.0 U	1.0 U	1.0 U
Tetrahydrofuran	109-99-9	95	11,000 (X)	6.90E+06	1.00E+09	60,000	45,000	1.40E+06	90 U	90 U	90 U
Toluene	108-88-3	790/1,000 (E)	270	5.30E+05 (S)	5.26E+05	61,000	300 (FF*)	41,000	1.0 U	1.0 U	1.0 U
trans-1,2-Dichloroethene	156-60-5	100 (A)	1,500 (X)	85,000	6.30E+06	2.30E+05	16	390	1.0 U	1.0 U	1.0 U
trans-1,4-Dichloro-2-butene	110-57-6	--	--	--	--	--	--	--	1.0 U	1.0 U	1.0 U
Trichloroethene (TCE)	79-01-6	5.0 (A)	200 (X)	2,200	1.10E+06	ID	0.073 (M*,DD)	10 (DD)	1.0 U	1.0 U	1.0 U
Trichlorofluoromethane (CFC-11)	75-69-4	2,600	NA	1.10E+06 (S)	1.10E+06	ID	22	190	1.0 U	1.0 U	1.0 U
Vinyl chloride	75-01-4	2.0 (A)	13 (X)	1,100	2.76E+06	33,000	0.12 (M*,MM)	2.1 (MM)	1.0 U	1.0 U	1.0 U
Xylenes, meta- & para-	179601-23-1	--	--	--	--	--	--	--	2.0 U	2.0 U	2.0 U
Xylene, ortho-	95-47-6	--	--	--	--	--	--	--	1.0 U	1.0 U	1.0 U
Xylenes, Total	1330-20-7	280/10,000 (E)	49	1.90E+05 (S)	1.86E+05	70,000	75 (J)	2,000 (J)	3.0 U	3.0 U	3.0 U
Metals, Total	CAS Number										
Arsenic	7440-38-2	10 (A)	10	NLV	NA	ID	NA	NA	17	2.0	3.0
Barium (B)	7440-39-3	2,000 (A)	674 (G)	NLV	NA	ID	NA	NA	22	10	10
Cadmium (B)	7440-43-9	5.0 (A)	3.0 (G,X)	NLV	NA	ID	NA	NA	0.90	0.5 U	0.5 U
Chromium, Total (B,H)	7440-47-3	100 (A)	11	NLV	NA	ID	NA	NA	8.0	5.0 U	5.0 U
Copper (B)	7440-50-8	1,000/1,400 (E)	13 (G)	NLV	NA	ID	NA	NA	21	7.0	7.0
Lead (B)	7439-92-1	4.0 (L)	34 (G,X)	NLV	NA	ID	NA	NA	7.0	4.0	4.0
Mercury (Total) (B)	7439-97-6	2.0 (A)	0.0013	56 (S)	56	ID	0.088	2.5	0.2 U	0.2 U	0.2 U
Selenium (B)	7782-49-2	50 (A)	5.0	NLV	NA	ID	NA	NA	5.0 U	5.0 U	5.0 U
Silver (B)	7440-22-4	34	0.20 (M); 0.060	NLV	NA	ID	NA	NA	0.5 U	0.5 U	0.5 U
Zinc (B)	7440-66-6	2,400	167 (G)	NLV	NA	ID	NA	NA	38	7.0	7.0

Table 2 - Groundwater Data Summary

1500 Kooiman Street (Parcel 70-03-28-301-019), Grand Haven, Michigan
 July 2024

Monitoring Location: Field Duplicate: Laboratory ID: Collection Date:		Residential DWC ⁽¹⁾	GSI Criteria ⁽¹⁾	Residential Groundwater VIAIC ⁽¹⁾	Water Solubility ⁽¹⁾	Flammability and Explosivity SL ⁽¹⁾	Residential GW- Shallow VIAIP SL ⁽²⁾	Residential GW- Not in Contact VIAIP SL ⁽²⁾	TMW-1 @0-5'	TMW-2 @0-5'	M-1-TMW @0-5' Dup of TMW-2
									S64669.08 07/29/24	S64669.09 07/29/24	S64669.10 07/29/24
Field Parameters	CAS Number										
Dissolved oxygen (DO) (mg/L)	--	ID	(EE)	ID	NA	NA	--	--	0.3	0.6	--
ORP (mV)	--	--	--	--	--	--	--	--	3.0	6.0	--
pH (SU)	--	<u>6.5 to 8.5 (E)</u>	<u>6.5 to 9.0</u>	ID	NA	NA	--	--	5.4	6.0	--
Specific conductance (µmhos/cm)	--	--	--	--	--	--	--	--	2,400	3,500	--
Temperature (°C)	--	--	--	--	--	--	--	--	20.4	20.7	--
Turbidity (NTU)	--	--	--	--	--	--	--	--	240	38	--

Results expressed in µg/L.

Bolded values indicate analyte detection.

Shaded values exceed an applicable criterion and/or screening level.

Underlined compounds classified as polynuclear aromatic compounds.

Data Qualifiers:

U Not detected above the given limit

Footnotes/Abbreviations:

⁽¹⁾ Part 201 Groundwater Generic Cleanup Criteria and Screening Levels, October 12, 2023.

⁽²⁾ Volatilization to Indoor Air Pathway Screening Levels; EGLE Guidance for the Vapor Intrusion Pathway, February, 2024.

⁽³⁾ Method 8260 is used for quantitation of volatile organics with boiling points below 200 °C. With boiling points >200 °C, 2-methylnaphthalene and naphthalene are better suited to analysis by Method 8270.

- (A) Criterion is the state of Michigan drinking water (DW) standard.
- (B) Background, as defined in R 299.5701(b), may be substituted if higher than the calculated criterion.
- (D) Calculated criterion exceeds 100%; hence it is reduced to 100%, or 1.00E+09 µg/L.
- (E) Aesthetic DW value. Notice of aesthetic impact may be employed as an institutional control if concentration exceeds the aesthetic DWC but not the health-based DW value (second value, if provided).
- (G) Criterion dependent on receiving surface water (SW) hardness; calculated criteria based on water hardness of 150 mg/L.
- (H) Data provided for total Chromium only; compare to hexavalent Chromium criteria. If both trivalent Chromium and hexavalent Chromium are present, the total concentration of both cannot exceed the DW criterion of 100 µg/L.
- (J) Substance may be present in several isomer forms. Isomer-specific concentrations shall be added together for comparison to criteria.
- (JT) Substance present in several isomer forms. The VIAIP SL may be used for the individual isomer provided that it is sole isomer detected; however, when multiple isomers are detected in a medium, the isomer-specific concentrations must be added together and compared to the most restrictive VIAIP SL of the detected isomers.
- (L) Concentrations up to the State action level of 15 µg/L may still allow for DW use if soil concentrations are below 400 mg/Kg.
- (M) Calculated criterion is below the analytical target detection limit (TDL), therefore, the criterion defaults to the TDL (first value is criterion, second value is the risk based or solubility value).
- (M*) The VIAIP SL may be below TDL. In accordance with Sec. 20120a(10) when the TDL for a hazardous substance is greater than the developed VIAIP SL, the TDL is used to evaluate the risk posed from the pathway.
- (S) Criterion defaults to the hazardous substance-specific water solubility limit.
- (W) Concentrations of trihalomethanes shall be added together to determine compliance with the Michigan DW standard of 80 µg/L.
- (X) Criterion is not protective for SW used as a DW source.
- (CC*) Insufficient chemical-physical input parameters have been identified to allow the development of a VIAIP SL using standard equations. The VIAIP SL for groundwater (GW) is developed based solely on the approach that the department uses for shallow GW. If GW detections are present, soil vapor may be the most appropriate media to evaluate risk.
- (DD) Hazardous substance causes developmental effects. Residential VIAIP SLs are protective of both prenatal exposure using a pregnant female receptor and postnatal exposure using a child receptor. Prenatal developmental effects may occur after an acute (i.e. short-term) or full-term exposure.
- (EE) Cold receiving waters ≥7,000 µg/L; Warm receiving waters ≥5,000 µg/L; Since a low level of DO can be harmful to aquatic life, the criterion represents a minimum level that on-site samples must exceed. Criteria are not applicable if GW Carbonaceous Biochemical Oxygen Demand (CBOD) is less than 10,000 µg/L and GW ammonia concentration is less than 2,000 µg/L.
- (EE*) The acceptable air concentration (AAC) for the volatile hazardous substance is not derived using standard equations. The hazardous substance may cause adverse human health effects for less than chronic exposures (i.e. short-term or acute). The AAC for this hazardous substance is the acute or intermediate minimum risk level (MRL) developed by the Agency for Toxic Substances and Disease Registry (ATSDR), a USEPA Integrated Risk Information System (IRIS) acute reference concentration, or an acute initial threshold screening level (ITSL)
- (FF*) The AAC for the volatile hazardous substances are based on toxicity values that have been identified to have the potential to cause adverse human health effects for less than chronic exposures (i.e. short-term or acute). The short-term exposure for shallow groundwater VIAIP SLs are based on modification of the standard equations by the department to develop applicable shallow groundwater VIAIP SLs.

(MM) Hazardous substance is a carcinogen with a mutagenic mode of action. The cancer potency values used in calculating VIAIP SLs are modified using age-dependent adjustment factors for those carcinogenic chemicals identified as mutagenic.

- DWC drinking water criterion
- GSI groundwater surface water interface
- ID Insufficient data to develop criterion.
- NA not available
- NLV Not likely to volatilize under most conditions.
- SL screening level

Appendix 4

BROWNFIELD REIMBURSEMENT AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 2025, (the “Agreement”), by and between the **CITY OF GRAND HAVEN BROWNFIELD REDEVELOPMENT AUTHORITY**, an authority established pursuant to Act 381 of the Public Acts of 1996, as amended, MCL 125.2651 et seq., (“Act 381”), with offices at 519 Washington Avenue, Grand Haven, Michigan 49417 (the “Authority”) and **KOOIMAN STORAGE, LLC**, a Michigan limited liability company, with offices at 600 Washington Avenue, Grand Haven, Michigan 49417 (“Developer”).

RECITALS

A. Pursuant to Act 381, the Authority has prepared a Brownfield Plan that was duly approved by the City Council of the City of Grand Haven (the “Brownfield Plan”).

B. The Developer intends to develop the currently vacant 1.14 acres property located at 1500 Kooiman Avenue in the City of Grand Haven, which property is legally described on the attached **Exhibit A** (“Property”). The Property is included in the Brownfield Plan as a “facility” and “eligible property” due to the presence of contaminated soil/groundwater on a portion of the Property as described in the Brownfield Plan and is therefore commonly referred to as a “brownfield.”

C. The Developer plans to redevelop the site to include construction of up to 12 condominium style storage units approximately 1,200 sq. ft. in size. The potential exists that seven of the units could be utilized by a local business for light manufacturing as well. The Project is expected to increase the tax base within the City of Grand Haven (“City”), and otherwise enhance the economic vitality and quality of life within the City. The Developer acknowledges the Authority relied on the investment in the Project as consideration for the benefits extended under this Agreement.

D. Act 381 permits the use of the real and personal property tax revenues generated from the increase in value to brownfield sites constituting “eligible property” under Act 381 resulting from their redevelopment to pay or reimburse the payment of costs of conducting activities that meet the requirements under Act 381 of “eligible activities” and permits the reimbursement to the property owner or developer of such Eligible Costs incurred by the property owner or developer. Act 381 also permits the reimbursement of the costs to prepare a brownfield plan for “eligible property” (“Brownfield Plan Costs”).

E. In order to complete the Project on the Property, the Developer will incur costs associated with Eligible Activities—environmental due diligence assessment reports, contaminated soil removal and disposal, site preparation activities, public infrastructure improvements, Brownfield Plan preparation costs, each of which will also include environmental consultant oversight and management (the “Eligible Costs”). The estimated Developer Eligible Costs, shall not exceed the sum of \$532,250. The Eligible Costs for the project are set forth on the attached **Exhibit B**.

F. In accordance with Act 381 and the Brownfield Plan, the parties desire to use the property tax revenues generated from an increase in the taxable value of the Property resulting from its development (“Tax Increment Revenues”) to reimburse the Developer for Eligible Costs.

G. The parties are entering into this Agreement to establish the procedure for the reimbursement from Tax Increment Revenues under Act 381.

NOW, THEREFORE, the parties agree with each other as follows:

1. The Plan

(a) Developer’s Brownfield Plan, which the Authority approved on November 4, 2024, and the City Council approved on _____, is attached hereto as **Exhibit C** and incorporated herein. To the extent provisions of the Plan conflict with this Agreement, the terms

and conditions of this Agreement control. To the extent provisions of the Plan or this Agreement conflicts with the Act, the Act controls.

(b) Unless the parties agree otherwise, the Developer shall complete the Improvements by December 31, 2025.

2. Term of Agreement

Per the Brownfield Plan, the Authority shall capture the Tax Increment Revenues generated from local and school taxes (as applicable) imposed on the Property until the later of: (i) December 31, 2044; or (ii) the date on which Developer receives full payment of the Eligible Costs under paragraph 6. If this Agreement ends before the payment of all Eligible Costs, the last tax payment by the Authority shall be the summer and winter taxes distributed during the final year of this Agreement. Any amounts captured in excess of the Eligible Costs will be paid into the Local Brownfield Revolving Fund, to the extent allowed by Section 8 of Act 381.

The Local Tax Increment Revenues received by the Authority shall be paid to the Developer to reimburse it for Eligible Costs. Local Tax Increment Revenues generated from the Property shall first be retained by the Authority in an amount equal to 10 percent of the annual Tax Increment Revenues up to the maximum amount allowed annually for Administrative Costs under Act 381 for all Authority projects. After retention of such Local Tax Increment Revenues, Project Tax Increment Revenues shall be used to reimburse the Developer for Eligible Costs, *provided, however*, if Developer has not paid professional fees and costs (legal, environmental, etc.) incurred by the Authority related to Developer's request to use Project Tax Increment Revenues to reimburse it for Eligible Costs within 30 days of being invoiced for such costs, the Authority is authorized to pay such costs from Project Tax Increment Revenues before such Project Tax Increment Revenues are used to reimburse Developer. The amount of Project Tax Increment Revenues used to pay such costs shall be subtracted from Developer total Eligible Costs and

Developer shall not be entitled to reimbursement of such amount. The Authority will reimburse the Developer for Eligible Costs from Tax Increment Revenues captured for six full tax years after the date that the Developer receives a certificate of occupancy.

3. Eligible Activities

The Authority recognizes that before the date of this Agreement, Developer may have initiated activities that may be submitted with a Request for Cost Reimbursement for Eligible Activities. The Developer shall diligently pursue completion of the Eligible Activities set forth in the Plan. The Developer will be reimbursed for Eligible Costs incurred before this Agreement only if permitted under Act 381.

4. Reimbursement Source

During the term of this Agreement (unless limited by Paragraph 1(b) and except as set forth in Paragraph 5 below), the Developer shall be reimbursed for its Eligible Costs from the Tax Increment Revenues collected from local taxes and school taxes (as applicable) imposed on the Property (including both real and personal property) in accordance with the Brownfield Plan.

5. Transfer of Ownership

Notwithstanding the transfer of the Property, the Authority will pay reimbursements solely to the Developer unless (a) the Developer pledges or assigns the right to reimbursement to a transferee and the City receives notice by or on behalf of the Developer directing payment to a transferee prior to payment or (b) as otherwise required by law. All administrative and out-of-pocket costs (including attorneys' fees) incurred by the Authority in connection with the sale or transfer of the Property during the term of the Agreement shall be reimbursed to the Authority with Tax Increment Revenues as a condition of approval.

6. Reimbursement Process

(a) Subject to any limitation set forth in paragraph 1(b), the Developer may submit no more frequently than a semi-annual basis to the Authority Requests for Cost Reimbursement for Eligible Activities paid by the Developer through the end of the prior period. This request shall be in the form attached hereto as **Exhibit D** (“Petition”). The Petition shall identify whether the activities are Eligible Activities permitted under Section 2(o) of the Act. The Petition shall describe each individual activity claimed as an Eligible Activity and the associated costs of each individual activity. Documentation of the costs incurred shall be included with the Petition including proof of payment and detailed invoices for the costs incurred sufficient to determine whether the costs incurred were for Eligible Activities. The Petition shall be signed by a duly authorized representative of Developer and the representations, facts, and documentation included therein shall be sworn to as accurate in the presence of a notary. In the event the Eligible Activities and Costs for which the Developer seeks reimbursement have been rendered by a related party or entity, the Authority may request documentation to substantiate the reasonableness of such costs prior to reimbursement. A final Request for Cost Reimbursement shall be submitted to the Authority no later than 120 days following issuance of a final unconditional certificate of occupancy for the entire building/units.

(b) Petitions shall be reviewed by the Authority within 60 days after receipt of the Petition by the Authority. The Developer shall cooperate in the review by the Authority by providing information and documentation to supplement the Petition as deemed reasonable and necessary by the Authority. The Authority shall identify in writing to Developer any costs deemed ineligible for reimbursement and the basis for the determination. Developer shall be given 45 days in which to provide supplemental information or documents in support of a request for cost reimbursement deemed ineligible by the Authority. Thereafter, except as otherwise agreed to in

writing by Developer and Authority, the Authority shall make a final decision on the eligibility of the disputed cost and inform the Developer of its determination, which decision shall be binding upon Developer.

(c) Twice a year, after the summer and winter taxes are captured and collected on the Property, the Authority shall pay approved costs for Eligible Activities to the Developer from the taxes captured in accordance with the Plan and Paragraph 4 of this Agreement to the extent that taxes have been captured and are available in that fiscal year to reimburse approved costs of Eligible Activities. No reimbursement shall be paid to Developer if the Developer is delinquent in the payment of real or personal property taxes on the property. Payments to the Developer shall be suspended if Developer files a property tax appeal with the Michigan Tax Tribunal regarding the valuation of the real or personal property assessment on the Property during the term of the tax appeal. Payments shall resume after a decision is issued by the Michigan Tax Tribunal. The Developer shall not be reimbursed for any Eligible Costs and Activities incurred after any deadlines set forth in paragraph 1(b) and the last sentence of paragraph 6(a).

(d) To the extent there are funds available from taxes captured from the sources identified in Paragraph 4, the Authority shall make repayment obligations to Developer.

(e) Reimbursement of Costs of Eligible Activities shall be effectuated to Developer with:

Checks shall be payable to: Kooiman Storage, LLC
Delivered to the following address: 600 Washington Avenue
Grand Haven, Michigan 49417
By mail

7. Legislative Authorization

This Agreement is governed by and subject to the restrictions set forth in the Act. In the event there is legislation enacted in the future which alters or affects the amount of Tax Increment

Revenues subject to capture, Eligible Properties, or Eligible Activities, then the Developer's rights and the Authority's obligations under this Agreement may be modified accordingly by agreement of the parties.

8. Freedom of Information Act

Developer stipulates that all Petitions and documentation submitted by Developer shall be open to the public under the Freedom of Information Act, Act No. 442 of the Public Acts of 1976, being Sections 15.23 to 15.24 of the Michigan Compiled Laws and no claim of trade secrets or other privilege or exception to the Freedom of Information Act will be claimed by Petitioners as it relates to this Agreement, Petitions for Reimbursement and supporting documentation.

9. Plan Modification.

The Plan and this Agreement may be modified to the extent allowed under the Act by mutual agreement of the Parties affected by the modification.

10. Notices

All notices shall be given by registered or certified mail addressed to the parties at their respective addresses as shown below their respective signatures to this Agreement. Either party may change the address by written notice sent by registered or certified mail to the other party.

11. Assignment

This Agreement and the rights and obligations under this Agreement shall not be assigned or otherwise transferred by any party without the consent of the other party, which shall not be unreasonably withheld; provided, however, the Developer may assign its interest in this Agreement to an affiliate without the prior written consent of the Authority, provided any such assignee shall acknowledge to the Authority in writing on or prior to the effective date of such assignment its obligations upon assignment under this Agreement; provided further, that the Developer may make a collateral assignment of the Tax Increment Revenues after review of such

assignment and approval of the City's Finance Director. As used in this paragraph, "affiliate" means any corporation, company, partnership, limited liability company, trust, sole proprietorship or other individual or entity which (a) is owned or controlled by the Developer, (b) owns or controls the Developer or (c) is under common ownership or control with the Developer. This Agreement shall be binding upon any successors or permitted assigns of the parties.

12. Entire Agreement

This Agreement supersedes all agreements previously made between the parties relating to the subject matter. There are no other understandings or agreements between them.

13. Non-waiver

No delay or failure by either party to exercise any right under this Agreement, and no partial or single exercise of that right, shall constitute a waiver of that or any other right, unless otherwise expressly provided herein.

14. Headings

Headings in this Agreement are for convenience only and shall not be used to interpret or construe its provisions.

15. Governing Law

This Agreement shall be construed in accordance with and governed by the laws of the State of Michigan.

16. Counterparts

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

17. Binding Effect

The provisions of this Agreement shall be binding upon and inure to the benefit of each of the parties and their respective heirs, legal representatives, successors, and assigns.

In witness whereof, the parties have executed this Agreement as of the day and date first written above.

{Signatures on next page}

**CITY OF GRAND HAVEN BROWNFIELD
REDEVELOPMENT AUTHORITY**

By: _____
Jim Bonamy, Chairperson

Address: 519 Washington Avenue
Grand Haven, Michigan 49417

KOOIMAN STORAGE, LLC

By: _____
Mike Westra, Member

Address: 600 Washington Avenue
Grand Haven, Michigan 49417

Exhibit A

Property Legal Description

Property Address: 1500 Kooiman Avenue, Grand Haven, MI 49417

Parcel Number: 70-03-28-301-019

PART SW 1/4 COM N SEC LI AND E LI KOOIMAN ST, TH S 734.1 FT TO PT OF BEG, TH CONT S 219.9 FT, E 212.84 FT, N 224.83 FT ALG ROW C&O RR, TH W 213.3 FT M/L TO BEG. SEC 28 T8N R16W

Exhibit B

Eligible Costs

Table 1 – Summary of Eligible Costs

Act 381 Brownfield Plan

Kooiman, Grand Haven

EGLE Eligible Activities Costs and Schedule		
EGLE Eligible Activities	Cost	Completion Season/Year
Pre-Approved Environmental Activities	\$ 23,500	
<i>Phase I ESA/Phase II ESA</i>	\$ 17,500	Fall 2024
<i>BEA/DDCCR</i>	\$ 6,000	Fall 2024
Due Care Activities	\$ 252,000	
<i>Contaminated Soil Removal*</i>	\$ 252,000	Winter 2024/Spring 2025
EGLE Eligible Activities Subtotal	\$ 275,500	
Contingency (15%)*	\$ 37,800	
Brownfield Plan/Work Plan Preparation	\$ 10,000	
Brownfield Plan/Work Plan Implementation	\$ 10,000	
EGLE Eligible Activities Total Costs	\$ 333,300	
*Eligible activities for contingency calculation		
MEDC Eligible Activities Costs and Schedule		
MEDC Eligible Activities	Cost	Completion Season/Year
Public Infrastructure Improvements	\$ 65,000	
<i>Urban Storm Water Management System (Traditional and Low Impact)</i>	\$ 65,000	Winter 2024/Spring 2025
Site Preparation	\$ 108,000	
<i>Cut & Fill Operations</i>	\$ 22,000	Winter 2024/Spring 2025
<i>Fill</i>	\$ 65,000	Winter 2024/Spring 2025
<i>Grading</i>	\$ 8,000	Winter 2024/Spring 2025
<i>Staking</i>	\$ 3,000	Winter 2024/Spring 2025
<i>Temporary Construction Access and/or Roads</i>	\$ 4,000	Winter 2024/Spring 2025
<i>Geotechnical Engineering</i>	\$ 6,000	Winter 2024/Spring 2025
MEDC Eligible Activities Subtotal	\$ 173,000	
Contingency (15%)*	\$ 25,950	
MEDC Eligible Activities Total Costs	\$ 198,950	
*Eligible activities for contingency calculation		

Exhibit C

Brownfield Plan

Exhibit D

Eligible Cost Petition

1500 Kooiman Incentives Request Review

Prepared on Behalf of: The City of Grand Haven

SECTION 1

Project Overview

EXECUTIVE SUMMARY

SCOPE

- The City of Grand Haven (“Grand Haven”) engaged Plante Moran Realpoint (“PMR”) to provide third-party support for an amendment by 815 Verhoeks St, LLC (the “Sponsor”) for Brownfield reimbursement to support the decontamination and clean-up of a 1.14-acre site, located at 1500 Kooiman (“Project”), that has been underutilized for approximately 50 years into a single-story, approx. 17,000 sf self-storage building with 12 units. PMR has reviewed the following items provided by the Sponsor:
 - Project financials including development cost assumptions and estimated sale proceeds
 - Project plans, narrative, site plans, and programming
 - Available due diligence studies

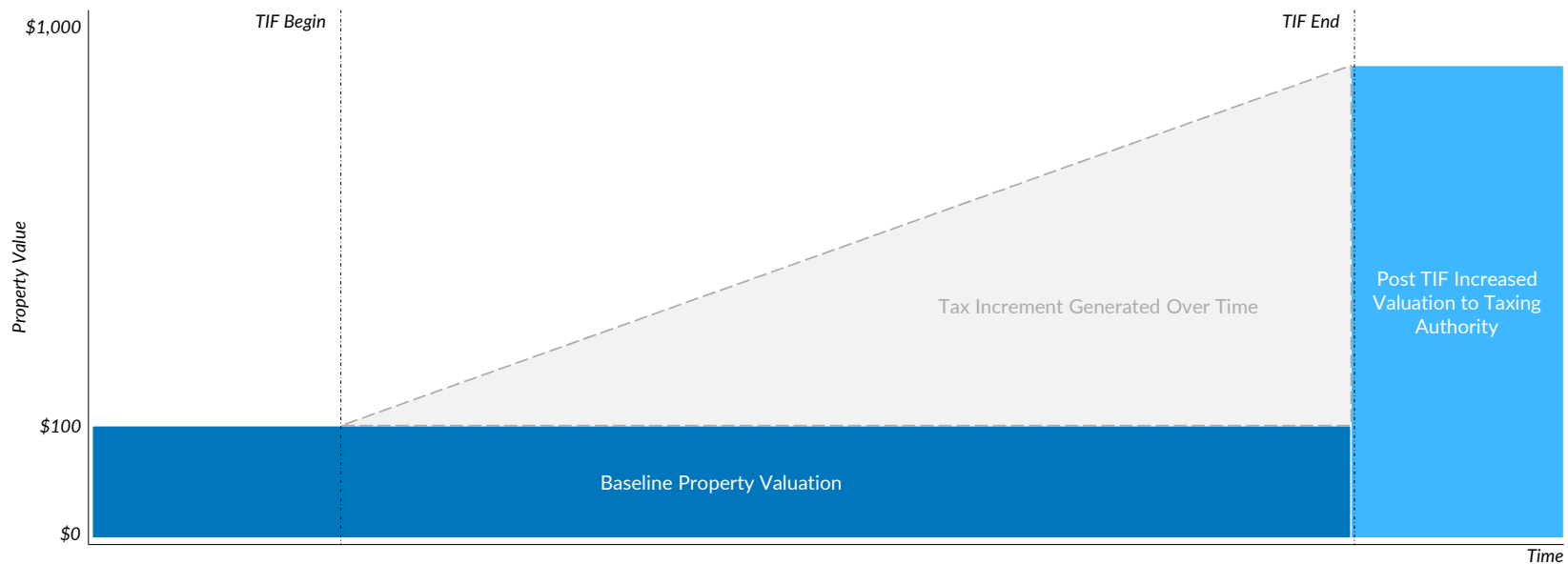
METHODOLOGY & FINDINGS

1. PMR utilized the developer-provided financial assumptions to analyze a conservative and optimistic scenario vs. the base set of sponsor assumptions to understand impact of variances in project assumptions
2. PMR made best efforts and relevant market data to understand key assumptions such as contributed land value, sale proceeds, etc. used by the Sponsor
3. Based off the provided information, PMR recommends that Grand Haven approve the requested TIF Application as approved by the City of Grand Haven Brownfield Redevelopment Authority on November 4, 2024

BROWNFIELD TAX INCREMENT FINANCING (TIF)

WHAT IS A BROWNFIELD TIF?

- A Brownfield Tax Increment Financing (TIF) is a financial tool used to encourage the redevelopment of brownfield sites, which are properties that may be contaminated, blighted, or otherwise underutilized. The process helps make redevelopment projects financially viable by offsetting the additional costs of dealing with brownfield conditions. Here's how it works:
 1. **Redevelopment and Increased Value:** When a brownfield site is redeveloped, its value typically increases
 2. **Tax Increment:** This increase in value leads to higher property taxes. The difference between the old tax revenue and the new, higher tax revenue is called the "tax increment"
 3. **Capturing the Increment:** The tax increment is captured by a local Brownfield Redevelopment Authority (BRA) and used to reimburse the developer for eligible costs associated with cleaning up and redeveloping the site



PROJECT SUMMARY

PROJECT RATIONALE

- The property is currently a wooded parcel that has been vacant for approximately 50 years, which previously was used in the agricultural industry
- The Sponsor believes Grand Haven has a need for additional self storage and the development of the parcel would increase the tax base of the municipality
- This property needs clean up as it contains contamination including selenium, arsenic, copper, and lead

SPONSOR

The Sponsors of this deal are Mike Westra, Terry French, and Denny Dryer. Combined, the three have over 100 years of engineering, construction, and architectural experience.

- Mike Westra is a retired electrical engineer who previously worked for 30 years at Challenge Machinery Company. 1500 Kooiman will be his third self storage project with the development team.
- Terry French is a licensed contractor and residential homebuilder who has been active in the West Michigan construction industry for over 30 years. 1500 Kooiman will add to the list of various projects Terry has completed over the years including several commercial buildings, single family homes, storage, and live-work facilities. 1500 Kooiman will be his third project with the development team
- Denny Dryer is a registered architect with construction experience that has been active in Grand Haven, Holland, Muskegon, Ann Arbor, and Grand Rapids for over 50 years. Denny has a Masters of Architecture degree (U of M), B.S. (Architecture) degree (U of M), B.S. (Civil Engineering) degree (U of M), and B.S. (Physics) degree (GVSU). Denny has a variety of experience designing different types of structures. This will be Denny's fifth project that falls into the self storage, live-work, and "Man Cave" category. 1500 Kooiman will be his third project with this development team.

KEY DOCUMENTS RECEIVED

PMR received the following documents from the Sponsor and were relied upon for this report:

1. Sponsor pro forma, including cost estimates of development, project comparables, and project projected sale values
2. Sponsor Brownfield Application, Brownfield Plan, and First Amendment to Brownfield Plan
3. Executed Land Purchase agreement and Amendment
4. Team bios

PROJECT SUMMARY

PROGRAM SUMMARY

Total Project Cost	\$41.7 million	
Units	#	Sq Ft
Storage Units - 1248 SF	8	9,984
Storage Units - 1728 SF	4	6,912
Total Units	12	16,896
Total Acreage	1.14	Acres

Completed Phase 1 & 2



SPONSOR SOURCES AND USES

<u>Uses</u>	<u>\$</u>	<u>Sources</u>	<u>\$</u>	<u>Comments</u>
Acquisition	\$230,000	Equity	\$2,905,800	Per Sponsor, Project will be privately funded with equity
Hard Cost	\$2,498,300			
Soft Costs	\$177,500			
Total	\$2,905,800	Total	\$2,905,800	

SECTION 2

Assumption Review

Assumption Review

<u>SOURCES</u>	<u>SPONSOR PROVIDED</u>	<u>PMR CONSERVATIVE</u>	<u>PMR OPTIMISTIC</u>	<u>COMMENTARY</u>
Owner Equity	\$2,905,800	\$2,905,800	\$2,668,051	Per Sponsor units the only capital in the deal is Sponsor equity
USES				
Acquisition	\$230,000	\$230,000	\$230,000	Per Purchase Agreement and 1 st amendment provided by Sponsor
Hard Costs	\$2,284,300	\$2,284,300	\$2,081,336	Average construction cost of 815 Verhoeks was of \$150k/unit, optimistic case assumes Sponsor can replicate that cost, with 5% annual construction cost escalations
Soft Costs	\$391,500	\$391,500	\$356,714	Soft costs in optimistic scenario match the percentage of hard costs in the Sponsor pro forma
Total Uses	\$2,905,800	\$2,905,800	\$2,668,051	
AVERAGE SPONSOR RETURNS				
Total Sale Proceeds (Net)	\$3,100,000	\$3,049,728	\$3,354,701	\$190/sf average sale price at 815 Verhoeks in 2022 used as the conservative estimate. Sponsor pro forma did not include sales closing costs, while PMR cases include 5% for broker commission, transfer taxes, and legal/title costs.
Profit	\$194,200	\$143,928	\$686,650	= Sales Proceeds – Total Project Cost
Unleveraged Returns				
Return on Cost (w/ TIF)	1.25x	1.23x	1.46x	= (Sales Proceeds + TIF Proceeds)/Total Project Cost. \$532,250 total TIF Reimbursement
Return on Cost (w/o TIF)	1.07x	1.05x	1.26x	= Sales Proceeds/Total Project Cost

SECTION 3

Findings

PMR Findings – Summary of Project Financials and Need for Support

ACQUISITION AND DEVELOPMENT

1. Land acquisition price of \$230k is supported both by a percentage of total project cost as well as an extended closing timeline, where an alternate purchaser could have materialized if the price was not reasonable
2. Project budget, as presented, is very high-level without a sufficient line-item breakdown to substantiate costs.
3. The development team appears to be qualified to undertake the proposed project, given their experience with similar product, work to-date in assembling the Brownfield Plan, and generally demonstrated knowledge of the local market and product type
4. Brownfield Plan Amendment cites total private investment of \$1.2 million, which is far less than Sponsor pro forma

PROFITABILITY AND DISPOSITION

1. The Sponsor pro forma estimates the following prices for each unit type. These estimates are generally supported by the Sponsor's prior project at 815 Verhoeks where they constructed 15 commercial storage units and 9 residential live/work units in 2023-24.
 - 8 - 1,248 sf units - \$250,000 each
 - 4 - 1,728 sf units - \$275,000 each
 - 815 Verhoeks sold all its units in 2022, at an average price of \$205k
2. Sponsor pro forma does not include any sales/closing costs related the disposition of the condominium units. Total disposition costs of 2-5% should be included in revised models.
3. Sponsor pro forma profit margin of <7% is not sufficient for a market participant to pursue a project similar to this one, justifying the need for the requested Brownfield TIF
 - While PMR found the Sponsor sales proceeds projections overly conservative when compared to sales of similar product developed by Sponsor, the PMR return on cost range without TIF of 1.05-1.26x still supports the requested TIF

pmrealpoint.com

3000 Town Center, Suite 100
Southfield, MI 48075
(248) 223-3500

**CITY OF GRAND HAVEN
519 WASHINGTON AVENUE
GRAND HAVEN, MICHIGAN**

RESOLUTION APPROVING A BROWNFIELD PLAN

**FOR THE 1500 KOOIMAN PROJECT
LOCATED ON PARCEL #70-03-28-301-019 GRAND HAVEN, MICHIGAN
PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE
PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED**

At a meeting of the City of Grand Haven City Council, Ottawa County, Michigan, on the 21st day of January, 2025, at 7:30 p.m.

PRESENT:

ABSENT:

MOTION BY:

SUPPORTED BY:

WHEREAS, the Brownfield Redevelopment Authority (the “Authority”) of the City of Grand Haven, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the “Act”), has prepared and recommended for approval by the City Council a Brownfield Plan (the “Plan”) pursuant to and in accordance with Section 13 of the Act; and

WHEREAS, the Authority has, at least ten (10) days before the meeting of the City Council at which this resolution has been considered, provided notice to and fully informed all Taxing Jurisdictions (the “Taxing Jurisdictions”) which are affected by the financing plan about the fiscal and economic implications of the proposed financing plan, and the City Council has previously provided to the Taxing Jurisdictions a reasonable opportunity to express their views and recommendations regarding the financing plan and in accordance with Sections 13 and 14 of the Act; and

WHEREAS, the City Council has made the following determinations and findings:

- A. The Plan constitutes a public purpose under the Act;
- B. The Plan meets all of the requirements for a Brownfield Plan Amendment set forth in Section 13 of the Act;
- C. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the owner and/or developer of the eligible property which is included in the Plan shall finance all eligible activities under the Plan and the Authority shall not issue any notes or bonds related to this Plan;

- D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;
- E. The amount of captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, as a result of its review of the Plan and upon consideration of the views and recommendations of the Taxing Jurisdictions, the City Council desires to proceed with approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. **Plan Approved.** Pursuant to the authority vested in the City Council by the Act, and pursuant to and in accordance with the provisions of Section 14 of the Act, the Plan is hereby approved in the form attached as Exhibit “A” to this Resolution.
2. **Severability.** Should any section, clause or phrase of this Resolution be declared by the Courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
3. **Repeals.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed:

AYES:

NAYES:

ABSTAINED:

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) ss.
 COUNTY OF _____)

I, the undersigned, the duly qualified and acting Clerk of the City of Grand Haven, County of Ottawa, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Grand Haven at a regular meeting held on the 21st day of January, 2025, the original of which resolution is on file in my office.

IT WITNESS WHEREOF, I have hereunto set my official signature, this _____ day of January, 2025.

 Maria Boersma, City Clerk

CITY OF GRAND HAVEN

Planning Department

519 Washington Ave
Grand Haven, MI 49417
Phone: (616) 935-3276



TO: Ashley Latsch, City Manager

FROM: Brian Urquhart, City Planner

DATE: January 10, 2025

SUBJECT: Removal Sensitive Area Overlay on parcel #70-03-21-328-031 – 2nd reading

Background

Parcel #70-03-21-328-031 is a 2.08-acre undeveloped parcel within the Neighborhood Mixed-Use District with frontage off Fulton Ave. Single family homes, Breakaway Bicycle, Haven Animal Hospital, Jeske Pool and the Salvation Army Offices are adjacent to this parcel.

In June 2024, the development team from the Salvation Army presented a preliminary plan for a housing development on the parcel. The development team claimed the site is presently overgrown brush and not a wetland. In addition, they assert the sensitive area overlay zoning district precludes housing development of the site. Neighborhood Mixed-Use permits multiple-family dwellings by right. Later this summer, the Salvation Army collaborated with the Dwelling Place to pursue Sensitive Area Overlay removal.

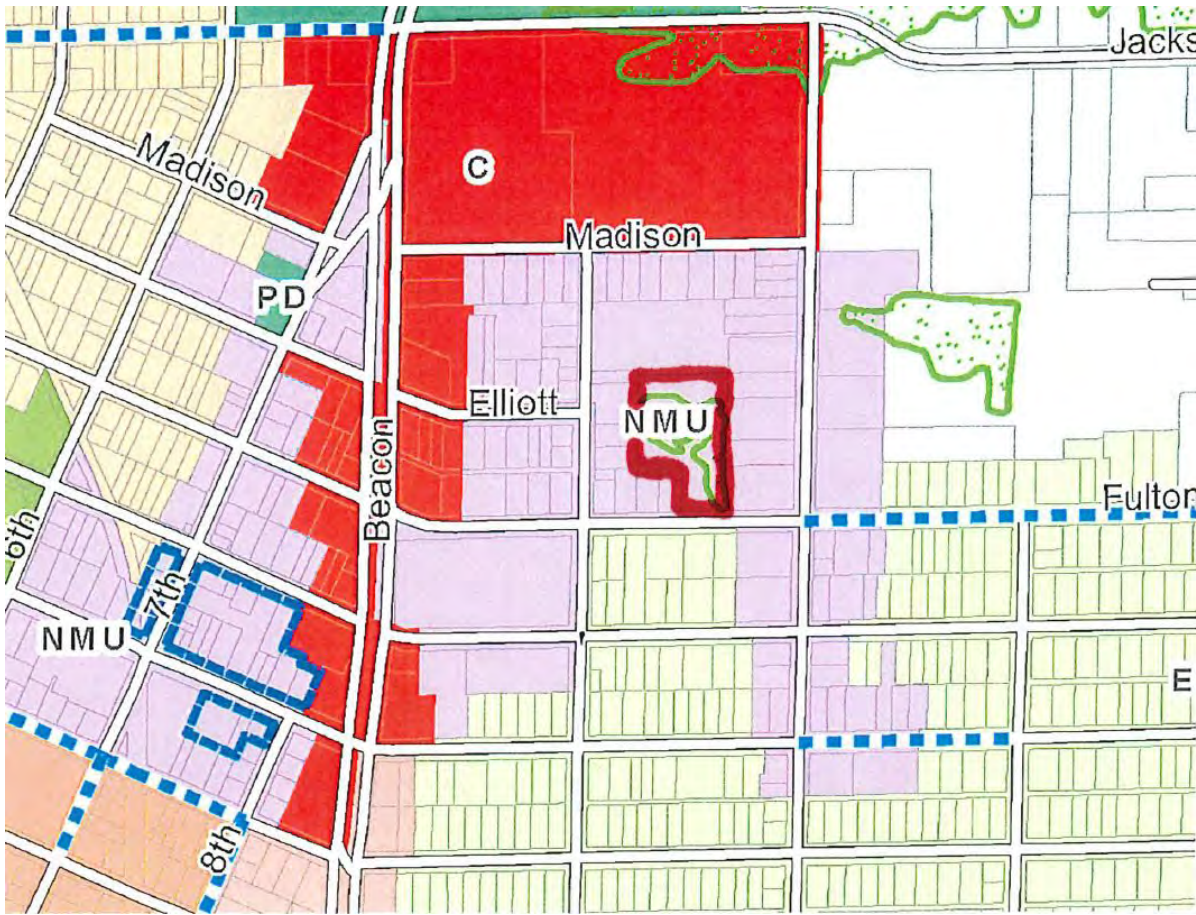
Planning Commission action

Recently, Dwelling Place obtained an option on the property, and consulted with an environmental consultant, TriTerra, to perform a Wetland Delineation Report. In November, pursuant to [Sec. 40-422.06](#), the Planning Commission determined there was enough information in the Wetland Delineation Report to schedule a public hearing and reconsider the locally regulated wetland within the sensitive area. The wetland report described the property as undesirable wetland area, comprised of overgrown and shrub trees. Dwelling Place also noted the land surrounding the property was built up over time, and the wetland was never connected to a body of water of any kind. The applicant stated removing the sensitive area overlay would be appropriate, because no natural wetland of any kind previously existed on the parcel.

The applicant requested the Planning Commission make a recommendation to City Council to remove the sensitive area overlay zoning designation. According to [Sec. 40-422.02.B](#), a wetland is determined to be sensitive because it “provides flood and storm control, wildlife habitat, pollution treatment, water recharge and storage area, benefits to water quality, and erosion control”. Historical records and institutional knowledge have identified the land as a former celery field.

A public hearing was held on December 10th, and the majority of public comments were not in favor of removing the sensitive area overlay. Some public comments were focused on the proposed housing layout, which was included in the packet, but not directly related to the request. After the public hearing and reviewing the application, the Planning Commission unanimously recommended approval to remove the Sensitive Area Overlay designation from parcel #70-03-21-328-031, based on the fact the parcel no longer needed to be designated as a locally sensitive area.

CURRENT ZONING MAP



Parcel #70-03-21-328-031 is outlined in Red

Please keep in mind when the zoning ordinance was adopted to include the sensitive area overlay district, an option for the City to reconsider the designation was always available to implement. The Planning Commission feels confident the recommendation to remove the Sensitive Area Overlay designation is based on competent facts and findings listed in the Wetland Delineation Report.

The request is also not a site plan review. A concept plan was included in the applicant's submittal materials for reference only. Council is only being asked to consider removing the local regulation of a Sensitive Area Overlay on the zoning map.

At the January 6th meeting, City Council agreed to move the ordinance on to the next meeting for final adoption. Any public comments made at the meeting were in favor of the rezoning request.

City Council Action

This is a 2nd reading and will be voted adoption at the January 21st City Council meeting.

Attachments:

Zoning ordinance amendment, rezoning application, December 10th PC meeting minutes, Wetland Report dated August 2024, Limited Scope Environmental Report

REQUEST FOR ZONING CHANGE APPLICATION
 Community Development Department, City of Grand Haven
 519 Washington Avenue, Grand Haven, MI 49417
 Phone: (616) 935-3276 Website: www.grandhaven.org

1. General Information (if the proposed amendment is a map amendment, aka rezoning)
 Address/location of property: *Please see Exhibit A included with application

Parcel #: 70-03-21-328-031 and 70-03-21-328-022 Master Plan designation: Traditional Neighborhood Mixed Use
 Current Use: Undeveloped Land Proposed Use: Residential Housing
 Existing Zoning: Sensitive Area Overlay Area in Acres: 2.09
 Proposed Zoning: Neighborhood Mixed Use - Remove SAO Area in Acres: .20

2. Owner

Name: The Salvation Army
 Address: PO Box 181
Grand Haven, MI 49417
 Phone #: 616 842 3380
 Email: _____

3. Applicant

Name: Jacob Horner Address: 101
Sheldon BLVD SE, Suite 2
Grand Rapids MI 49503
 Phone #: 517 230 4497
 Email: jhorner@dpgr.org

4. Required Attachments

- PDF + 5 copies of application
- Property deed (rezoning)
- Plat or sketch (rezoning)
- Justification for request (see sec. 40-121 on page 2)
- Power of attorney (if applicable)
- Existing and proposed section language from Zoning Ordinance (if the proposed amendment is a text amendment)

5. Fees and Escrow Deposit

Application Fee: \$400

A deposit of \$1,500 shall be collected for all Planning Commission and Zoning Board of Appeals cases where it is expected that costs above staff time and one public hearing publication will be incurred. These expenses include additional public hearing notifications, attorney fees, engineering or surveying fees, or other special studies. Should expenses total more than the deposit, the applicant will be billed by the City for the additional costs, or additional escrow payment shall be required to complete the Planning Commission or Zoning Board of Appeals process. Should expenses total less than the deposit received, excess amounts shall be returned to the applicant.

Petition will not be accepted without signature of legal owner or official agent (attach power of attorney).

Signature of Proposed Owner: _____ Date: 11/21/24

Print Name: Jacob Horner

Signature of Applicant: _____ Date: 11/27/24

Print Name: Jacob Horner

<i>Office Use Only</i>		
Case #: _____	Date Received: _____	Fee: _____
Date of City Council Approval: _____		





1375 S. Washington Avenue, Suite 100
Lansing, Michigan 48910
517-702-0470
Fax 517-702-0477
www.triterra.us

August 19, 2024
(24-3775)

Dwelling Place of Grand Rapids, Inc.
109 Sheldon Ave Se, Suite 109
Grand Rapids MI, 49503

SUBJECT: *Routine Wetland Delineation Report*
VL Fulton St, Grand Haven, Michigan 49417
Parcel Tax ID 70-03-21-328-031

Triterra was retained to complete routine wetland delineation services on an approximately 2.09-acre tract of undeveloped land located north of Fulton Street and east of N. Despelder Street in Grand Haven (Ottawa County), Michigan (the Property). The Property is located in an area primarily developed for residential and commercial purposes. The Property location, approximate Property boundary, and delineated wetland are depicted in Figure 1.

Michigan's wetland statute, Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, defines a wetland as "land characterized by the presence of water at a frequency and duration sufficient to support, and that under *normal circumstances** does support, wetland vegetation or aquatic life, and is commonly referred to as a bog, swamp, or marsh." The definition applies to public and private lands regardless of zoning or ownership.

The routine wetland delineation was conducted in accordance with the requirements described in Part 303, Wetlands Protection, of NREPA, 1994 PA 451, as amended, Rule 4 (1), and the Wetland Identification and Assessment (R 281.924), of the Administrative Rules for Part 303, and procedures identified in the USACE Wetlands Delineation Manual (Technical Report Y-87-1) and applicable regional supplement: Northcentral and Northeast (ERDC/EL TR-12-1)

Executive Summary

Triterra identified one combination emergent and forested wetland "Wetland A" (>0.81 acres), located in the central portion of the Property. In Triterra's professional opinion, Wetland A does not meet the requirements of a wetland regulated under Part 303 of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451. Wetland A appears to be located greater than 1,500 feet southwest of the Grand River.

What is a Wetland?

According to the USACE *Wetlands Delineation Manual* (Technical Report Y-87-1), wetlands have the following general diagnostic environmental characteristics [under normal circumstances*]:

- Inundated or saturated soil conditions resulting from permanent or periodic inundation by ground water or surface water (for at least 5% of the growing season),
- Soils are present and have been classified as hydric, or they possess characteristics that are associated with reducing soil conditions, and
- A prevalence of vegetation that are adapted to areas having hydrologic and soil conditions described above. Hydrophytic species, due to morphological, physiological, and/or reproductive adaptation(s), have the ability to grow, effectively compete, reproduce, and/or persist in anaerobic soil conditions.

*Normal Circumstances has been further defined as “the soil and hydrologic conditions that are normally present, without regard to whether the vegetation has been inadvertently or purposely removed or altered as a result of recent natural events or human activities. Other examples of human alterations that may affect wetlands are draining, ditching, levees, deposition of fill, irrigation, and impoundments.”

Wetlands Regulated under Part 303

Wetlands at the Property are regulated by EGLE under Part 303, a federally authorized Section 404 program consistent with the requirements of the Clean Water Act (33 U.S.C. 1344), if the wetlands meet one or more of the following requirements:

- Located within 1,000 feet of or hydrologically connected to* of one of the Great Lakes or Lake St. Clair; or
- Located within 500 feet of or hydrologically connected to* an inland lake, pond (open water ≥ 1-acre), stormwater ponds ≥ 1-acre, river, or stream/creek; or
- Greater than 5 acres in size (artificial barriers such as dikes, berms, and roadways do not break the contiguity of the wetland); or
- Not connected to one of the Great Lakes or Lake St. Clair, or an inland lake, pond, river, or stream, and less than 5 acres in size, but EGLE has determined that these wetlands are essential to the preservation of the state’s natural resources and has notified the property owner, or
- Has the documented presence of an endangered or threatened species under part 365 or the endangered species act of 1973 (Public Law 93-205), or;
- Identified as rare and imperiled wetland habitats (listed in Sec 30301 (1)(l)).
 - Great Lakes marsh.
 - Southern wet meadow.
 - Inland salt marsh.
 - Coastal plain marsh.
 - Interdunal wetland.
 - Lakeplain wet prairie.
 - Lakeplain wet-mesic prairie.
 - Coastal fen.
 - Wet-mesic prairie.

Routine Wetland Delineation

VL Fulton St, Grand Haven, Michigan 49417

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- Wet prairie.
- Prairie fen.
- Northern fen.
- Patterned fen.
- Poor fen.
- Muskeg.
- Relict conifer swamp.
- Southern floodplain forest.

In accordance with Part 303, a local unit of government can regulate wetlands by ordinance, in addition to State regulation, if certain criteria are met. Contact the local municipality to identify and comply with potential local wetland ordinances and other development regulations.

*hydrological connections can be seasonal or intermittent and can be through non-wetland swales, surface scouring, culverts, storm sewer pipes, agricultural drains/tile, or roadside ditches.

Activities requiring a Permit under Part 303

The law requires that persons planning to conduct certain activities in regulated wetlands complete a Joint Permit Application (JPA) from the United States Army Corps of Engineers (USACE) and the Michigan Department of Environment, Great Lakes, and Energy (EGLE) before beginning the activity permit from the state before beginning the activity. An approved permit is required from EGLE and the USACE for the following activities in a regulated wetland:

- Deposit or permit the placing of fill material in a wetland.
- Dredge, remove, or permit the removal of soil or minerals from a wetland.
- Construct, operate, or maintain any use or development in a wetland.
- Drain surface water from a wetland.

State laws require that all activities occurring on/near regulated wetland must comply with the requirements of Part 303. If Property wetlands are regulated according to Part 303 and future development of the Property is planned, a joint USACE and EGLE wetland permit may be required.

Triterra recommends obtaining concurrence with the findings stated in this report with EGLE through a “Level 3 WIP” and/or a wetland permit “Pre-application meeting” during site redevelopment planning activities. A “Level 3” Wetland Identification performed by EGLE staff is an on-site review to verify a wetland delineation completed by a wetland professional and/or consultant. The final authority for wetland boundaries and permit requirements rests with the government agencies which have jurisdiction over the project site.

Wetlands regulated under Part 404 of the Clean Water Act (Federal Jurisdiction)

Federal oversight of state-administered 404 programs is primarily the responsibility of the U.S. Environmental Protection Agency. The department's 1983 Memorandum of Agreement (as amended) with USEPA Region 5 outlines the procedures to be followed in program administration. This agreement waives federal review of the vast majority of applications in areas under Michigan's 404 jurisdiction.

Routine Wetland Delineation

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However, federal agencies must review projects which impact critical environmental areas, or which involve major discharges. These projects are identified in the Memorandum of Agreement as. and include:

- Major Discharges as follows:
 - Projects affecting one or more acre of wetland
 - New construction of breakwaters or seawalls with a total length of more than 1,000 feet
 - Enclosure of more than 300 feet of a stream in one or more segments
 - Relocation or channelization of more than 1,000 feet of a stream in one or more segments
- Projects with potential to affect endangered or threatened species as determined by the US Fish and Wildlife Service
- Discharges to waters of another state, suspected to contain toxic pollutants or hazardous substances, located in proximity of a public water supply intake, or within defined state or federal critical areas.

Jurisdictional adjacent wetlands under Part 404 include: Wetlands that have a continuous surface connection to traditional navigable waters, relatively permanent jurisdictional impoundment, or relatively permanent tributary. In Triterra's opinion the Property wetland is not have a continuous connection to Waters of the State and therefore would not be regulated under Part 404.

Desktop Investigation

Triterra performed a desktop investigation to evaluate the potential presence of wetlands at the Property prior to completing fieldwork.

The following resources were reviewed in an attempt to identify suspect wetland habitat on the Property:

- [Michigan Department of EGLE Wetland Inventory](#)
- [U.S. Fish and Wildlife Service \(USFWS\) National Wetland Inventory](#)
- [The Natural Resources Conservation Service \(NRCS\) Web Soil Survey](#)
- [U.S Geological Survey \(USGS\) historical topographic maps](#)
- Google Earth historical satellite aerial imagery (available years between 1998 to 2023)
- [Michigan Natural Features Inventory \(MNFI\), MI Vegetation circa 1800 viewer](#)
- EGLE Conservation Easements ArcGIS mapper

According to Triterra's desktop investigation, the following observations were made about the Property. According to MNFI, the Property was located in an area predominately comprised of a Beech-Sugar Maple-Hemlock Forest natural community (upland community type). According to historical aerial images, the subject property has remained undeveloped since at least 1955. According to the historical aerials the subject property has transitioned from emergent to forested wetland between 1997 to 2005. NRCS soil surveys identified Granby loamy sand, lake plain on the Property's land, with a hydric soil rating of 92 along the eastern edge of the Property. A suspect freshwater forested wetland was identified on the EGLE wetland map in the southeastern section of the property. No conservation easements were identified on the Property.

Onsite Assessment Methods

On August 14, 2024, Christian Halquist and Garek Hund of Triterra conducted an onsite evaluation of the Property to identify areas meeting wetlands criteria. Triterra identified a combination forested wetland and emergent wetland on the Property ("Wetland A"). Vegetation was assessed by approximating the percent coverage of the dominant plant species in each plant community. Representative soil cores were collected using a shovel and/or hand auger, soil colors were determined using Munsell Soil Color Charts, and hydric soil properties were assessed following the procedures described in *Field Indicators of Hydric Soils in the United States* (USDA/NRCS, Version 2.0, 2012). Wetland hydrology indicators were assessed using methods contained in the 1987 Manual. The Wetland Determination Data Forms (with photologs) completed are included in Attachment 2.

Using the referenced methods, Triterra determined whether each plant community satisfied the requirements to be a wetland. Under normal circumstances, in order to be considered a wetland, the vegetative communities must be dominated by hydrophytic vegetation, contain wetland hydrology, and hydric soil. Wetland/upland boundaries were investigated by digging soil pits along a transect perpendicular to the suspected boundary and examining the profile for soil color, texture, and redoximorphic characteristics. Boundaries were established where the soil profile changed from wetland to upland matrix tones, plant communities transitioned, topography changed, and/or hydrology indicators became absent. Wetland boundaries were marked using pink flagging material. Approximate wetland boundaries are presented in Figure 1.

Note: Per guidelines outlined in the Regional Supplement, published scientific literature was used to assign an indicator status to unlisted plant species.

Climatic/weather conditions

The average growing season for Ottawa County, Michigan occurs approximately from May 1st through October 12th. The NRCS defines the growing season as the part of the year when soil temperatures at 50cm below the surface are higher than biologic zero (41 degrees Fahrenheit). The onsite evaluation was completed during the average growing season. According to the National Weather Service, the Manistee area received approximately 2.04 inches of rainfall in the thirty days prior to onsite investigations. According to the Michigan State Climate Office and Midwestern Regional Climate Center, the assessment area received an above average accumulated precipitation (departure from mean) in the 30 days prior to onsite investigations. Triterra also inquired the NOAA AgACIS Norton Shores Weather Station to compare the three-month weather data to the 50-year average. This table provides month by month summary and probability analysis of temperature and precipitation. The table also provides first/last dates and length of growing season using three index temperatures at 50 and 70 percent probabilities. A thirds table provides monthly precipitation totals (in inches) for the period of record. According to our WETS table provided by NOAA, conditions at the Property were expected to be normal for the time of year.

Disclaimer

The findings of this wetland assessment and delineation report are only valid for conditions which existed at the Property at the time of the assessment. Findings are subject to revision based upon natural or induced changes in weather/climate, vegetation management, land use, topography, surface water flow, subsurface drainage, and/or stormwater management within or near the project site which may affect the vegetative communities, soils, or hydrology at the Property.

Routine Wetland Delineation

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August 19, 2024



Please be advised the information provided by Triterra regarding wetland boundaries is an estimate of the wetland boundary. The ultimate decision on wetland boundary locations and jurisdiction thereof rests with the Michigan Department of EGLE, and, in some cases, the Federal government. As a result, there may be adjustments to boundaries based upon review of a regulatory agency. An agency determination can vary, depending on various factors including, but not limited to, the experience of the agency representative making the determination and the season of the year. In addition, the physical characteristics of the site can change with time, depending on the weather, vegetation patterns, drainage, activities on adjacent parcels or other events. Any of these factors or others can change the nature and extent of wetlands on the site. Wetland evaluations performed outside the growing season may not be consistent with the official EGLE wetland identification program and therefore are subject to increased potential for change than those performed during the growing season.

Please be aware that this wetland delineation report does not constitute a determination of the jurisdiction under local ordinances or federal law. The USACE retains regulatory authority over certain wetlands pursuant to Section 404 of the Clean Water Act (CWA), and specifically those wetlands associated with traditionally navigable waters of the state. Navigable waters are generally the Great Lakes, their connecting waters, and river systems and lakes connected to these waters.

This report was prepared exclusively for Dwelling Place of Grand Rapids for the purposes as expressly stated. This report may be unsuitable for other uses and reliance on its contents by anyone other than the client is done at the sole risk of the user. This report may not be reproduced, sold, or otherwise conveyed to another entity without prior written permission from Triterra.

Should you have any questions or comments regarding this information, please feel free to contact the undersigned at (517) 702-0470.

Sincerely,



A handwritten signature in black ink, appearing to read "Christian Halquist".

Christian Halquist
Environmental Scientist

A handwritten signature in black ink, appearing to read "Meredith Crane".

Meredith Crane
Senior Project Scientist
Manager | Natural Resources

Attachments

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FIGURES



Maxar, Microsoft, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau



FIGURE 1
WETLAND DELINEATION DIAGRAM
 PROJECT NUMBER 24-3775

V/L FULTON ST
GRAND HAVEN, MICHIGAN 49417
 1/16
 CREATED BY: CHq DATE: 8/16/2024

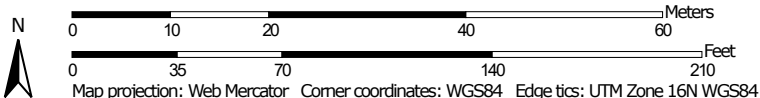
ATTACHMENT 1

***SOIL AND WETLAND INVENTORY MAPS
& AERIAL PHOTOGRAPHS***

Hydric Rating by Map Unit—Ottawa County, Michigan




Map Scale: 1:768 if printed on A portrait (8.5" x 11") sheet.









MAP LEGEND

Area of Interest (AOI)







 Area of Interest (AOI)

Soils







Soil Rating Polygons

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available


Soil Rating Lines

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available






Soil Rating Points

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available


Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Ottawa County, Michigan
 Survey Area Data: Version 18, Aug 25, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Oct 20, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
CrB	Croswell sand, 0 to 6 percent slopes	0	0.6	25.2%
Gm	Granby loamy sand, lake plain, 0 to 2 percent slopes	92	1.3	59.9%
PpsaaA	Pipestone-Covert-Saugatuck sands, 0 to 3 percent slopes	14	0.3	14.9%
Totals for Area of Interest			2.3	100.0%

Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

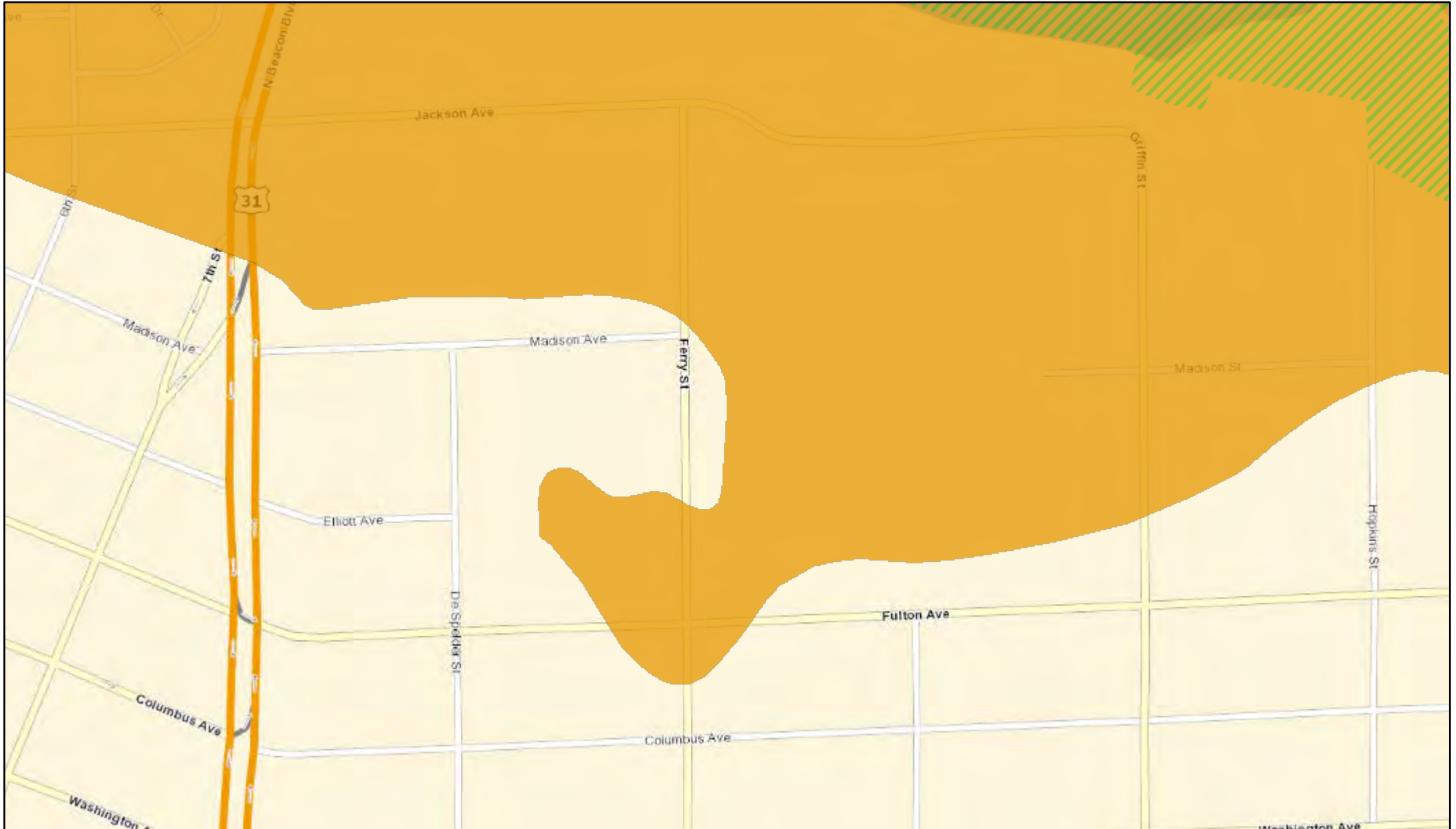
Rating Options

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified




Tie-break Rule: Lower

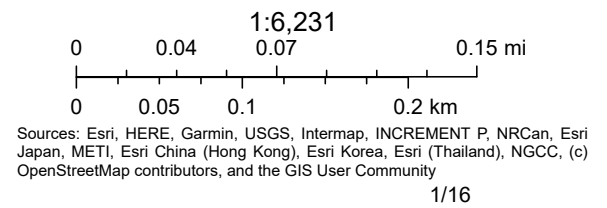
Wetlands Map Viewer



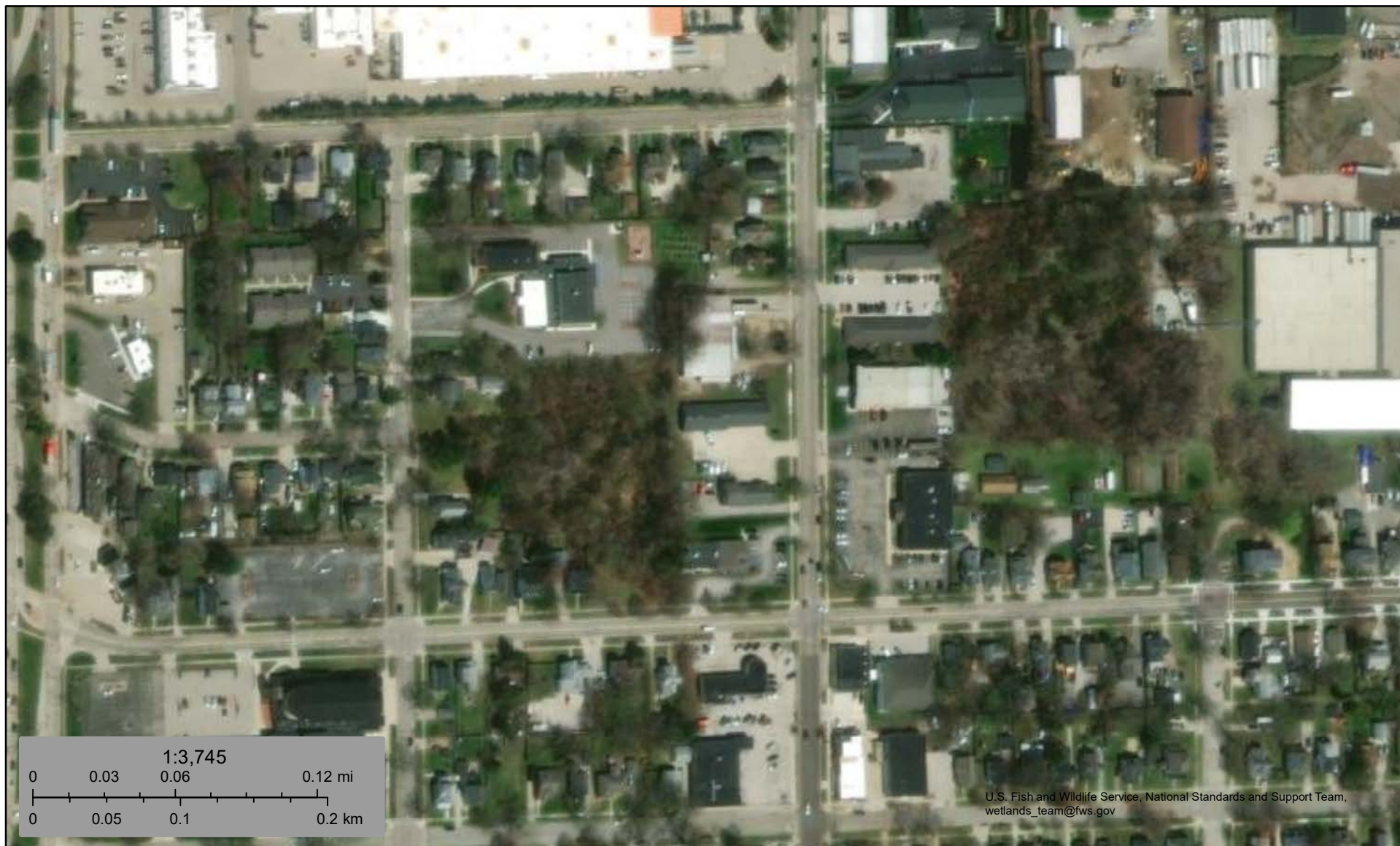
July 31, 2024

Part 303 Final Wetlands Inventory

-  Wetlands as identified on NWI and MIRIS maps
-  Soil areas which include wetland soils
-  Wetlands as identified on NWI and MIRIS maps and soil areas which include wetland soils





Disclaimer: This map is not intended to be used to determine the specific



July 31, 2024

Wetlands

- | | | | | | |
|---|--------------------------------|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland |  | Lake |
|  | Estuarine and Marine Wetland |  | Freshwater Forested/Shrub Wetland |  | Other |
| | |  | Freshwater Pond |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

3/2021



ATTACHMENT 2

***WETLAND DETERMINATION DATA SHEETS
& PHOTOGRAPHS***

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: VL Fulton St City/County: Grand Haven/ Ottawa Sampling Date: 8/14/2024
 Applicant/Owner: Dwelling Place of GR State: MI Sampling Point: SB-1
 Investigator(s): Christian and Garek Section, Township, Range: T08N, R16W, Section 21
 Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): Concave
 Slope (%): _____ Lat: _____ Long: _____ Datum: _____
 Soil Map Unit Name _____ NWI Classification: _____

Are climatic/hydrologic conditions of the site typical for this time of the year? _____ (If no, explain in remarks)
 Are vegetation _____, soil _____, or hydrology _____ significantly disturbed? Are "normal circumstances" present? _____
 Are vegetation _____, soil _____, or hydrology _____ naturally problematic? (If needed, explain any answers in remarks.)

SUMMARY OF FINDINGS

Hydrophytic vegetation present? <u>Y</u>	Is the sampled area within a wetland? <u>Y</u> If yes, optional wetland site ID: _____
Hydric soil present? <u>Y</u>	
Wetland hydrology present? <u>Y</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

VEGETATION -- Use scientific names of plants.

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Staus	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>5</u> (A) Total Number of Dominant Species Across all Strata: <u>6</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>83.33%</u> (A/B)
1 <u>Acer saccharinum</u>	50	Y	FACW	
2 <u>Salix nigra</u>	30	Y	OBL	
3 _____				
4 _____				
5 _____				
	<u>80</u> = Total Cover			
Sapling/Shrub stratum (Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Staus	Prevalence Index Worksheet Total % Cover of: OBL species <u>45</u> x 1 = <u>45</u> FACW species <u>120</u> x 2 = <u>240</u> FAC species <u>0</u> x 3 = <u>0</u> FACU species <u>15</u> x 4 = <u>60</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>180</u> (A) <u>345</u> (B) Prevalence Index = B/A = <u>1.92</u>
1 <u>Acer saccharinum</u>	30	Y	FACW	
2 <u>Juglans nigra</u>	10	Y	FACU	
3 _____				
4 _____				
5 _____				
	<u>40</u> = Total Cover			
Herb stratum (Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Staus	Hydrophytic Vegetation Indicators: _____ Rapid test for hydrophytic vegetation + Dominance test is >50% + Prevalence index is ≤3.0* Morphological adaptations* (provide supporting data in Remarks or on a separate sheet) _____ Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
1 <u>Phalaris arundinacea</u>	40	Y	FACW	
2 <u>Carex stricta</u>	15	Y	OBL	
3 <u>Parthenocissus quinquefolia</u>	5	N	FACU	
4 _____				
5 _____				
6 _____				
7 _____				
8 _____				
9 _____				
10 _____				
	<u>60</u> = Total Cover			
Woody vine stratum (Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Staus	Hydrophytic vegetation present? <u>Y</u>
1 _____				
2 _____				
	<u>0</u> = Total Cover			

Remarks: (Include photo numbers here or on a separate sheet)

SOIL

Sampling Point: SB-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-4	10YR 2/1	98	5yr 5/8	2			Silty sand	
4-16	10YR 2/1	95	5yr 5/8	5			Silty sand	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators (for LRR L):	Indicators for Problematic Hydric Soils*:
<input type="checkbox"/> Histisol (A1)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Coast Prairie Redox (A16)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Dark Surface (S7)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Polyvalue Below Surface (S8)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Thin Dark Surface (S9)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Iron-Manganese Masses (F12)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Red Parent Material (F21)
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input checked="" type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Other (explain in remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed): Type: _____ Depth (inches): _____ Remarks: _____	Hydric Soil Present? <u>Y</u>
---	--------------------------------------

HYDROLOGY

Wetland Hydrology Indicators (for LRR L):	
Primary Indicators (minimum of one is required; check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Marl Deposits (B13)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input checked="" type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input checked="" type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Moss Trim Lines (B16)
	<input type="checkbox"/> Dry-Season Water Table (C2)
	<input type="checkbox"/> Crayfish Burrows (C8)
	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
	<input checked="" type="checkbox"/> Stunted or Stressed Plants (D1)
	<input checked="" type="checkbox"/> Geomorphic Position (D2)
	<input type="checkbox"/> Shallow Aquitard (D3)
	<input type="checkbox"/> Microtopographic Relief (D4)
	<input checked="" type="checkbox"/> FAC-Neutral Test (D5)

Field Observations: Surface water present? Yes _____ No <u>X</u> Depth (inches): _____ Water table present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation present? Yes _____ No <u>X</u> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? <u>Y</u>
--	--

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: _____



PHOTO: 1 DATE: 8/14/2024 BY: CHq
View of Wetland A



PHOTO: 2 DATE: 8/14/2024 BY: CHq
Soil Boring 1

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: VL Fulton St City/County: Grand Haven/ Ottawa Sampling Date: 8/14/2024
 Applicant/Owner: Dwelling Place of GR State: MI Sampling Point: SB-2
 Investigator(s): Christian and Garek Section, Township, Range: T08, R16W, Section 21
 Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): Convex
 Slope (%): _____ Lat: _____ Long: _____ Datum: _____
 Soil Map Unit Name _____ NWI Classification: _____

Are climatic/hydrologic conditions of the site typical for this time of the year? _____ (If no, explain in remarks)
 Are vegetation _____, soil _____, or hydrology _____ significantly disturbed? Are "normal circumstances" present? _____
 Are vegetation _____, soil _____, or hydrology _____ naturally problematic? (If needed, explain any answers in remarks.)

SUMMARY OF FINDINGS

Hydrophytic vegetation present? <u>N</u>	Is the sampled area within a wetland? <u>N</u> If yes, optional wetland site ID: _____
Hydric soil present? <u>N</u>	
Wetland hydrology present? <u>N</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

VEGETATION -- Use scientific names of plants.

Tree Stratum (Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species	Indicator Staus	Dominance Test Worksheet
1 <u>Juglans nigra</u>	70	Y	FACU	
2 _____	_____	_____	_____	Total Number of Dominant Species Across all Strata: <u>5</u> (B)
3 _____	_____	_____	_____	Percent of Dominant Species that are OBL, FACW, or FAC: <u>0.00%</u> (A/B)
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
	70 = Total Cover			
Sapling/Shrub stratum (Plot size: <u>15'</u>)	Absolute % Cover	Dominant Species	Indicator Staus	Prevalence Index Worksheet
1 <u>Acer negundo</u>	50	Y	FACU	
2 <u>Juglans nigra</u>	15	Y	FACU	OBL species <u>0</u> x 1 = <u>0</u>
3 _____	_____	_____	_____	FACW species <u>0</u> x 2 = <u>0</u>
4 _____	_____	_____	_____	FAC species <u>5</u> x 3 = <u>15</u>
5 _____	_____	_____	_____	FACU species <u>180</u> x 4 = <u>720</u>
	65 = Total Cover			UPL species <u>0</u> x 5 = <u>0</u>
Herb stratum (Plot size: <u>5'</u>)	Absolute % Cover	Dominant Species	Indicator Staus	Column totals <u>185</u> (A) <u>735</u> (B)
1 <u>Alliaria petiolata</u>	30	Y	FACU	Prevalence Index = B/A = <u>3.97</u>
2 <u>Hackelia virginiana</u>	10	Y	FACU	
3 <u>Geum canadense</u>	5	N	FAC	
4 <u>Hesperis matronalis</u>	5	N	FACU	
5 _____	_____	_____	_____	
6 _____	_____	_____	_____	
7 _____	_____	_____	_____	
8 _____	_____	_____	_____	
9 _____	_____	_____	_____	
10 _____	_____	_____	_____	
	50 = Total Cover			
Woody vine stratum (Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Staus	
1 _____	_____	_____	_____	
2 _____	_____	_____	_____	
	0 = Total Cover			

Hydrophytic Vegetation Indicators:
 _____ Rapid test for hydrophytic vegetation
 - Dominance test is >50%
 - Prevalence index is ≤3.0*
 Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
 _____ Problematic hydrophytic vegetation* (explain)
 *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

Hydrophytic vegetation present? N

Remarks: (Include photo numbers here or on a separate sheet)

SOIL

Sampling Point: SB-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-16	10 yr 3/2	100					Silty sand	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators (for LRR L):	Indicators for Problematic Hydric Soils*:
<input type="checkbox"/> Histisol (A1)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Coast Prairie Redox (A16)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Dark Surface (S7)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Polyvalue Below Surface (S8)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Thin Dark Surface (S9)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Iron-Manganese Masses (F12)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Red Parent Material (F21)
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Other (explain in remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed): Type: _____ Depth (inches): _____ Remarks: _____	Hydric Soil Present? <u> N </u>
---	--

HYDROLOGY

Wetland Hydrology Indicators (for LRR L):	
Primary Indicators (minimum of one is required; check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Marl Deposits (B13)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Moss Trim Lines (B16)
	<input type="checkbox"/> Dry-Season Water Table (C2)
	<input type="checkbox"/> Crayfish Burrows (C8)
	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
	<input type="checkbox"/> Stunted or Stressed Plants (D1)
	<input type="checkbox"/> Geomorphic Position (D2)
	<input type="checkbox"/> Shallow Aquitard (D3)
	<input type="checkbox"/> Microtopographic Relief (D4)
	<input type="checkbox"/> FAC-Neutral Test (D5)

Field Observations: Surface water present? Yes _____ No <u> X </u> Depth (inches): _____ Water table present? Yes _____ No <u> X </u> Depth (inches): _____ Saturation present? Yes _____ No <u> X </u> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? <u> N </u>
--	--

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: _____



PHOTO: 1 DATE: 8/14/2024 BY: CHq
View of Boring 2



PHOTO: 2 DATE: 8/14/2024 BY: CHq
Soil Boring 2

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: VL Fulton St City/County: Grand Haven/ Ottawa Sampling Date: 8/14/2024
 Applicant/Owner: Dwelling Place of GR State: MI Sampling Point: SB-3
 Investigator(s): Christian and Garek Section, Township, Range: T08N, R16W, Section 21
 Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): concave
 Slope (%): _____ Lat: _____ Long: _____ Datum: _____
 Soil Map Unit Name _____ NWI Classification: _____
 Are climatic/hydrologic conditions of the site typical for this time of the year? _____ (If no, explain in remarks)
 Are vegetation _____, soil _____, or hydrology _____ significantly disturbed? Are "normal circumstances" present? _____
 Are vegetation _____, soil _____, or hydrology _____ naturally problematic? (If needed, explain any answers in remarks.)

SUMMARY OF FINDINGS

Hydrophytic vegetation present? <u>Y</u> Hydric soil present? <u>Y</u> Wetland hydrology present? <u>Y</u>	Is the sampled area within a wetland? <u>Y</u> If yes, optional wetland site ID: _____
Remarks: (Explain alternative procedures here or in a separate report.) 	

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species	Indicator Staus	
1	<u>Salix nigra</u>	<u>30</u>	<u>Y</u>	<u>OBL</u>	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across all Strata: <u>3</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
2	_____	_____	_____	_____	
3	_____	_____	_____	_____	
4	_____	_____	_____	_____	
5	_____	_____	_____	_____	
		<u>30</u>	= Total Cover		
Sapling/Shrub stratum	(Plot size: <u>15'</u>)	Absolute % Cover	Dominant Species	Indicator Staus	
1	<u>Salix nigra</u>	<u>20</u>	<u>Y</u>	<u>OBL</u>	Prevalence Index Worksheet Total % Cover of: OBL species <u>50</u> x 1 = <u>50</u> FACW species <u>80</u> x 2 = <u>160</u> FAC species <u>5</u> x 3 = <u>15</u> FACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>135</u> (A) <u>225</u> (B) Prevalence Index = B/A = <u>1.67</u>
2	_____	_____	_____	_____	
3	_____	_____	_____	_____	
4	_____	_____	_____	_____	
5	_____	_____	_____	_____	
		<u>20</u>	= Total Cover		
Herb stratum	(Plot size: <u>5'</u>)	Absolute % Cover	Dominant Species	Indicator Staus	
1	<u>Phragmites australis</u>	<u>80</u>	<u>Y</u>	<u>FACW</u>	Hydrophytic Vegetation Indicators: _____ Rapid test for hydrophytic vegetation + Dominance test is >50% + Prevalence index is ≤3.0* Morphogical adaptations* (provide supporting data in Remarks or on a separate sheet) _____ Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
2	<u>Solanum dulcamara</u>	<u>5</u>	<u>N</u>	<u>FAC</u>	
3	_____	_____	_____	_____	
4	_____	_____	_____	_____	
5	_____	_____	_____	_____	
6	_____	_____	_____	_____	
7	_____	_____	_____	_____	
8	_____	_____	_____	_____	
9	_____	_____	_____	_____	
10	_____	_____	_____	_____	
		<u>85</u>	= Total Cover		
Woody vine stratum	(Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Staus	
1	_____	_____	_____	_____	Hydrophytic vegetation present? <u>Y</u>
2	_____	_____	_____	_____	
		<u>0</u>	= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet)

SOIL

Sampling Point: SB-3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR 2/1	90	5yr 5/8	10			Silty sand	
6-12	10YR 2/1	80		20			Silty sand	
12-16	10YR 3/2	50		50			Silty sand	Lots of organics

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators (for LRR L):	Indicators for Problematic Hydric Soils*:
<input type="checkbox"/> Histisol (A1)	<input type="checkbox"/> Stripped Matrix (S6)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Loamy Mucky Mineral (F1)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Depleted Matrix (F3)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Redox Dark Surface (F6)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Dark Surface (F7)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Depressions (F8)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Coast Prairie Redox (A16)
<input type="checkbox"/> + Sandy Redox (S5)	<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)
	<input type="checkbox"/> Dark Surface (S7)
	<input type="checkbox"/> Polyvalue Below Surface (S8)
	<input type="checkbox"/> Thin Dark Surface (S9)
	<input type="checkbox"/> Iron-Manganese Masses (F12)
	<input type="checkbox"/> Red Parent Material (F21)
	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
	<input type="checkbox"/> Other (explain in remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed): Type: _____ Depth (inches): _____	Hydric Soil Present? <u>Y</u>
Remarks: _____	

HYDROLOGY

Wetland Hydrology Indicators (for LRR L):	Secondary Indicators (minimum of two required)
<u>Primary Indicators (minimum of one is required; check all that apply)</u>	
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Marl Deposits (B13)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Moss Trim Lines (B16)
	<input type="checkbox"/> Dry-Season Water Table (C2)
	<input type="checkbox"/> Crayfish Burrows (C8)
	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
	<input type="checkbox"/> Stunted or Stressed Plants (D1)
	<input type="checkbox"/> + Geomorphic Position (D2)
	<input type="checkbox"/> Shallow Aquitard (D3)
	<input type="checkbox"/> Microtopographic Relief (D4)
	<input type="checkbox"/> + FAC-Neutral Test (D5)

Field Observations:	Wetland Hydrology Present? <u>Y</u>
Surface water present? Yes _____ No <u>X</u> Depth (inches): _____	
Water table present? Yes _____ No <u>X</u> Depth (inches): _____	
Saturation present? (includes capillary fringe) Yes _____ No <u>X</u> Depth (inches): _____	

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: _____



PHOTO: 1 DATE: 8/14/2024 BY: CHq
View of Wetland A



PHOTO: 2 DATE: 8/14/2024 BY: CHq
Soil Boring 3

ATTACHMENT 3
PROFESSIONAL QUALIFICATIONS



CHRISTIAN HALQUIST

ENVIRONMENTAL SCIENTIST



Christian Halquist currently serves as an Environmental Scientist in the Due Diligence group of Triterra. His work focuses on collecting field samples in response to environmental assessments. While he works in the Due Diligence Group, He also supports the Investigation and Remediation Groups by collecting field samples, conducting site visits, records research as well as report and figure preparation.

AREAS OF EXPERTISE

- Vapor Mitigation System Install
- ASTM International Phase I Environmental Site Assessment (ESA), Phase II (ESA)
- Borehole Logging and Soil Classification
- Monitoring Well Installation and Groundwater Interpretation
- Soil Gas Pin and well installations
- Soil, Groundwater, and Soil Gas sampling
- Analytical and Data Evaluation
- Site Historical Research and Evaluation
- GIS Image Interpretation and Mapping
- Invasive plant removal and management
- Routine Wetland Delineation

NOTABLE PROJECT EXPERIENCE

- Installed, and tested vapor mitigation systems for new and existing buildings on at-risk and/or contaminated properties to mitigate volatilization to indoor air concerns and protect occupant health
- Phase I Environmental Site Assessments
- Phase II Subsurface Investigations
- NEPA Part 50 & Part 58 Environmental Assessments
- Records Search with Risk Assessments
- Implementing both aquatic and emergent invasive plant managing strategies
- Invasive cattail, buckthorn, and phragmites removal from Michigan state parks and recreation areas

CERTIFICATIONS

- Hazardous Waste Operations & Emergency Response (HAZWOPER)
- MDARD Category 5 Commercial Pesticide Applicator
- Wetland Training Institute Certification

EDUCATION

- BS Fisheries and Wildlife
Michigan State University – East Lansing, Michigan

CREATING HEALTHIER COMMUNITIES





MEREDETH CRANE
 SENIOR SCIENTIST
 DIRECTOR | NATURAL RESOURCES



Meredeth Crane serves as a Senior Scientist and the Director of our Natural Resource Division. Meredith's expertise is management of projects that include a variety of tasks including: environmental due diligence (Phase I ESAs, Phase II Sub-surface Investigations, Baseline Environmental Assessments), preparation of NEPA Part 50 & 58 Environmental Assessments, Wetland Delineations, and reviews for threatened and endangered species. Her role also includes conducting various natural resource assessments, industrial stormwater assessments, and water quality and sediment evaluations. She manages subcontractors and evaluates innovative and cost-effective strategies for natural resource services.

AREAS OF EXPERTISE

- ▣ NEPA Part 50 & Part 58 Environmental Assessments
- ▣ Wetland Assessments and Routine Wetland Delineations
- ▣ Wetland Permit Application Consulting and Project Planning
- ▣ ASTM Phase I and II Environmental Site Assessments (ESAs)
- ▣ Baseline Environmental Assessments (BEAs), Due Care Plans, and Environmental Transaction Screens
- ▣ Evaluating Soil and Groundwater Data for Due Care Obligations
- ▣ Storm Water Assessment and Water Quality Characterization
- ▣ Industrial and Construction Site Stormwater Management

EDUCATION

- ▣ AS in Biological Science - 2021
Lansing Community College, Lansing, Michigan
- ▣ BS in Fisheries and Wildlife/Conservation Biology - 2015
Michigan State University, East Lansing, Michigan

NOTABLE PROJECT EXPERIENCE

- ▣ Over 8 years Environmental Consulting Experience
- ▣ Borehole logging, Screens and Sampling, and Sediment Sampling and Evaluation for Due Care
- ▣ Environmental site planning for large solar power installations
- ▣ Industrial stormwater site management
MSHDA pre-approved Group A & B Consultant

CERTIFICATIONS

- ▣ Hazardous Waste Operations & Emergency Response (HAZWOPER) Training
- ▣ Army Corps of Engineers Wetland Delineation Training Program
- ▣ Certified Construction Site Storm Water Operator (# C-19492)
- ▣ Certified Industrial Stormwater Operator (I-15489)
- ▣ Soil erosion and sedimentation control plan review & design (SE/C 02601)

CREATING HEALTHIER COMMUNITIES

517.853.2157 | meredeth.crane@triterra.us | Lansing, MI



**CITY COUNCIL
CITY OF GRAND HAVEN
Ottawa County, Michigan**

Councilmember _____, supported by Council member _____, moved the adoption of the following ordinance:

ORDINANCE NO. 25-__
AN ORDINANCE TO APPROVE AN AMENDMENT TO THE ZONING MAP FOR THE CITY OF GRAND HAVEN – REMOVAL OF THE SENSITIVE AREA OVERLAY.

THE CITY OF GRAND HAVEN ORDAINS:

Section 1. Approval of Zoning Map Amendment. Pursuant to subsection 40-121.A of the City of Grand Haven Zoning Ordinance, the Sensitive Area Overlay District Zoning for the following property described in Section 2 of this Ordinance is removed.

Section 2. Property. This Ordinance pertains to the property described on Exhibit A to this Ordinance, which property is removed from the Sensitive Area Overlay District (the “Property”).

Section 3. Findings. The Property is removed from the Sensitive Overlay District because the Property no longer qualifies based on the August 19, 2024 Routine Wetland Delineation Report on file with the City.

Section 4. Effective Date. This Ordinance shall take effect 20 days after adoption or such later date as is required by Public Act 110 of 2006, as amended.

YEAS:

NAYS:

ABSTAIN:

ABSENT:

APPROVED: _____, 2025

I certify that this ordinance was adopted by the City Council of the City of Grand Haven at a regular meeting held on _____, and published in *The Grand Haven Tribune*, a newspaper of general circulation in the City, on _____.

_____, 2025

Maria Boersma, City Clerk

Introduced: _____

Adopted: _____

Published: _____

Effective: _____

EXHIBIT A

LEGAL DESCRIPTION OF LAND

Land situated in the City of Grand Haven, County of Ottawa, and State of Michigan, described as follows:

Lot 196 except the East 200.00 feet thereof, Rycenga's Assessor's Plat No. 2, part of the Northeast ¼ of the Southwest ¼ of Section 21, Town 8, North, Range 16 West, and part of Lot 1, Block 6, Munroe and Harris Addition, as recorded in Liber 9 of Plats, Page 37, Ottawa County Records.

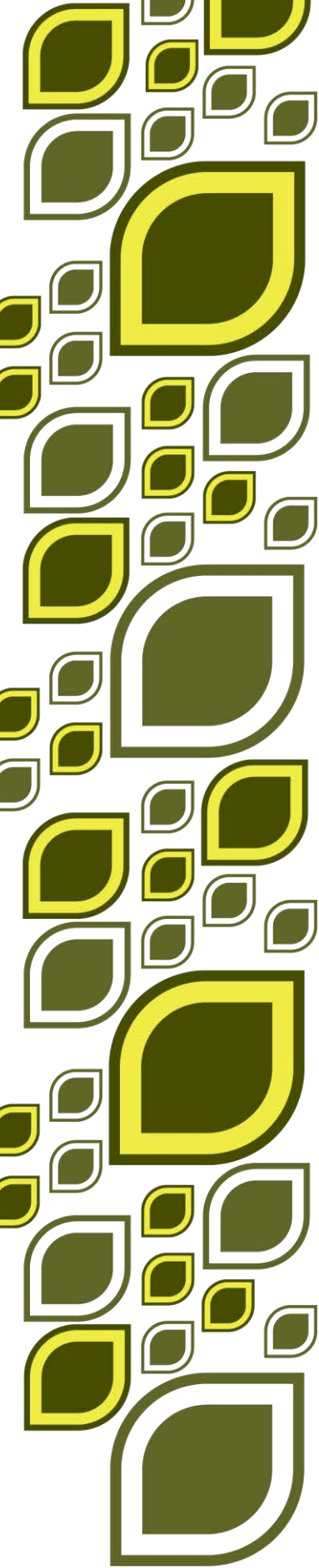
Parcel No.: 70-03-21-328-031

And

Land situated in the City of Grand Haven, County of Ottawa, and State of Michigan, described as follows:

Lot 22, DeSpelder's Addition to the City of Grand Haven, according to the recorded plat thereof in Liber 1 of Plats, Page 100, Ottawa County Records.

Parcel No.: 70-03-21-328-022



LIMITED-SCOPE ENVIRONMENTAL SURVEY

V/L Fulton Avenue
Grand Haven, Michigan 49417

Project No. 24-3775

September 24, 2024

PREPARED FOR:

Dwelling Place
Attn: Stu Friedman
101 Sheldon Blvd SE, Suite 2
Grand Rapids, Michigan 49503

PREPARED BY:



Limited Scope Environmental Survey

VL Fulton St, Grand Haven, MI

September 26, 2024



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FIGURES

- Figure 1: Subject Property Location
- Figure 2: Phragmites Habitat Diagram
- Figure 3: Habitat Assessment Point Diagram
- Figure 4: Wetland Delineation Diagram

ATTACHMENTS

- Attachment 1: Photolog
- Attachment 2: Water Resources Maps
- Attachment 3: Routine Wetland Delineation Report
- Attachment 4: Critical Dunes, High Risk Erosion Areas, Slopes
- Attachment 5: USFWS & MNFI Species of Concern
- Attachment 6: Professional Qualifications



Limited Scope Environmental Survey

VL Fulton St, Grand Haven, MI

September 26, 2024



1.0 EXECUTIVE SUMMARY

Triterra was retained to complete a Limited Scope Environmental Survey on an approximately 2.09-acre tract of undeveloped land located north of Fulton Street and east of N. Despelder Street in Grand Haven (Ottawa County), Michigan (the Property). The Property is located in an area primarily developed for residential and commercial purposes. The Property is comprised of one parcel: parcel tax ID 70-03-21-328-031. The scope of the Environmental Survey was completed utilizing sensitive area criteria listed in City of Grand Haven ordinance section 40-422.02. Survey criteria within this assessment include floodplains, wetlands, streams, dunes, Lake Michigan shoreline, slopes, vegetation/habitat, and species of concern as they relate to the Property. Refer to Figures 1 and 2 for Property location and boundary information.

Triterra performed a routine wetland delineation on the Property on August 14, 2024 (Section 3.0), and additional site reconnaissance on the Property on September 20, 2024, to further assess the Property for dominate vegetation and screen for State and Federally listed threatened and endangered plant species (Sections 3.0 & 5.0). Triterra identified an approximately 0.67acre combination forested and emergent wetland on the Property that was comprised of predominantly invasive species (phragmites and reed canary grass). The identified wetland does not appear to be regulated under Part 303 of the Natural Resources and Environmental Protection Act (NREPA) 1994 PA 451 or under Section 404 of the Clean Water Act. The Property overall appears to be predominately comprised of native species with low coefficients of conservation or non-native invasive species.

During Property reconnaissance, Triterra visually surveyed the Property for evidence of the following State and/or Federally listed endangered or threatened Plant species: Pitchers Thistle, Climbing fumitory, Ginseng, Pine Drops, and Wild rice; no evidence of the listed species were identified on the Property (see Section 5). Triterra observed several mature trees, greater than three inches in diameter at breast height (dbh) on the Property, with loose or shaggy bark, cracks, crevices, or cavities, that meet the criteria for suitable summer roosting habitat for the Federally listed Indiana Bat. To avoid incidental take of the Indiana bat, tree cutting/trimming on potential bat roost trees, prescribed fire, and/or widespread pesticide/herbicide applications should occur outside of the summer roosting period (May 1 and August 31) when the bats are in winter hibernaculum. The Property did not appear to contain suitable habitat for the remaining Federally listed species.

No streams, rivers, county drains, regulated floodplains, high risk erosion areas, critical dunes, shorelines, or critical habitats were identified on the Property.



2.0 WATER RESOURCES

Floodplains

Triterra queried the US Federal Emergency Management Agency National Flood Hazard Layer View (NFHL) to determine if the property is located within a special flood hazard area. According to the FEMA flood map FIRMette 26139C0079F effective October 21, 2021, the subject property is not located within a regulated floodway, 100-year, or 500-year floodplain. **The Property is located within zone X, an area of minimal flood risk.** According to the FEMA Community Status Book Report, the City of Grand Haven is actively participating in the National Flood Insurance Program.

Coastal Zones

According to the John H. Chafee Coastal Barrier Resource System and the USFWS Coastal Barrier Resource Mapper, **there are no Coastal Barrier Resource Systems (CBRS) located in the City of Grand Haven.** According to the EGLE Coastal Management Zone Boundary Maps, the City of Grand Haven is; however, located in a coastal management zone which may require consultation with Michigan Department of Environment, Great Lakes, and Energy (EGLE) Water resources Division (WRD) staff if Federal funds are utilized in a future redevelopment project.

Waters of the State

Triterra performed onsite reconnaissance and queried the Office of the Water Resources Commissioner's Drain Viewer, USGS historical Topographical maps, and the EGLE MiEnviro hydrology layer to identify Waters of the State on or near the property. **The nearest identified waterway is the Grand River which flows approximately 0.35 miles north of the subject property.** There are no county drains located within a half mile of the subject property. According to the National Wild and Scenic Rivers System maps, no wild and scenic rivers are located in Ottawa County.

Relevant maps are included in Attachment 2.

3.0 HABITAT ASSESSMENT

Routine Wetland Delineation

On August 14, 2024, Christian Halquist on behalf of Triterra, performed a routine wetland delineation on the Property. Triterra identified one combination emergent and forested wetland “Wetland A” (>0.81 acres), located in the central portion of the Property. In Triterra’s professional opinion, Wetland A does not meet the requirements of a wetland regulated under Part 303 of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451 or Section 404 Federally Protected wetlands. Wetland A did not appear to meet the community requisites of a Sec 30301 (1)(l) rare or imperiled wetland habitat. See Attachment 3 for the routine wetland delineation report.

Property Reconnaissance

On September 20, 2024, Christian Halquist on behalf of Triterra, completed additional site reconnaissance to identify general natural communities present on the Property, investigate the Property for the presence for State or Federal threatened or endangered plant species, and record observations about dominate plant species present. The habitat assessment point photo locations are depicted in Figure 3; a photolog is included in Attachment 1.

Invasive species identified within the Property include:

- *Phalaris arundinacea* (reed canary grass)
- *Phragmites australis* (phragmites)
- *Leonurus cardiaca* (Motherwort)
- *Hesperis matronalis* (Dame's Rocket)
- *Saponaria officinalis* (bouncing-bet)
- *Cirsium vulgare* (Bull Thistle)
- *Rosa multiflora* (Multiflora rose)
- *Rumex obtusifolius* (Bitter Dock)
- *Fallopia sachalinensi* (Giant knotweed)

Assessment Point	Predominate plant species - Habitat Description
1	<i>Prunus serotina</i> (Black cherry), <i>Bromus inermis</i> (Smooth brome), bouncing-bet and yard waste dumping.
2	70% canopy coverage <i>Acer negundo</i> (Boxelder), floor is generally bare, occasional motherwort.
3	The canopy is dominated by box elders and <i>Juglans nigra</i> (Black walnut). The floor is dominated by dame's rocket, motherwort, and bull thistle.
4	The canopy is dominated by <i>Catalpa speciosa</i> (northern catalpa), approximately 20 mature trees within 30 feet of pin. Shrub cover is dominated by multiflora rose. The floor is primarily dominated by <i>Dactylis Glomerata</i> (Orchard Grass) and bitter dock, with occasional multiflora rose
5	Approximate 4 foot slope, exposed sandy soils along the western edge of property.
6	Canopy dominated box elder and <i>Populus tremuloides</i> (quaking aspen). The ground is bare except occasional upland grasses and a 20 x 20' patch of <i>Urtica dioica</i> (Stinging

Limited Scope Environmental Survey

VL Fulton St, Grand Haven, MI

September 26, 2024



	Nettle)
7	Wetland edge, <i>Salix nigra</i> (Black willow) and phragmites present. Groundcover is dominated by grasses, sensitive fern, smart weed, and Stinging Nettle.
8	The canopy is dominated by young black willows and box elders on the upland swale. Floor is dominated by clover and <i>Teucrium canadense</i> (Wood sage)
9	The canopy is dominated by box elder and black willow. Floor is dominated by thick phragmites, clovers, <i>Persicaria pennsylvanica</i> (Pennsylvania smartweed) and reed canary.
10	Wetland edge - Box elder, black willow and phragmites.
11	An approximate 0.67 acre stand of predominately phragmites and reed canary grass. Canopy is dominated by the occasional black willow. Phragmite and Reed Canary Grass stand is depicted in figure 2 (Phragmite Stand Diagram).
12	The canopy is dominated by black walnut trees, approximately seven mature trees within 30 feet. Floor is almost exclusively motherwort occupying approximately 75% of the groundcover.
13	The canopy is dominated by box elder or <i>Ulmus americana</i> (American elm). The floor is either bare or dominated by dames rocket.
14	The canopy is dominated by box elder trees. The floor is dominated by <i>Onoclea sensibilis</i> (Sensitive Fern) and reed canary grass. A patch of giant knotweed was observed in the southeast portion of the Property.

4.0 CRITICAL HABITATS, SLOPES, AND DUNES

Triterra queried the Michigan Critical Dune Areas GIS maps, EGLE MiEnviro (critical dune area and high risk erosion zones layers) and the EGLE Atlas of Critical Dunes pdf viewer to located potential critical dunes or high risk erosion areas located on the t Property. The nearest crucial dune habitat is located approximately 1-mile southwest of the Property.

Triterra queried the National NMFS ESA Critical Habitat Mapper and the USFWS IPAC species list to search for critical habitats located on or near the Property. No critical habitats were identified on or near the Property.

According to USFWS IPaC, no critical habitats were identified within the Property.



5.0 SPECIES OF CONCERN

The purpose of the Endangered Species Act (ESA) is to protect and recover imperiled species and the ecosystems upon which they depend. It is administered by the United States Fish and Wildlife Service (USFWS) and the Commerce Department's National Marine Fisheries Service (NMFS).

Under the ESA, species may be listed as either endangered or threatened. "Endangered" means a species is in danger of extinction throughout all or a significant portion of its range. "Threatened" means a species is likely to become endangered within the foreseeable future. "Candidate" species are plants and animals for which the USFWS has sufficient information on their biological status and threats to propose them as endangered or threatened under the ESA, but for which development of a proposed listing regulation is precluded by other higher priority listing activities. Candidate species receive no statutory protection under the ESA. The FWS encourages cooperative conservation efforts for these species because they are, by definition, species that may warrant future protection under the ESA.

Federally Listed Species

According to the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) official species list printed September 19, 2024, the following federally threatened or endangered species are listed for Ottawa County, Michigan:

- Indiana Bat – *Myotis sodalis*,
- Monarch Butterfly – *Danaus Plexippus*,
- Piping Plover – *Charadrius melodus*,
- Pitcher’s Thistle – *Cirsium pitcheri*,
- Rufa Red Knot – *Calidris canutus rufa*,
- Whooping Crane – *Grus americana*,
- Eastern Massasauga Rattlesnake [EMR] – *Sistrurus catenatus*

Based on the proposed project location and Property redevelopment assumptions (see DKey in Attachment 4), the IPaC Michigan Determination Key (DKey), identified the following effect determinations:

Species	Listing Status	Determination
Eastern Massasauga (EMR)	Threatened	NLAA
Monarch Butterfly	Candidate	No Effect
Piping Plover	Endangered	No Effect
Pitcher’s Thistle	Threatened	No Effect
Rufa Red Knot	Threatened	No Effect
Whooping Crane	Experimental Population	No Effect
Indiana Bat (IBAT)	Endangered	NLAA

No Effect: the project will have absolutely no effect on listed species or critical habitat.

Based on the response, the review is in compliance with this section. *No Effect projects do not require USFWS consultation.*

Not Likely to Adversely Affect (NLAA): Any effects that the project may have on federally listed species or critical habitats would be beneficial, discountable, or insignificant. *NLAA determinations require informal*

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consultation with USFWS. Initiate consultation by preparing correspondence with Project details to the local USFWS office.

The following avoidance and minimization measures (mitigation actions) must be completed during Property redevelopment to minimize negative impacts to listed species potentially located on the Property and maintain the NLAA determination:

For the Indiana Bat (IBat):

- When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting) and direct temporary lighting away from suitable bat habitat (mature trees that are greater than 3 inches diameter at breast height) during the active season (April 15 through September 30).
- No tree cutting/trimming will occur on potential bat roost trees (trees ≥ 3 inches in diameter [at breast height] with cracks, crevices, cavities, and/or exfoliating bark) and no prescribed fire, and/or widespread pesticide/herbicide applications will occur between May 1 and August 31.

For the Eastern Massasauga Rattlesnake (EMR):

- Use wildlife-safe materials for erosion control and site restoration.
- Those implementing the project should first watch MDNR's "60-Second Snakes: The Eastern Massasauga Rattlesnake video" https://youtu.be/-PFnXe_e02w, or review the EMR factsheet included in Attachment 4.
- If EMR (or any other State or Federal listed species) is identified on the Property during development, operations should cease, and your project manager should contact the USFWS field office within 24 hours at (517) 351-2555.

State Listed Species

Section 324.36505 of the State of Michigan ESA (Part 365 of PA 451, 1994 Michigan Natural Resources and Environmental Protection Act) states that: Except as otherwise provided in this part, a person shall not take, possess, transport, import, export, process, sell, offer for sale, buy, or offer to buy, and a common or contract carrier shall not transport or receive for shipment, any species of fish, plants, or wildlife appearing on the following lists:

- The list of fish, plants, and wildlife indigenous to the state determined to be endangered or threatened within the state pursuant to section 36503 or subsection.
- The United States list of endangered or threatened native fish and wildlife, plants, foreign fish or wildlife.

Triterra requested a Rare Species Review (#5152) from MNFI for the Property. The Property location was checked against known localities for rare species and unique natural features, which are recorded in the MNFI natural heritage database. The absence of records in the database for a site may mean that the site has not been surveyed. The only way to obtain a definitive statement on the status of natural features is to have a competent biologist perform a complete field survey. **According to a September 17, 2024, letter from MNFI, "Although several at-risk species and/or natural communities have been documented within 1.5 miles of the proposed activity, it is unlikely that adverse impacts will occur."** The MNFI Rare Species report is included in Attachment 4.



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VL Fulton St, Grand Haven, MI

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Table 1: Occurrences of Threatened & Endangered Species within 1.5 miles of Project Site

Element Category	Scientific Name	Common Name	State Status	Last Observed Date
Animal	<i>Cyclonaias tuberculata</i>	Purple Wartyback	T	1959
Animal	<i>Falco Peregrinus</i>	Peregrine Falcon	T	2019
Animal	<i>Maxostoma carinatum</i>	River Redhorse	T	2018
Animal	<i>Notropis texanus</i>	Weed Shiner	X	1934
Animal	<i>Obliquaria reflexa</i>	Threehorn Wartyback	E	1959
Animal	<i>Obovaria olivaria</i>	Hickorynut	E	1959
Animal	<i>Potamilus ohioensis</i>	Pink Papershell	X	1949
Plant	<i>Adlumia fungosa</i>	Climbing fumitory	T	1871
Plant	<i>Cirsium pitcheri</i>	Pitcher's Thistle	T	2012
Plant	<i>Panax quinquefolius</i>	Ginseng	T	1980
Plant	<i>Pterospora andromedea</i>	Pine-drops	T	1871
Plant	<i>Zizania aquatica</i>	Wild Rice	T	1928

T=threatened, E = Endangered, X = Extirpated

Property Reconnaissance

During Property reconnaissance, Triterra visually surveyed the Property for evidence of the following State and/or Federally listed endangered or threatened Plant species: Pitchers Thistle, Climbing fumitory, Ginseng, Pine Drops, and Wild rice; no evidence of the listed species were identified on the Property.

Triterra observed mature trees, greater than three inches in diameter at breast height (dbh) on the Property, with loose or shaggy bark, cracks, crevices, or cavities, that meets the criteria for suitable summer roosting habitat for the Indiana Bat. Triterra did not perform a presence/absence survey of the Property for the Indian Bat or EMR. The Property did not appear to contain suitable habitat for the remaining Federally listed species.

To maintain the NLAA IPaC determination, tree cutting/trimming of suitable roost trees (trees ≥ 3 inches in diameter [at breast height] with cracks, crevices, cavities, and/or exfoliating bark), prescribed fire, or widespread pesticide/herbicide should occur outside of the summer roosting period May 1 and August 31.

The USFWS IPaC DKey, Official Species List, Federally listed species fact sheets, and MNFI Rare Species report are include in Attachment 5.



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Migratory Birds

The Migratory Bird Treaty Act is a Federal law that carries out the United States' commitment to four international conventions with Canada, Japan, Mexico and Russia. Those conventions protect birds that migrate across international borders. The "take" of all migratory birds, including bald eagles, is governed by the Migratory Birds Treaty Act's regulations. The Migratory Bird Treaty Act (MBTA) prohibits the "taking", killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests except as authorized under a valid permit (50 CFR 21.11).

The following migratory bird species were identified for Ottawa County by USFWS IPaC:

Common Name	Scientific name	Breeding Season
American Golden-plover	<i>Pluvialis dominica</i>	Breeds elsewhere
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Dec 1 to Aug 31
Black Tern	<i>Chlidonias niger</i>	May 15 to Aug 20
Black-billed Cuckoo	<i>Coccyzus erythrophthalmus</i>	May 15 to Oct 10
Bobolink	<i>Dolichonyx oryzivorus</i>	May 20 to July 31
Canada Warbler	<i>Cardellina canadensis</i>	May 20 to Aug 20
Cerulean Warbler	<i>Setophaga cerulea</i>	April 22 to July 20
Chimney Swift	<i>Chaetura pelagica</i>	Mar 15 to Aug 25
Eastern Whip-poor-will	<i>Antrostomus vociferus</i>	May 1 to Aug 20
Golden Eagle	<i>Aquila chrysaetos</i>	Breeds elsewhere
Golden-winged Warbler	<i>Vermivora chrysoptera</i>	May 1 to July 20
Grasshoppers Sparrow	<i>Ammodramus savannarum perpallidus</i>	June 1 to Aug 20
Lesser Yellowlegs	<i>Tringa flavipes</i>	Breeds elsewhere
Pectoral Sandpiper	<i>Calidris melanotos</i>	Breeds elsewhere
Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>	May 10 to Sep 10
Ruddy Turnstone	<i>Arenaria interpres morinella</i>	Breeds elsewhere
Rusty Blackbird	<i>Euphagus carolinus</i>	Breeds elsewhere
Semipalmated Sandpiper	<i>Calidris pusilla</i>	Breeds elsewhere
Short-billed Dowicher	<i>Limnodromus griseus</i>	Breeds elsewhere
Western Grebe	<i>Aechmophorus occidentalis</i>	June 1 to Aug 31
Wood Thrush	<i>Hylocichla mustelina</i>	May 10 to Aug 31

The Nationwide Standard Conservation Measures document (included in Attachment 5) describes measures that can help avoid and minimize impacts to all birds at any location year-round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. Schedule all vegetation removal, trimming, and grading of vegetated areas outside of the peak bird breeding season to the maximum extent practicable to avoid potential impacts to migratory birds of concern. Triterra did not complete a presence/absence survey on the Property for State, Federal, or Migratory birds of concern.



Limited Scope Environmental Survey

VL Fulton St, Grand Haven, MI

September 26, 2024



6.0 AUTHOR & ENVIRONMENTAL PROFESSIONAL SIGNATURES

This Threatened and Endangered Species Assessment was prepared by Christian Halquist (Environmental Scientist) and reviewed by Meredith Crane (Senior Scientist | Director of Natural Resources) on behalf of Triterra.

This report was prepared exclusively for Dwelling Place of Grand Rapids for the purposes as expressly stated. This report may be unsuitable for other uses and reliance on its contents by anyone other than the client is done at the sole risk of the user. This report may not be reproduced, sold, or otherwise conveyed to another entity without prior written permission from Triterra.

Should you have any questions or comments regarding this information, please feel free to contact the undersigned at (517) 702-0470.

A handwritten signature in blue ink, appearing to read "Christian Halquist", written over a horizontal line.

Christian Halquist
Environmental Scientist

A handwritten signature in blue ink, appearing to read "Meredith Crane", written over a horizontal line.

Meredith Crane
Senior Scientist
Manager | Natural Resources

September 24, 2024

Date



Limited Scope Environmental Survey

VL Fulton St, Grand Haven, MI

September 26, 2024



7.0 REFERENCES

Michigan State University Michigan Natural Features Inventory County Element Data Ottawa County, <https://mnfi.anr.msu.edu/resources/county-element-data>.

United States Fish and Wildlife Service. Environmental Conservation Online System. Species by County Report, Ottawa County, Michigan. www.fws.gov.

United States Fish and Wildlife Service. Michigan County Distribution of Federally Listed Endangered and Threatened Species. www.fws.gov.

USFWS General Project Design Guidelines (2 Species), September 19, 2024.

USFWS – Coastal Barrier Resources System, exported 9/19/2024

USFWS National Wetland Inventory

United State Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey, National Cooperative Soil Survey.

United State Geological Survey (USGS) National Map -7.5 Minute Topological Quadrangle, custom extent.

FEMA National Flood Hazard Layer FIRMETTE, exported 9/19/2024.

FEMA Community Status Bok Report – Communities Participating in the National Flood Program – Michigan, exported 9/19/2024.

The Ottawa County Office of the Water Resources – Drain Commissioner map viewer.

Michigan department of Environment, Great Lakes, and Energy (EGLE) – MiEnviro Portal – Site Explorer.

EGLE Coastal Zone Management Maps – Ottawa County

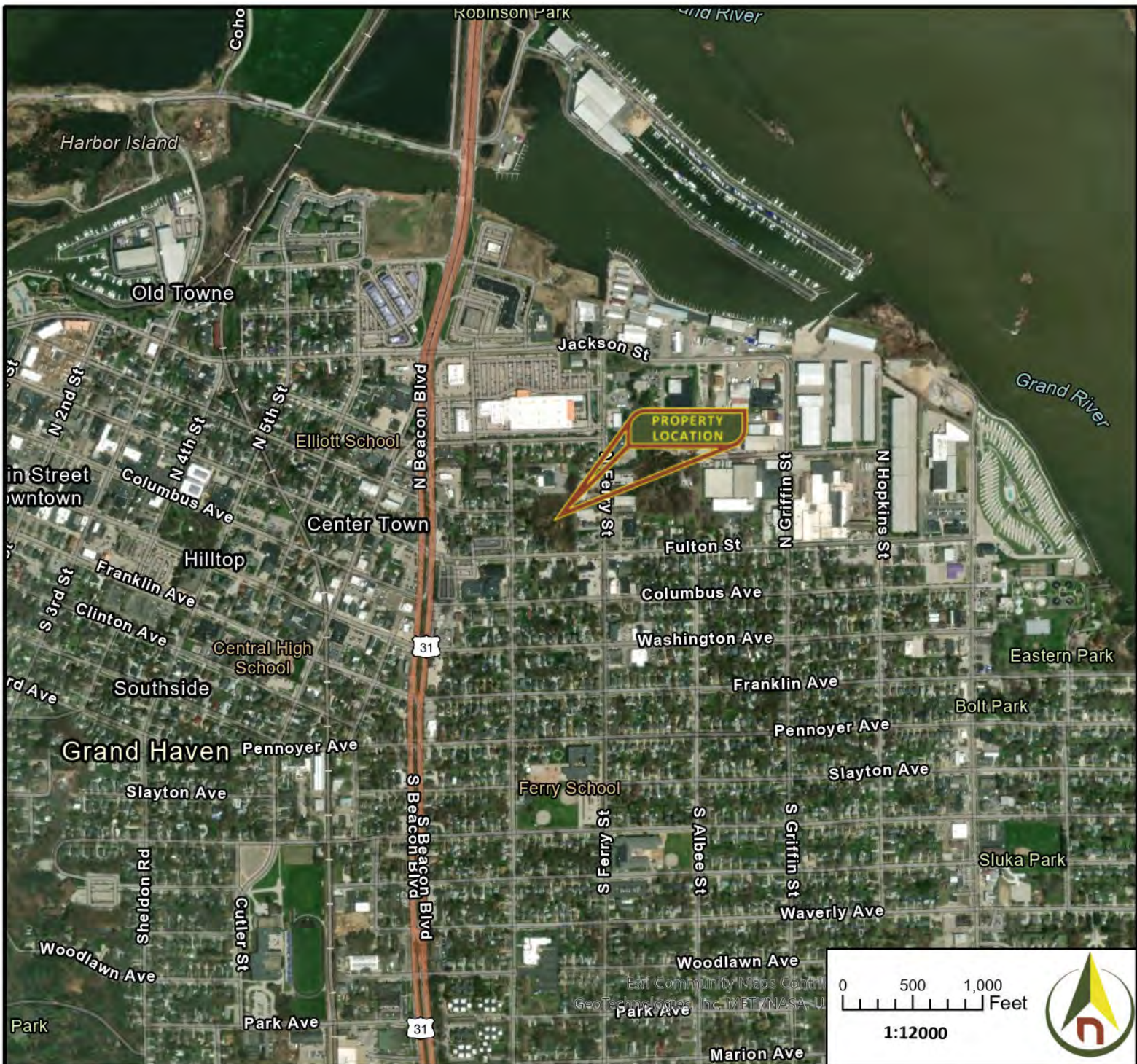
EGLE Wetlands Viewer Map

EGLE Critical Dunes Atlas

Google Earth Pro – Historical map viewer



FIGURES



TRIO TERRA

FIGURE 1 SUBJECT PROPERTY LOCATION

PARCEL #70-03-21-328-031
GRAND HAVEN, MICHIGAN 49417

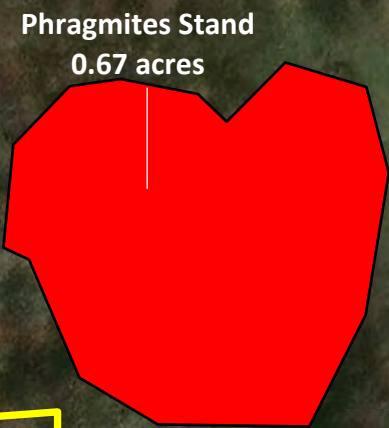
OTTAWA COUNTY
T8N, R16W, SECTION 21

PROJECT NUMBER 24-3775





N Despelder St

N Ferry St



Phragmites Stand
0.67 acres

Fulton St

-  Regulated Wetlands
-  Approximate Property Boundary

0 60 120 Feet

Maxar, Microsoft, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau



FIGURE 2

PHRAGMITES HABITAT DIAGRAM

PROJECT NUMBER 24-3775

V/L FULTON ST
GRAND HAVEN, MICHIGAN 49417

CREATED BY: CHq

1/16
DATE: 9/24/2024



Approximate Property Boundary

0 40 80 Feet



FIGURE 3

ASSESSMENT POINT DIAGRAM

PROJECT NUMBER 24-3775

V/L FULTON ST
GRAND HAVEN, MICHIGAN 49417

1/16
 CREATED BY: CHq DATE: 9/24/2024





Maxar, Microsoft, Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau



FIGURE 4
WETLAND DELINEATION DIAGRAM
 PROJECT NUMBER 24-3775

V/L FULTON ST
GRAND HAVEN, MICHIGAN 49417
 1/16
 CREATED BY: CHq DATE: 8/16/2024

ATTACHMENT 1

PHOTOLOG



Habitat Assessment Area 1: View of brome grass, bouncing-bet, & soapwort.



Habitat Assessment Area 1: View of black cherry tree and dumped yard waste



Habitat Assessment Area 2: View of box elder and general landscape



Habitat Assessment Area 2: View of motherwort.



Habitat Assessment Area 3: View of canopy dominated by box elders and black walnut trees.



Habitat Assessment Area 3: View of floor with dames rocket, and motherwort



Habitat Assessment Area 4: View of mature northern catalpa trees



Habitat Assessment Area 4: View of box elder trees along western edge of the property.



Habitat Assessment Area 5: View of neighboring property and sand slope along western edge of the subject property.



Habitat Assessment Area 5: View of neighboring property and sand slope along western edge of the subject property.



Habitat Assessment Area 6: View of stinging nettle patch.



Habitat Assessment Area 6: View of mature aspen tree



Habitat Assessment Area 7: View of transition from upland to wetland into phragmites stand.



Habitat Assessment Area 7: View of stinging nettle patch.



Habitat Assessment Area 8: View of upland swale dominated by box elder trees.



Habitat Assessment Area 8: View of transition from upland to wetland into phragmites stand.



Habitat Assessment Area 9: View of transition from upland to wetland into phragmites stand.



Habitat Assessment Area 9: View towards the upland swale of dense box elder saplings and trees.



Habitat Assessment Area 10: View of mature box elder tree on the upland swale



Habitat Assessment Area 10: View of dense phragmites stand located in the center of the property.



Habitat Assessment Area 11: View of dense phragmites stand located in the center of the property.



Habitat Assessment Area 11: View of dense phragmites stand located in the center of the property.



Habitat Assessment Area 12: View of mature walnut tree



Habitat Assessment Area 12: View of the floor, dominated primarily by motherwort.



Habitat Assessment Area 13: View of upland swale comprised of box elders and dame's rocket.



Habitat Assessment Area 13: View of the floor, dominated by dame's rocket.



Habitat Assessment Area 14: View of the floor comprised of virginia creeper and giant knotweed



Habitat Assessment Area 14: View of the floor comprised of virginia creeper and sensitive fern.

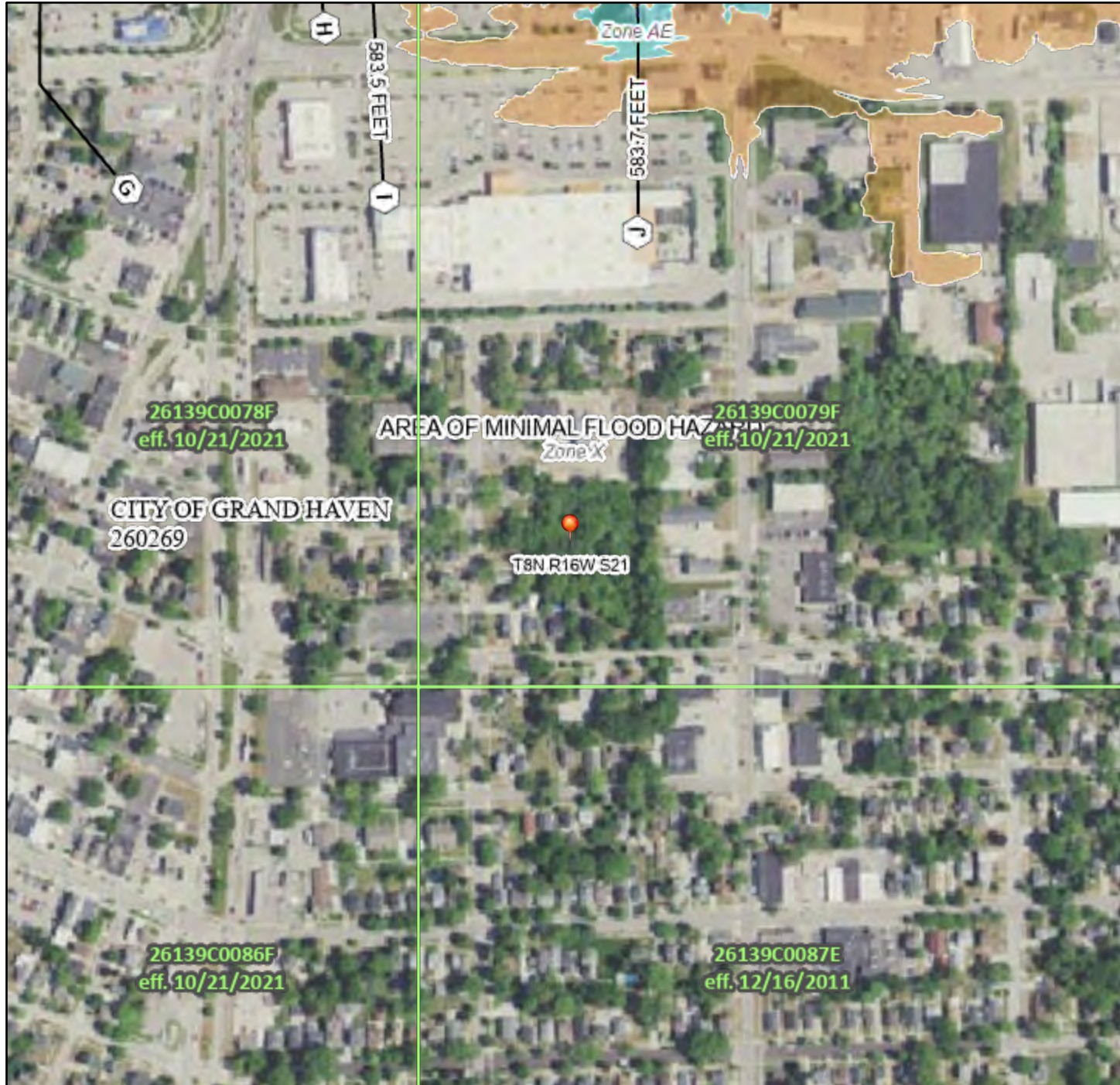
ATTACHMENT

ATER RESOURCES APS

National Flood Hazard Layer FIRMMette



86°13'21"W 43°4'2"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, V, A99	With BFE or Depth Zone AE, AO, AH, VE, AR	Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X	Future Conditions 1% Annual Chance Flood Hazard Zone X	Area with Reduced Flood Risk due to Levee. See Notes. Zone X	Area with Flood Risk due to Levee Zone D

OTHER AREAS	NO SCREEN Area of Minimal Flood Hazard Zone X	Effective LOMRs	Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer	Levee, Dike, or Floodwall

OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Elevation	Coastal Transect	Base Flood Elevation Line (BFE)	Limit of Study	Jurisdiction Boundary	Coastal Transect Baseline	Profile Baseline	Hydrographic Feature

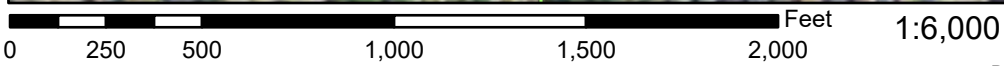
MAP PANELS	Digital Data Available	No Digital Data Available	Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/19/2024 at 12:51 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



86°12'44"W 43°3'35"N

Basemap Imagery Source: USGS National Map 2023



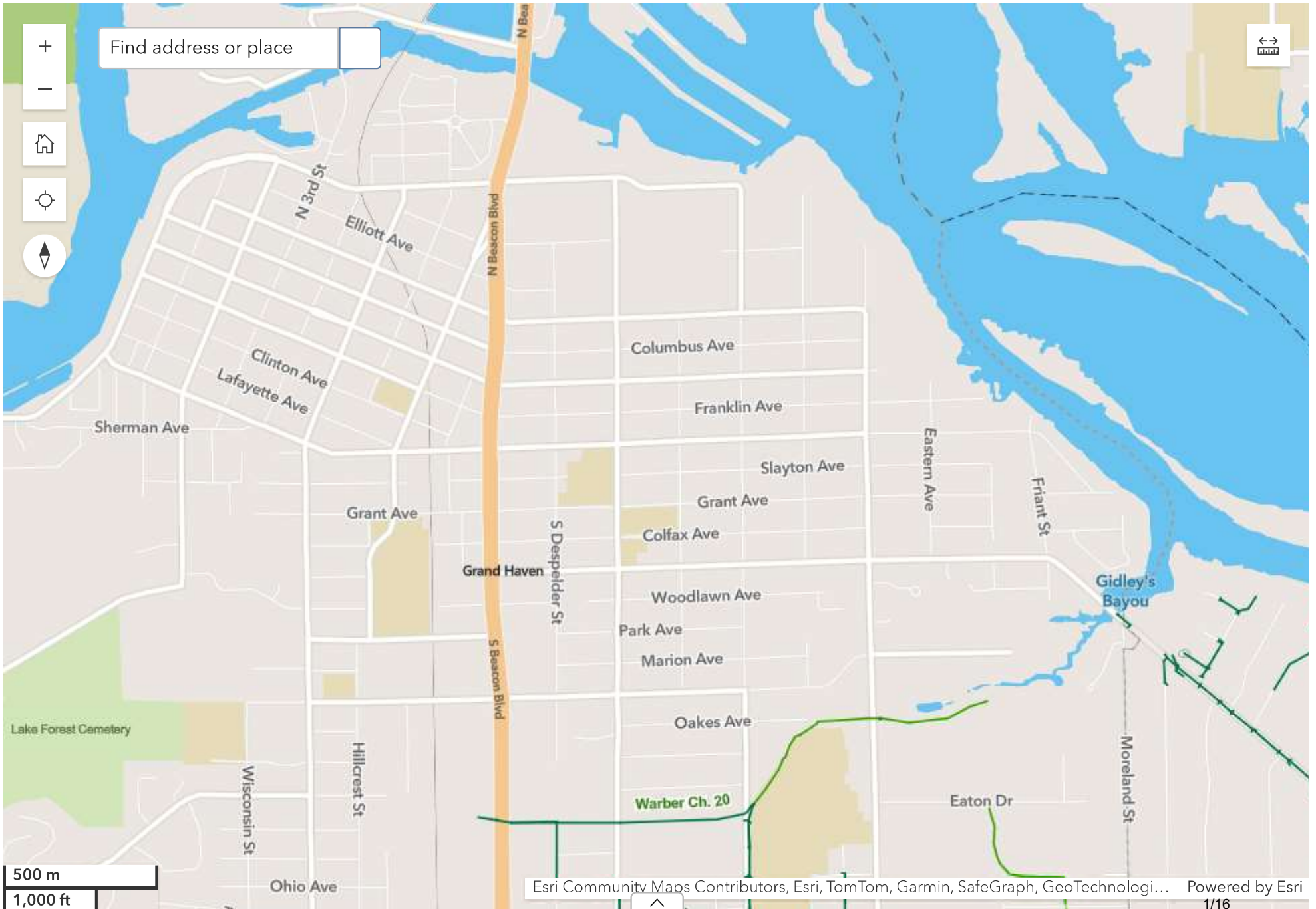
Community Status Book Report

Communities Participating in the National Flood Program



MICHIGAN

CID	Community Name	County	Init FHBM Identified	Init FIRM Identified	Curr Eff Map Date	Tribal	Reg-Emer Date	CRS Entry Date	Curr Eff Date	Curr Class	% Disc
260589#	GEORGETOWN, CHARTER TOWNSHIP OF	OTTAWA COUNTY	09/26/75	07/18/85	05/16/13	No	07/18/85				
260226C	GIBRALTAR, CITY OF	WAYNE COUNTY	06/28/74	06/15/79	10/21/21	No	06/15/79	10/01/92	10/01/02	8	10%
260919#	GILMORE, TOWNSHIP OF	ISABELLA COUNTY		01/07/98	02/05/14	No	02/21/14				
261920A	GILMORE, TOWNSHIP OF	BENZIE COUNTY		03/23/21	03/23/21	No	04/28/21				
261044#	GIRARD, TOWNSHIP OF	BRANCH COUNTY		04/19/10	04/19/10	No	04/19/10				
260267B	GLADSTONE, CITY OF	DELTA COUNTY	06/14/74	09/15/77	03/07/23	No	09/15/77				
261347A	GLADWIN, CITY OF	GLADWIN COUNTY		08/02/18	08/02/18(M)	No	11/13/18				
261348A	GLADWIN, TOWNSHIP OF	GLADWIN COUNTY		08/02/18	08/02/18(M)	No	02/07/19				
260604B	GLEN ARBOR, TOWNSHIP OF	LEELANAU COUNTY	12/30/77	09/01/86	06/07/23	No	09/01/86				
260301B	GOLDEN, TOWNSHIP OF	OCEANA COUNTY	01/17/75	09/01/86	08/24/21	No	09/01/86				
260988#	GOODLAND, TOWNSHIP OF	LAPEER COUNTY		09/19/07	09/19/07(M)	No	09/19/07				
260397#	GOODRICH, VILLAGE OF	GENESEE COUNTY	07/29/77	09/29/78	09/25/09	No	09/29/78				
260785#	GORE, TOWNSHIP OF	HURON COUNTY		12/02/08	12/02/08	No	09/18/87				
260455#	GOURLEY, TOWNSHIP OF	MENOMINEE COUNTY	10/08/76	10/16/12	10/16/12(M)	No	11/05/09				
260268B	GRAND BEACH, VILLAGE OF	BERRIEN COUNTY	06/28/74	02/15/78	04/25/24	No	02/15/78				
260255#	GRAND BLANC, CITY OF	GENESEE COUNTY	07/11/75	07/02/80	09/25/09	No	07/02/80				
260079#	GRAND BLANC, TOWNSHIP OF	GENESEE COUNTY	05/17/74	08/01/80	09/25/09	No	08/01/80				
260269C	GRAND HAVEN, CITY OF	OTTAWA COUNTY	06/28/74	02/15/78	10/21/21	No	02/15/78				
260270C	GRAND HAVEN, TOWNSHIP OF	OTTAWA COUNTY	08/02/74	01/16/81	10/21/21	No	01/16/81	05/01/18	05/01/18	8	10%
260068#	GRAND LEDGE, CITY OF	CLINTON COUNTY/EATON COUNTY	05/17/74	01/02/81	05/03/11	No	01/02/81				
260106A	GRAND RAPIDS, CITY OF	KENT COUNTY	11/09/73	01/17/79	02/23/23	No	01/17/79				
260271A	GRANDVILLE, CITY OF	KENT COUNTY	07/13/73	09/16/82	02/23/23	No	09/16/82				
260610#	GRANT, TOWNSHIP OF	CHEBOYGAN COUNTY	10/24/75	01/18/89	08/16/12	No	01/18/89				
261452A	GRANT, TOWNSHIP OF	MECOSTA COUNTY		02/04/15	02/04/15(M)	No	07/26/23				
261004	GRANT, TOWNSHIP OF	KEWEENAW COUNTY				No	10/27/97(E)				
260837#	GRANT, TOWNSHIP OF	HURON COUNTY		12/02/08	12/02/08(M)	No	05/21/09				
261062#	GRASS LAKE, TOWNSHIP OF	JACKSON COUNTY		05/03/10	05/03/10(M)	No	05/03/10				
260901#	GRAYLING, CITY OF	CRAWFORD COUNTY		04/17/12	04/17/12(M)	No	06/25/92				
261498#	GRAYLING, TOWNSHIP OF	CRAWFORD COUNTY		04/17/12	04/17/12(M)	No	06/05/12				
260440#	GREEN OAK, TOWNSHIP OF	LIVINGSTON COUNTY	05/27/77	10/16/84	09/17/08	No	10/16/84				
260951A	GREEN, CHARTER TOWNSHIP OF	MECOSTA COUNTY		02/04/15	02/04/15(M)	No	02/04/15				
260001B	GREENBUSH, TOWNSHIP OF	ALCONA COUNTY	09/06/74	09/30/88	06/01/22	No	09/30/88				
260870#	GREENDALE, TOWNSHIP OF	MIDLAND COUNTY		05/04/09	01/16/13	No	05/04/09				
260158#	GREENVILLE, CITY OF	MONTCALM COUNTY	01/17/75	11/02/83	11/02/83	No	11/02/83				
260947#	GREENWOOD, TOWNSHIP OF	WEXFORD COUNTY		08/03/98	(NSFHA)	No	06/30/97				
261260#	GREENWOOD, TOWNSHIP OF	CLARE COUNTY		12/03/10	12/03/10(M)	No	03/06/12				
260227C	GROSSE ILE, TOWNSHIP OF	WAYNE COUNTY	06/07/74	08/01/80	10/21/21	No	08/01/80				
260229C	GROSSE POINTE FARMS, CITY OF	WAYNE COUNTY	05/17/74	12/10/82	10/21/21	No	12/10/82				
260230C	GROSSE POINTE PARK, CITY OF	WAYNE COUNTY	04/12/74	01/03/79	10/21/21	No	01/03/79				
260250C	GROSSE POINTE SHORES, VILLAGE OF	MACOMB COUNTY/WAYNE	04/12/74	01/03/79	10/21/21	No	01/03/79				





Search By Keyword

SEARCH RESULTS (2,375)

Show sites with no locations

Cold/Cold Transitional Stream



Federal Wild Scenic Rivers

Outstanding State Resource Waters

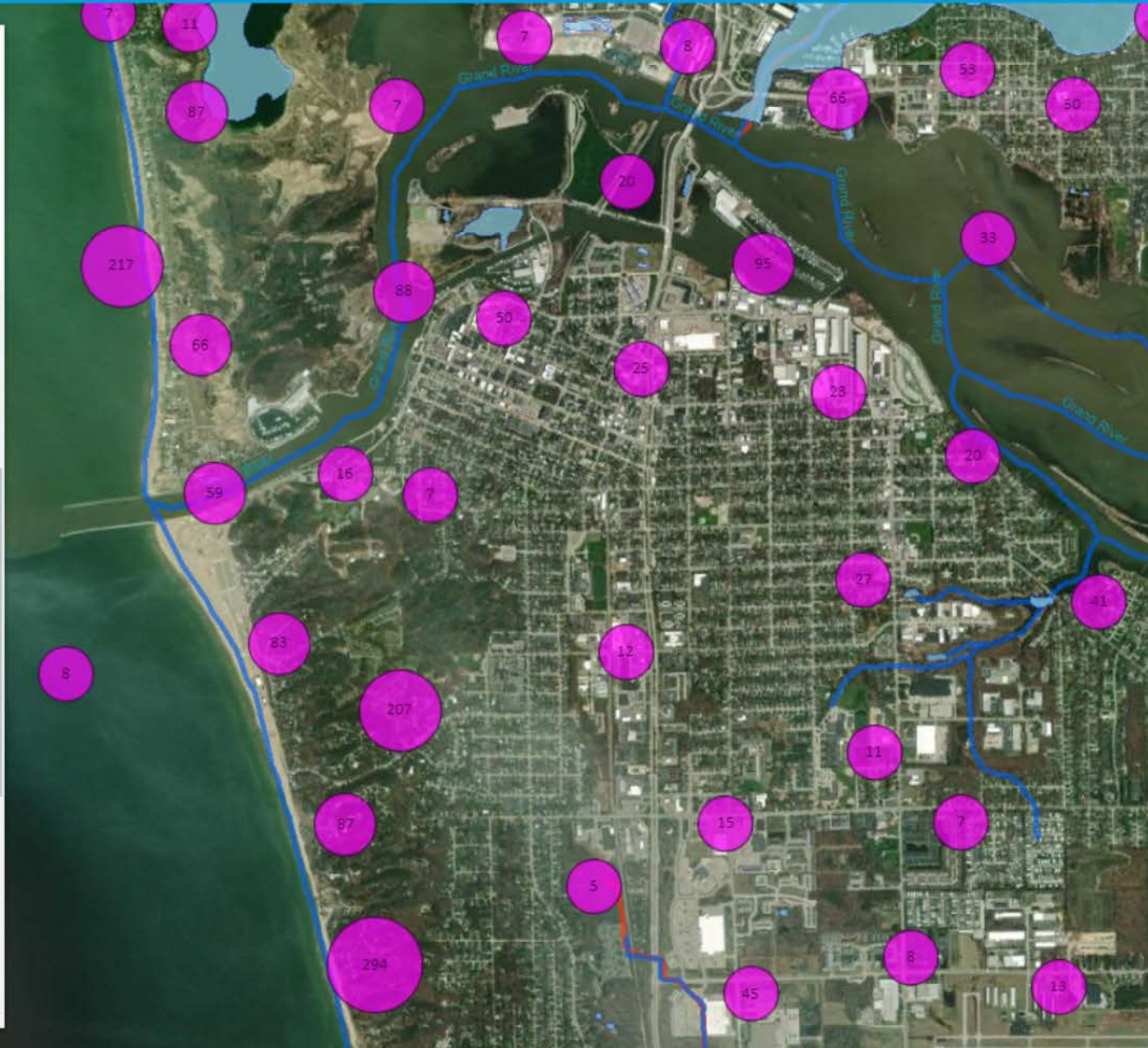


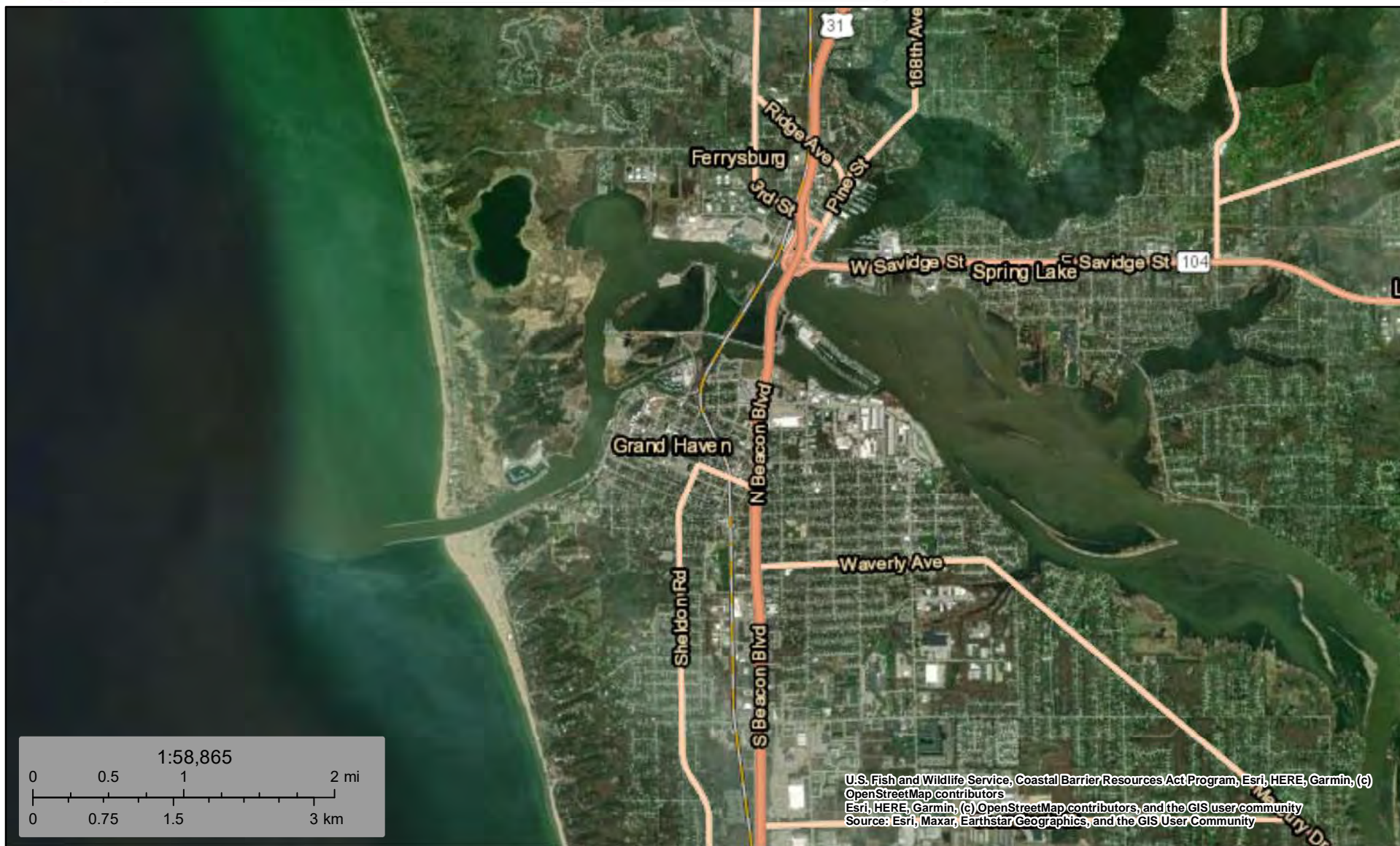
Inland Lake Bathymetry

State Natural Rivers



Trout Lakes







September 19, 2024

 CBRS Buffer Zone

CBRS Units

-  Otherwise Protected Area
-  System Unit

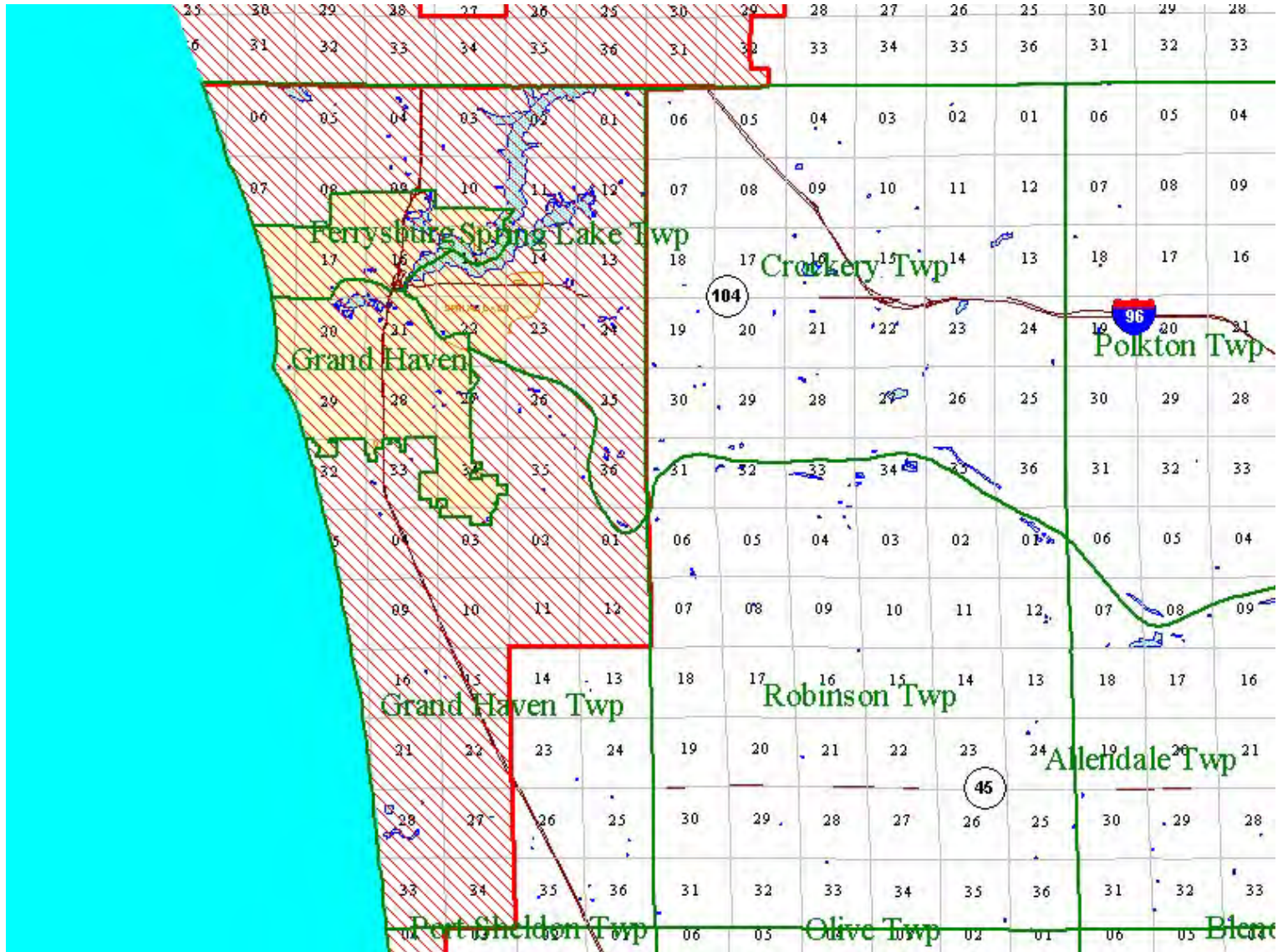
This map is for general reference only. The Coastal Barrier Resources System (CBRS) boundaries depicted on this map are representations of the controlling CBRS boundaries, which are shown on the official maps, accessible at <https://www.fws.gov/library/collections/official-coastal-barrier-resources-system-maps>. All CBRS related data should be used in accordance with the layer metadata found on the CBRS Mapper website.

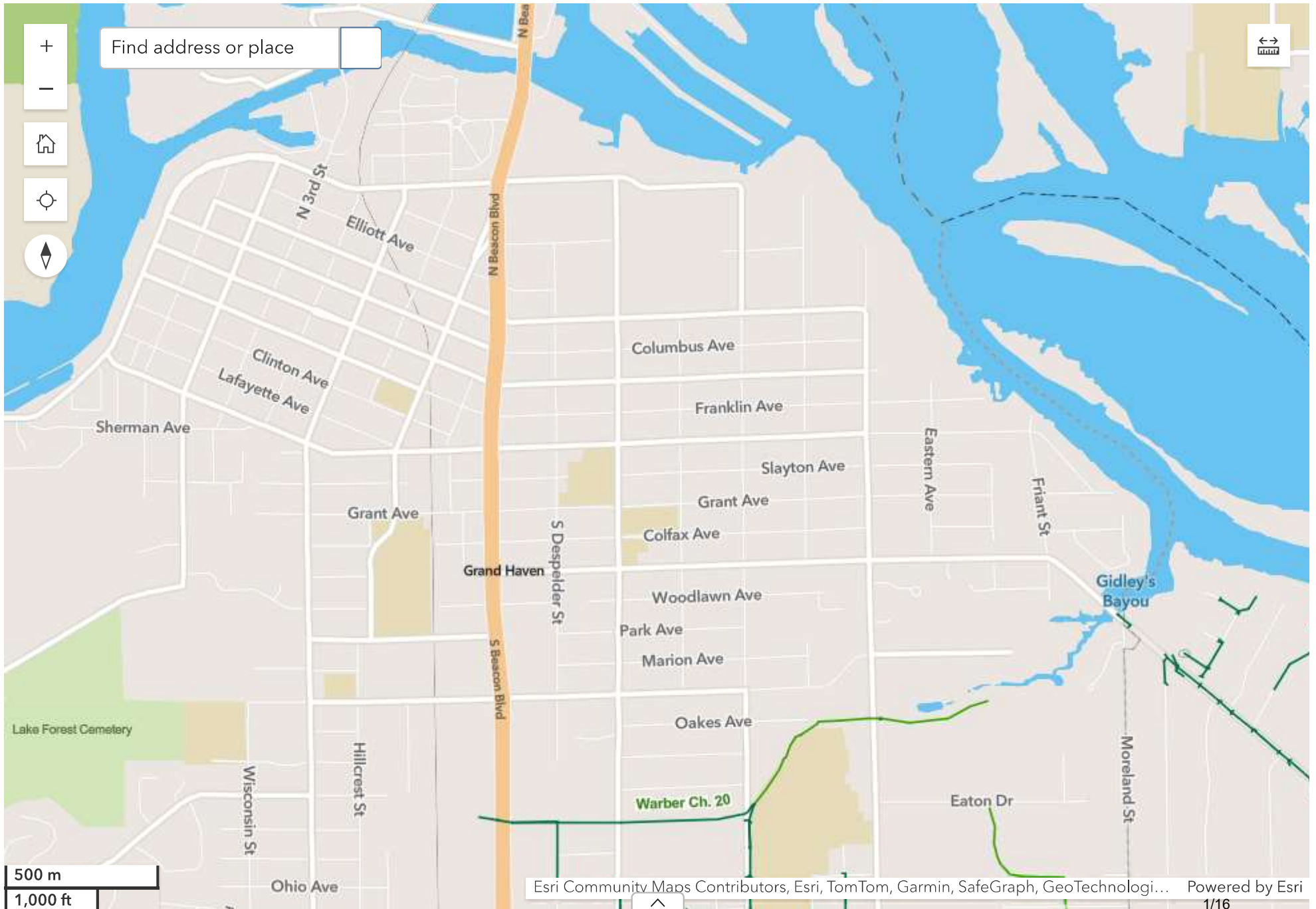
The CBRS Buffer Zone represents the area immediately adjacent to the CBRS boundary where users are advised to contact the Service for an official determination (<https://www.fws.gov/service/coastal-barrier-resources-system-property-documentation>) as to whether the property or project site is located "in" or "out" of the CBRS.

CBRS Units normally extend seaward out to the 20- or 30-foot bathymetric contour (depending on the location of the unit). The true seaward

Ottawa County
 Spring Lake Township, T6N R17W and T8N R16W
 Ferrysburg, T8N R16W
 Grand Haven Township, T7N R16W T8N R16W
 Grand Haven T8N R16W

The heavy red line is the **Coastal Zone Management Boundary**
 The red hatched area is the **Coastal Zone Management Area**





ATTACHMENT

ROUTINE ETLAND DELINEATION REPORT



1375 S. Washington Avenue, Suite 100
Lansing, Michigan 48910
517-702-0470
Fax 517-702-0477
www.triterra.us

August 19, 2024
(24-3775)

Dwelling Place of Grand Rapids, Inc.
109 Sheldon Ave Se, Suite 109
Grand Rapids MI, 49503

SUBJECT: *Routine Wetland Delineation Report*
VL Fulton St, Grand Haven, Michigan 49417
Parcel Tax ID 70-03-21-328-031

Triterra was retained to complete routine wetland delineation services on an approximately 2.09-acre tract of undeveloped land located north of Fulton Street and east of N. Despelder Street in Grand Haven (Ottawa County), Michigan (the Property). The Property is located in an area primarily developed for residential and commercial purposes. The Property location, approximate Property boundary, and delineated wetland are depicted in Figure 1.

Michigan's wetland statute, Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, defines a wetland as "land characterized by the presence of water at a frequency and duration sufficient to support, and that under *normal circumstances** does support, wetland vegetation or aquatic life, and is commonly referred to as a bog, swamp, or marsh." The definition applies to public and private lands regardless of zoning or ownership.

The routine wetland delineation was conducted in accordance with the requirements described in Part 303, Wetlands Protection, of NREPA, 1994 PA 451, as amended, Rule 4 (1), and the Wetland Identification and Assessment (R 281.924), of the Administrative Rules for Part 303, and procedures identified in the USACE Wetlands Delineation Manual (Technical Report Y-87-1) and applicable regional supplement: Northcentral and Northeast (ERDC/EL TR-12-1)

Executive Summary

Triterra identified one combination emergent and forested wetland "Wetland A" (>0.81 acres), located in the central portion of the Property. In Triterra's professional opinion, Wetland A does not meet the requirements of a wetland regulated under Part 303 of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451. Wetland A appears to be located greater than 1,500 feet southwest of the Grand River.

What is a Wetland?

According to the USACE *Wetlands Delineation Manual* (Technical Report Y-87-1), wetlands have the following general diagnostic environmental characteristics [under normal circumstances*]:

- Inundated or saturated soil conditions resulting from permanent or periodic inundation by ground water or surface water (for at least 5% of the growing season),
- Soils are present and have been classified as hydric, or they possess characteristics that are associated with reducing soil conditions, and
- A prevalence of vegetation that are adapted to areas having hydrologic and soil conditions described above. Hydrophytic species, due to morphological, physiological, and/or reproductive adaptation(s), have the ability to grow, effectively compete, reproduce, and/or persist in anaerobic soil conditions.

*Normal Circumstances has been further defined as “the soil and hydrologic conditions that are normally present, without regard to whether the vegetation has been inadvertently or purposely removed or altered as a result of recent natural events or human activities. Other examples of human alterations that may affect wetlands are draining, ditching, levees, deposition of fill, irrigation, and impoundments.”

Wetlands Regulated under Part 303

Wetlands at the Property are regulated by EGLE under Part 303, a federally authorized Section 404 program consistent with the requirements of the Clean Water Act (33 U.S.C. 1344), if the wetlands meet one or more of the following requirements:

- Located within 1,000 feet of or hydrologically connected to* of one of the Great Lakes or Lake St. Clair; or
- Located within 500 feet of or hydrologically connected to* an inland lake, pond (open water ≥ 1-acre), stormwater ponds ≥ 1-acre, river, or stream/creek; or
- Greater than 5 acres in size (artificial barriers such as dikes, berms, and roadways do not break the contiguity of the wetland); or
- Not connected to one of the Great Lakes or Lake St. Clair, or an inland lake, pond, river, or stream, and less than 5 acres in size, but EGLE has determined that these wetlands are essential to the preservation of the state’s natural resources and has notified the property owner, or
- Has the documented presence of an endangered or threatened species under part 365 or the endangered species act of 1973 (Public Law 93-205), or;
- Identified as rare and imperiled wetland habitats (listed in Sec 30301 (1)(l)).
 - Great Lakes marsh.
 - Southern wet meadow.
 - Inland salt marsh.
 - Coastal plain marsh.
 - Interdunal wetland.
 - Lakeplain wet prairie.
 - Lakeplain wet-mesic prairie.
 - Coastal fen.
 - Wet-mesic prairie.

Routine Wetland Delineation

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- Wet prairie.
- Prairie fen.
- Northern fen.
- Patterned fen.
- Poor fen.
- Muskeg.
- Relict conifer swamp.
- Southern floodplain forest.

In accordance with Part 303, a local unit of government can regulate wetlands by ordinance, in addition to State regulation, if certain criteria are met. Contact the local municipality to identify and comply with potential local wetland ordinances and other development regulations.

*hydrological connections can be seasonal or intermittent and can be through non-wetland swales, surface scouring, culverts, storm sewer pipes, agricultural drains/tile, or roadside ditches.

Activities requiring a Permit under Part 303

The law requires that persons planning to conduct certain activities in regulated wetlands complete a Joint Permit Application (JPA) from the United States Army Corps of Engineers (USACE) and the Michigan Department of Environment, Great Lakes, and Energy (EGLE) before beginning the activity permit from the state before beginning the activity. An approved permit is required from EGLE and the USACE for the following activities in a regulated wetland:

- Deposit or permit the placing of fill material in a wetland.
- Dredge, remove, or permit the removal of soil or minerals from a wetland.
- Construct, operate, or maintain any use or development in a wetland.
- Drain surface water from a wetland.

State laws require that all activities occurring on/near regulated wetland must comply with the requirements of Part 303. If Property wetlands are regulated according to Part 303 and future development of the Property is planned, a joint USACE and EGLE wetland permit may be required.

Triterra recommends obtaining concurrence with the findings stated in this report with EGLE through a “Level 3 WIP” and/or a wetland permit “Pre-application meeting” during site redevelopment planning activities. A “Level 3” Wetland Identification performed by EGLE staff is an on-site review to verify a wetland delineation completed by a wetland professional and/or consultant. The final authority for wetland boundaries and permit requirements rests with the government agencies which have jurisdiction over the project site.

Wetlands regulated under Part 404 of the Clean Water Act (Federal Jurisdiction)

Federal oversight of state-administered 404 programs is primarily the responsibility of the U.S. Environmental Protection Agency. The department's 1983 Memorandum of Agreement (as amended) with USEPA Region 5 outlines the procedures to be followed in program administration. This agreement waives federal review of the vast majority of applications in areas under Michigan's 404 jurisdiction.

Routine Wetland Delineation

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However, federal agencies must review projects which impact critical environmental areas, or which involve major discharges. These projects are identified in the Memorandum of Agreement as. and include:

- Major Discharges as follows:
 - Projects affecting one or more acre of wetland
 - New construction of breakwaters or seawalls with a total length of more than 1,000 feet
 - Enclosure of more than 300 feet of a stream in one or more segments
 - Relocation or channelization of more than 1,000 feet of a stream in one or more segments
- Projects with potential to affect endangered or threatened species as determined by the US Fish and Wildlife Service
- Discharges to waters of another state, suspected to contain toxic pollutants or hazardous substances, located in proximity of a public water supply intake, or within defined state or federal critical areas.

Jurisdictional adjacent wetlands under Part 404 include: Wetlands that have a continuous surface connection to traditional navigable waters, relatively permanent jurisdictional impoundment, or relatively permanent tributary. In Triterra's opinion the Property wetland is not have a continuous connection to Waters of the State and therefore would not be regulated under Part 404.

Desktop Investigation

Triterra performed a desktop investigation to evaluate the potential presence of wetlands at the Property prior to completing fieldwork.

The following resources were reviewed in an attempt to identify suspect wetland habitat on the Property:

- [Michigan Department of EGLE Wetland Inventory](#)
- [U.S. Fish and Wildlife Service \(USFWS\) National Wetland Inventory](#)
- [The Natural Resources Conservation Service \(NRCS\) Web Soil Survey](#)
- [U.S Geological Survey \(USGS\) historical topographic maps](#)
- Google Earth historical satellite aerial imagery (available years between 1998 to 2023)
- [Michigan Natural Features Inventory \(MNFI\), MI Vegetation circa 1800 viewer](#)
- EGLE Conservation Easements ArcGIS mapper

According to Triterra's desktop investigation, the following observations were made about the Property. According to MNFI, the Property was located in an area predominately comprised of a Beech-Sugar Maple-Hemlock Forest natural community (upland community type). According to historical aerial images, the subject property has remained undeveloped since at least 1955. According to the historical aerials the subject property has transitioned from emergent to forested wetland between 1997 to 2005. NRCS soil surveys identified Granby loamy sand, lake plain on the Property's land, with a hydric soil rating of 92 along the eastern edge of the Property. A suspect freshwater forested wetland was identified on the EGLE wetland map in the southeastern section of the property. No conservation easements were identified on the Property.

Onsite Assessment Methods

On August 14, 2024, Christian Halquist and Garek Hund of Triterra conducted an onsite evaluation of the Property to identify areas meeting wetlands criteria. Triterra identified a combination forested wetland and emergent wetland on the Property ("Wetland A"). Vegetation was assessed by approximating the percent coverage of the dominant plant species in each plant community. Representative soil cores were collected using a shovel and/or hand auger, soil colors were determined using Munsell Soil Color Charts, and hydric soil properties were assessed following the procedures described in *Field Indicators of Hydric Soils in the United States* (USDA/NRCS, Version 2.0, 2012). Wetland hydrology indicators were assessed using methods contained in the 1987 Manual. The Wetland Determination Data Forms (with photologs) completed are included in Attachment 2.

Using the referenced methods, Triterra determined whether each plant community satisfied the requirements to be a wetland. Under normal circumstances, in order to be considered a wetland, the vegetative communities must be dominated by hydrophytic vegetation, contain wetland hydrology, and hydric soil. Wetland/upland boundaries were investigated by digging soil pits along a transect perpendicular to the suspected boundary and examining the profile for soil color, texture, and redoximorphic characteristics. Boundaries were established where the soil profile changed from wetland to upland matrix tones, plant communities transitioned, topography changed, and/or hydrology indicators became absent. Wetland boundaries were marked using pink flagging material. Approximate wetland boundaries are presented in Figure 1.

Note: Per guidelines outlined in the Regional Supplement, published scientific literature was used to assign an indicator status to unlisted plant species.

Climatic/weather conditions

The average growing season for Ottawa County, Michigan occurs approximately from May 1st through October 12th. The NRCS defines the growing season as the part of the year when soil temperatures at 50cm below the surface are higher than biologic zero (41 degrees Fahrenheit). The onsite evaluation was completed during the average growing season. According to the National Weather Service, the Manistee area received approximately 2.04 inches of rainfall in the thirty days prior to onsite investigations. According to the Michigan State Climate Office and Midwestern Regional Climate Center, the assessment area received an above average accumulated precipitation (departure from mean) in the 30 days prior to onsite investigations. Triterra also inquired the NOAA AgACIS Norton Shores Weather Station to compare the three-month weather data to the 50-year average. This table provides month by month summary and probability analysis of temperature and precipitation. The table also provides first/last dates and length of growing season using three index temperatures at 50 and 70 percent probabilities. A thirds table provides monthly precipitation totals (in inches) for the period of record. According to our WETS table provided by NOAA, conditions at the Property were expected to be normal for the time of year.

Disclaimer

The findings of this wetland assessment and delineation report are only valid for conditions which existed at the Property at the time of the assessment. Findings are subject to revision based upon natural or induced changes in weather/climate, vegetation management, land use, topography, surface water flow, subsurface drainage, and/or stormwater management within or near the project site which may affect the vegetative communities, soils, or hydrology at the Property.

Routine Wetland Delineation

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August 19, 2024



Please be advised the information provided by Triterra regarding wetland boundaries is an estimate of the wetland boundary. The ultimate decision on wetland boundary locations and jurisdiction thereof rests with the Michigan Department of EGLE, and, in some cases, the Federal government. As a result, there may be adjustments to boundaries based upon review of a regulatory agency. An agency determination can vary, depending on various factors including, but not limited to, the experience of the agency representative making the determination and the season of the year. In addition, the physical characteristics of the site can change with time, depending on the weather, vegetation patterns, drainage, activities on adjacent parcels or other events. Any of these factors or others can change the nature and extent of wetlands on the site. Wetland evaluations performed outside the growing season may not be consistent with the official EGLE wetland identification program and therefore are subject to increased potential for change than those performed during the growing season.

Please be aware that this wetland delineation report does not constitute a determination of the jurisdiction under local ordinances or federal law. The USACE retains regulatory authority over certain wetlands pursuant to Section 404 of the Clean Water Act (CWA), and specifically those wetlands associated with traditionally navigable waters of the state. Navigable waters are generally the Great Lakes, their connecting waters, and river systems and lakes connected to these waters.

This report was prepared exclusively for Dwelling Place of Grand Rapids for the purposes as expressly stated. This report may be unsuitable for other uses and reliance on its contents by anyone other than the client is done at the sole risk of the user. This report may not be reproduced, sold, or otherwise conveyed to another entity without prior written permission from Triterra.

Should you have any questions or comments regarding this information, please feel free to contact the undersigned at (517) 702-0470.

Sincerely,



A handwritten signature in black ink, appearing to read "Christian Halquist".

Christian Halquist
Environmental Scientist

A handwritten signature in black ink, appearing to read "Meredith Crane".

Meredith Crane
Senior Project Scientist
Manager | Natural Resources

Attachments

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FIGURES



FIGURE 1
WETLAND DELINEATION DIAGRAM
 PROJECT NUMBER 24-3775

V/L FULTON ST
GRAND HAVEN, MICHIGAN 49417

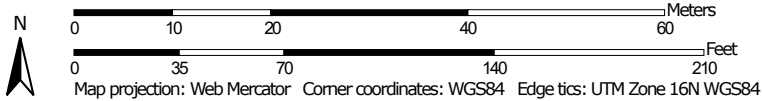
1/16
 CREATED BY: CHq DATE: 8/16/2024

ATTACHMENT 1
SOIL AND WETLAND INVENTORY MAPS
& AERIAL PHOTOGRAPHS

Hydric Rating by Map Unit—Ottawa County, Michigan



Map Scale: 1:768 if printed on A portrait (8.5" x 11") sheet.









MAP LEGEND

Area of Interest (AOI)







 Area of Interest (AOI)

Soils







Soil Rating Polygons

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available


Soil Rating Lines

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available






Soil Rating Points

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available


Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

-  Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Ottawa County, Michigan
 Survey Area Data: Version 18, Aug 25, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Oct 20, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
CrB	Croswell sand, 0 to 6 percent slopes	0	0.6	25.2%
Gm	Granby loamy sand, lake plain, 0 to 2 percent slopes	92	1.3	59.9%
PpsaaA	Pipestone-Covert-Saugatuck sands, 0 to 3 percent slopes	14	0.3	14.9%
Totals for Area of Interest			2.3	100.0%

Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 2006) and in the "Soil Survey Manual" (Soil Survey Division Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

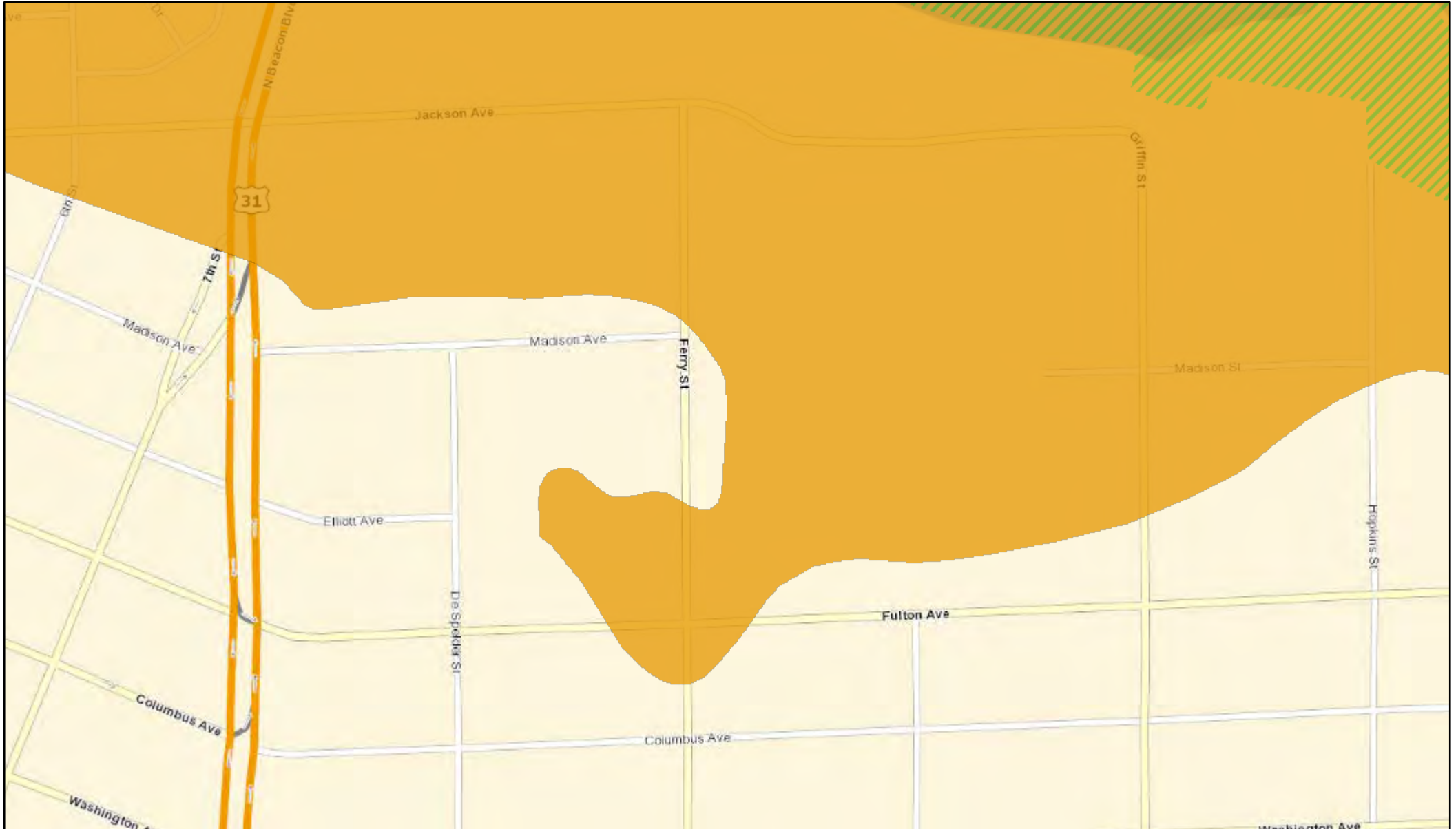
Rating Options

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified




Tie-break Rule: Lower

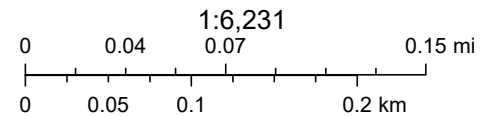
Wetlands Map Viewer



July 31, 2024

Part 303 Final Wetlands Inventory

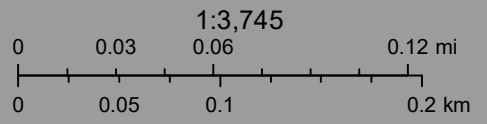
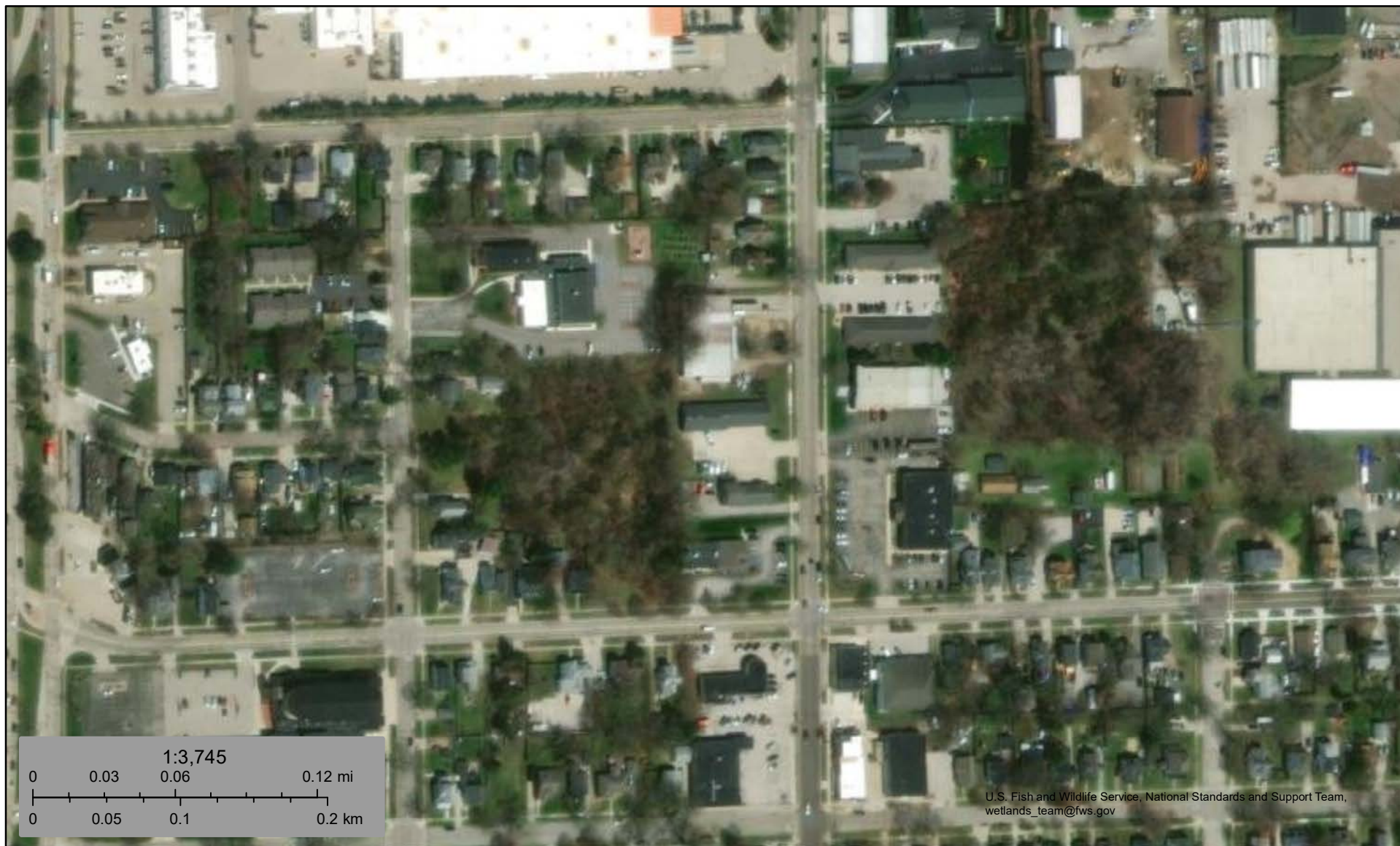
-  Wetlands as identified on NWI and MIRIS maps
-  Soil areas which include wetland soils
-  Wetlands as identified on NWI and MIRIS maps and soil areas which include wetland soils



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

1/16

Disclaimer: This map is not intended to be used to determine the specific



U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands_team@fws.gov

July 31, 2024

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

3/2021



ATTACHMENT 2

***WETLAND DETERMINATION DATA SHEETS
& PHOTOGRAPHS***

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: VL Fulton St City/County: Grand Haven/ Ottawa Sampling Date: 8/14/2024
 Applicant/Owner: Dwelling Place of GR State: MI Sampling Point: SB-1
 Investigator(s): Christian and Garek Section, Township, Range: T08N, R16W, Section 21
 Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): Concave
 Slope (%): _____ Lat: _____ Long: _____ Datum: _____
 Soil Map Unit Name _____ NWI Classification: _____

Are climatic/hydrologic conditions of the site typical for this time of the year? _____ (If no, explain in remarks)
 Are vegetation _____, soil _____, or hydrology _____ significantly disturbed? Are "normal circumstances" present? _____
 Are vegetation _____, soil _____, or hydrology _____ naturally problematic? (If needed, explain any answers in remarks.)

SUMMARY OF FINDINGS

Hydrophytic vegetation present? <u>Y</u>	Is the sampled area within a wetland? <u>Y</u> If yes, optional wetland site ID: _____
Hydric soil present? <u>Y</u>	
Wetland hydrology present? <u>Y</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

VEGETATION -- Use scientific names of plants.

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Staus	Dominance Test Worksheet
1 <u>Acer saccharinum</u>	50	Y	FACW	
2 <u>Salix nigra</u>	30	Y	OBL	Total Number of Dominant Species Across all Strata: <u>6</u> (B)
3 _____	_____	_____	_____	Percent of Dominant Species that are OBL, FACW, or FAC: <u>83.33%</u> (A/B)
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
	<u>80</u> = Total Cover			
Sapling/Shrub stratum (Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Staus	Prevalence Index Worksheet
1 <u>Acer saccharinum</u>	30	Y	FACW	
2 <u>Juglans nigra</u>	10	Y	FACU	OBL species <u>45</u> x 1 = <u>45</u>
3 _____	_____	_____	_____	FACW species <u>120</u> x 2 = <u>240</u>
4 _____	_____	_____	_____	FAC species <u>0</u> x 3 = <u>0</u>
5 _____	_____	_____	_____	FACU species <u>15</u> x 4 = <u>60</u>
	<u>40</u> = Total Cover			UPL species <u>0</u> x 5 = <u>0</u>
Herb stratum (Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Staus	Column totals <u>180</u> (A) <u>345</u> (B)
1 <u>Phalaris arundinacea</u>	40	Y	FACW	Prevalence Index = B/A = <u>1.92</u>
2 <u>Carex stricta</u>	15	Y	OBL	
3 <u>Parthenocissus quinquefolia</u>	5	N	FACU	
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
6 _____	_____	_____	_____	
7 _____	_____	_____	_____	
8 _____	_____	_____	_____	
9 _____	_____	_____	_____	
10 _____	_____	_____	_____	
	<u>60</u> = Total Cover			
Woody vine stratum (Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Staus	
1 _____	_____	_____	_____	
2 _____	_____	_____	_____	
	<u>0</u> = Total Cover			

Hydrophytic Vegetation Indicators:
 _____ Rapid test for hydrophytic vegetation
 + Dominance test is >50%
 + Prevalence index is ≤3.0*
 Morphological adaptations* (provide supporting data in Remarks or on a separate sheet)
 _____ Problematic hydrophytic vegetation* (explain)
 *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic

Hydrophytic vegetation present? Y

Remarks: (Include photo numbers here or on a separate sheet)

SOIL

Sampling Point: SB-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-4	10YR 2/1	98	5yr 5/8	2			Silty sand	
4-16	10YR 2/1	95	5yr 5/8	5			Silty sand	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators (for LRR L):	Indicators for Problematic Hydric Soils*:
<input type="checkbox"/> Histisol (A1)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Coast Prairie Redox (A16)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Dark Surface (S7)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Polyvalue Below Surface (S8)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Thin Dark Surface (S9)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Iron-Manganese Masses (F12)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Red Parent Material (F21)
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input checked="" type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Other (explain in remarks)

*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic

Restrictive Layer (if observed): Type: _____ Depth (inches): _____ Remarks: _____	Hydric Soil Present? <u>Y</u>
---	--------------------------------------

HYDROLOGY

Wetland Hydrology Indicators (for LRR L):	
Primary Indicators (minimum of one is required; check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Marl Deposits (B13)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input checked="" type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input checked="" type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Moss Trim Lines (B16)
	<input type="checkbox"/> Dry-Season Water Table (C2)
	<input type="checkbox"/> Crayfish Burrows (C8)
	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
	<input checked="" type="checkbox"/> Stunted or Stressed Plants (D1)
	<input checked="" type="checkbox"/> Geomorphic Position (D2)
	<input type="checkbox"/> Shallow Aquitard (D3)
	<input type="checkbox"/> Microtopographic Relief (D4)
	<input checked="" type="checkbox"/> FAC-Neutral Test (D5)

Field Observations: Surface water present? Yes _____ No <u>X</u> Depth (inches): _____ Water table present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation present? Yes _____ No <u>X</u> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? <u>Y</u>
--	--

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: _____



PHOTO: 1 DATE: 8/14/2024 BY: CHq
View of Wetland A



PHOTO: 2 DATE: 8/14/2024 BY: CHq
Soil Boring 1

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: VL Fulton St City/County: Grand Haven/ Ottawa Sampling Date: 8/14/2024
 Applicant/Owner: Dwelling Place of GR State: MI Sampling Point: SB-2
 Investigator(s): Christian and Garek Section, Township, Range: T08, R16W, Section 21
 Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): Convex
 Slope (%): _____ Lat: _____ Long: _____ Datum: _____
 Soil Map Unit Name _____ NWI Classification: _____

Are climatic/hydrologic conditions of the site typical for this time of the year? _____ (If no, explain in remarks)
 Are vegetation _____, soil _____, or hydrology _____ significantly disturbed? Are "normal circumstances" present? _____
 Are vegetation _____, soil _____, or hydrology _____ naturally problematic? (If needed, explain any answers in remarks.)

SUMMARY OF FINDINGS

Hydrophytic vegetation present? <u>N</u>	Is the sampled area within a wetland? <u>N</u> If yes, optional wetland site ID: _____
Hydric soil present? <u>N</u>	
Wetland hydrology present? <u>N</u>	

Remarks: (Explain alternative procedures here or in a separate report.)

VEGETATION -- Use scientific names of plants.

Tree Stratum (Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species	Indicator Staus	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>0</u> (A) Total Number of Dominant Species Across all Strata: <u>5</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>0.00%</u> (A/B)
1 <u>Juglans nigra</u>	70	Y	FACU	
2 _____	_____	_____	_____	
3 _____	_____	_____	_____	
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
70 = Total Cover				
Sapling/Shrub stratum (Plot size: <u>15'</u>)	Absolute % Cover	Dominant Species	Indicator Staus	Prevalence Index Worksheet Total % Cover of: OBL species <u>0</u> x 1 = <u>0</u> FACW species <u>0</u> x 2 = <u>0</u> FAC species <u>5</u> x 3 = <u>15</u> FACU species <u>180</u> x 4 = <u>720</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>185</u> (A) <u>735</u> (B) Prevalence Index = B/A = <u>3.97</u>
1 <u>Acer negundo</u>	50	Y	FACU	
2 <u>Juglans nigra</u>	15	Y	FACU	
3 _____	_____	_____	_____	
4 _____	_____	_____	_____	
5 _____	_____	_____	_____	
65 = Total Cover				
Herb stratum (Plot size: <u>5'</u>)	Absolute % Cover	Dominant Species	Indicator Staus	
1 <u>Alliaria petiolata</u>	30	Y	FACU	
2 <u>Hackelia virginiana</u>	10	Y	FACU	
3 <u>Geum canadense</u>	5	N	FAC	
4 <u>Hesperis matronalis</u>	5	N	FACU	
5 _____	_____	_____	_____	
6 _____	_____	_____	_____	
7 _____	_____	_____	_____	
8 _____	_____	_____	_____	
9 _____	_____	_____	_____	
10 _____	_____	_____	_____	
50 = Total Cover				
Woody vine stratum (Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Staus	
1 _____	_____	_____	_____	
2 _____	_____	_____	_____	
0 = Total Cover				

Remarks: (Include photo numbers here or on a separate sheet)

Hydrophytic vegetation present? N

SOIL

Sampling Point: SB-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-16	10 yr 3/2	100					Silty sand	

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators (for LRR L):	Indicators for Problematic Hydric Soils*:
<input type="checkbox"/> Histisol (A1)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Coast Prairie Redox (A16)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Dark Surface (S7)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Polyvalue Below Surface (S8)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Thin Dark Surface (S9)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Iron-Manganese Masses (F12)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Red Parent Material (F21)
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> Other (explain in remarks)
*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic	

Restrictive Layer (if observed): Type: _____ Depth (inches): _____ Remarks: _____	Hydric Soil Present? <u> N </u>
---	--

HYDROLOGY

Wetland Hydrology Indicators (for LRR L):	
Primary Indicators (minimum of one is required; check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Marl Deposits (B13)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Moss Trim Lines (B16)
	<input type="checkbox"/> Dry-Season Water Table (C2)
	<input type="checkbox"/> Crayfish Burrows (C8)
	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
	<input type="checkbox"/> Stunted or Stressed Plants (D1)
	<input type="checkbox"/> Geomorphic Position (D2)
	<input type="checkbox"/> Shallow Aquitard (D3)
	<input type="checkbox"/> Microtopographic Relief (D4)
	<input type="checkbox"/> FAC-Neutral Test (D5)

Field Observations: Surface water present? Yes _____ No <u> X </u> Depth (inches): _____ Water table present? Yes _____ No <u> X </u> Depth (inches): _____ Saturation present? Yes _____ No <u> X </u> Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? <u> N </u>
--	--

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: _____



PHOTO: 1 DATE: 8/14/2024 BY: CHq
View of Boring 2



PHOTO: 2 DATE: 8/14/2024 BY: CHq
Soil Boring 2

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: VL Fulton St City/County: Grand Haven/ Ottawa Sampling Date: 8/14/2024
 Applicant/Owner: Dwelling Place of GR State: MI Sampling Point: SB-3
 Investigator(s): Christian and Garek Section, Township, Range: T08N, R16W, Section 21
 Landform (hillslope, terrace, etc.): _____ Local relief (concave, convex, none): concave
 Slope (%): _____ Lat: _____ Long: _____ Datum: _____
 Soil Map Unit Name _____ NWI Classification: _____
 Are climatic/hydrologic conditions of the site typical for this time of the year? _____ (If no, explain in remarks)
 Are vegetation _____, soil _____, or hydrology _____ significantly disturbed? Are "normal circumstances" present? _____
 Are vegetation _____, soil _____, or hydrology _____ naturally problematic? (If needed, explain any answers in remarks.)

SUMMARY OF FINDINGS

Hydrophytic vegetation present? <u>Y</u> Hydric soil present? <u>Y</u> Wetland hydrology present? <u>Y</u>	Is the sampled area within a wetland? <u>Y</u> If yes, optional wetland site ID: _____
Remarks: (Explain alternative procedures here or in a separate report.) _____ _____	

VEGETATION -- Use scientific names of plants.

Tree Stratum	(Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species	Indicator Staus	
1 <u>Salix nigra</u>		30	Y	OBL	Dominance Test Worksheet Number of Dominant Species that are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across all Strata: <u>3</u> (B) Percent of Dominant Species that are OBL, FACW, or FAC: <u>100.00%</u> (A/B)
2 _____					
3 _____					
4 _____					
5 _____					
		30 = Total Cover			
Sapling/Shrub stratum	(Plot size: <u>15'</u>)	Absolute % Cover	Dominant Species	Indicator Staus	
1 <u>Salix nigra</u>		20	Y	OBL	Prevalence Index Worksheet Total % Cover of: OBL species <u>50</u> x 1 = <u>50</u> FACW species <u>80</u> x 2 = <u>160</u> FAC species <u>5</u> x 3 = <u>15</u> FACU species <u>0</u> x 4 = <u>0</u> UPL species <u>0</u> x 5 = <u>0</u> Column totals <u>135</u> (A) <u>225</u> (B) Prevalence Index = B/A = <u>1.67</u>
2 _____					
3 _____					
4 _____					
5 _____					
		20 = Total Cover			
Herb stratum	(Plot size: <u>5'</u>)	Absolute % Cover	Dominant Species	Indicator Staus	
1 <u>Phragmites australis</u>		80	Y	FACW	Hydrophytic Vegetation Indicators: _____ Rapid test for hydrophytic vegetation + Dominance test is >50% + Prevalence index is ≤3.0* Morphogical adaptations* (provide supporting data in Remarks or on a separate sheet) _____ Problematic hydrophytic vegetation* (explain) *Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic
2 <u>Solanum dulcamara</u>		5	N	FAC	
3 _____					
4 _____					
5 _____					
6 _____					
7 _____					
8 _____					
9 _____					
10 _____					
		85 = Total Cover			
Woody vine stratum	(Plot size: _____)	Absolute % Cover	Dominant Species	Indicator Staus	
1 _____					Hydrophytic vegetation present? <u>Y</u>
2 _____					
		0 = Total Cover			

Remarks: (Include photo numbers here or on a separate sheet)

SOIL

Sampling Point: SB-3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (Inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type*	Loc**		
0-6	10YR 2/1	90	5yr 5/8	10			Silty sand	
6-12	10YR 2/1	80		20			Silty sand	
12-16	10YR 3/2	50		50			Silty sand	Lots of organics

*Type: C = Concentration, D = Depletion, RM = Reduced Matrix, MS = Masked Sand Grains. **Location: PL = Pore Lining, M = Matrix

Hydric Soil Indicators (for LRR L):	Indicators for Problematic Hydric Soils*:
<input type="checkbox"/> Histisol (A1)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Coast Prairie Redox (A16)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Dark Surface (S7)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Polyvalue Below Surface (S8)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Thin Dark Surface (S9)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Iron-Manganese Masses (F12)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Red Parent Material (F21)
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> + Sandy Redox (S5)	<input type="checkbox"/> Other (explain in remarks)
*Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic	

Restrictive Layer (if observed): Type: _____ Depth (inches): _____	Hydric Soil Present? <u>Y</u>
Remarks: _____	

HYDROLOGY

Wetland Hydrology Indicators (for LRR L):	
Primary Indicators (minimum of one is required; check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Aquatic Fauna (B13)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Marl Deposits (B13)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Thin Muck Surface (C7)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> Moss Trim Lines (B16)
	<input type="checkbox"/> Dry-Season Water Table (C2)
	<input type="checkbox"/> Crayfish Burrows (C8)
	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
	<input type="checkbox"/> Stunted or Stressed Plants (D1)
	<input type="checkbox"/> + Geomorphic Position (D2)
	<input type="checkbox"/> Shallow Aquitard (D3)
	<input type="checkbox"/> Microtopographic Relief (D4)
	<input type="checkbox"/> + FAC-Neutral Test (D5)

Field Observations:	Wetland Hydrology Present? <u>Y</u>
Surface water present? Yes _____ No <u>X</u> Depth (inches): _____	
Water table present? Yes _____ No <u>X</u> Depth (inches): _____	
Saturation present? (includes capillary fringe) Yes _____ No <u>X</u> Depth (inches): _____	

Describe recorded data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks: _____



PHOTO: 1 DATE: 8/14/2024 BY: CHq
View of Wetland A



PHOTO: 2 DATE: 8/14/2024 BY: CHq
Soil Boring 3

ATTACHMENT 4

***CRITICAL DUNES, HIGH RISK
EROSION, & SLOPES***

Home, Map, Download, Layers, Info icons

Search By Keyword ☰ 🔍

SEARCH RESULTS (2,376)
Show sites with no locations

Base Layer

Satellite ^

Map Layers

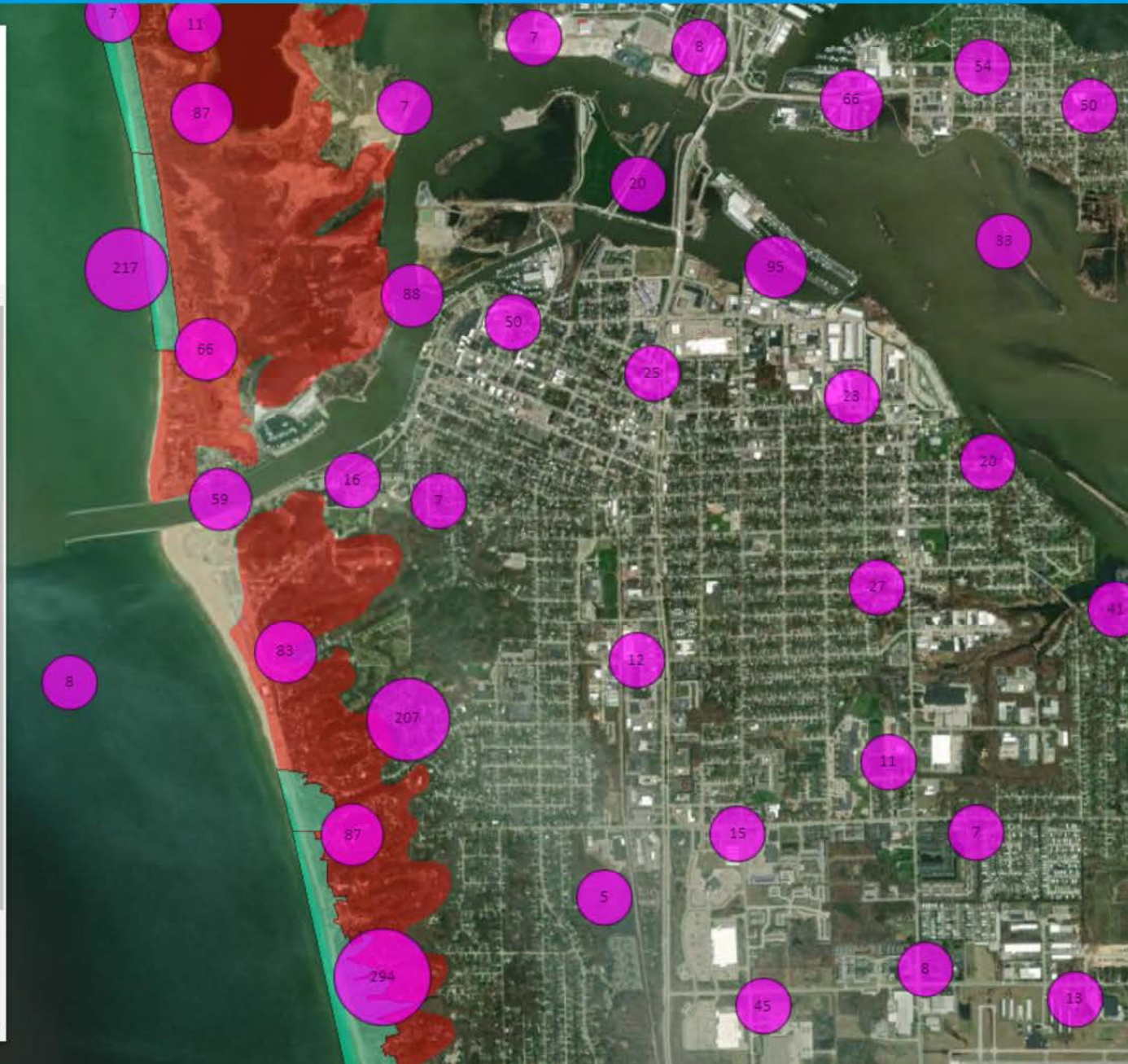
COASTAL 3 ^

X CLEAR

Critical Dune Area

High Risk Erosion Zones ■

Environmental Areas ■

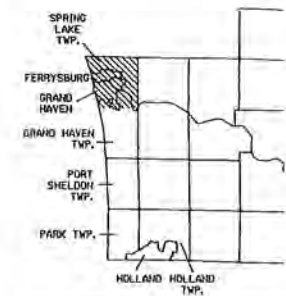


P.J. HOFFMASTER
STATE PARK

GRAND HAVEN SPRING LAKE TOWNSHIP

CRITICAL DUNE AREAS

OTTAWA COUNTY



LEGEND

- POLITICAL JURISDICTIONS
BOUNDARIES OF COUNTIES, TOWNSHIPS,
AND INCORPORATED CITIES AND
VILLAGES AS OF 1987.
- PUBLIC LANDS
STATE AND FEDERAL LANDS AND
MAJOR LOCAL PARKS WITHIN CRITICAL
DUNE AREAS. PUBLIC LANDS ARE
CURRENT AS OF 1986.
- PROPOSED CRITICAL DUNE AREAS**
- BARRIER DUNES
BARRIER DUNE FORMATIONS DESIGNATED
PURSUANT TO 1976 P.A. 222
- AREAS NOT INCLUDED IN DESIGNATED
BARRIER DUNE FORMATIONS THAT ARE
COMPOSED PRIMARILY OF DUNE SAND
AND EXHIBIT SEVERAL DUNE-LIKE
CHARACTERISTICS.
- EXEMPLARY DUNE ASSOCIATED PLANT
COMMUNITIES OUTSIDE DESIGNATED
DUNE FORMATIONS. MICHIGAN NATURAL
FEATURES INVENTORY REFERENCE CODE
INDICATED.

INFORMATION

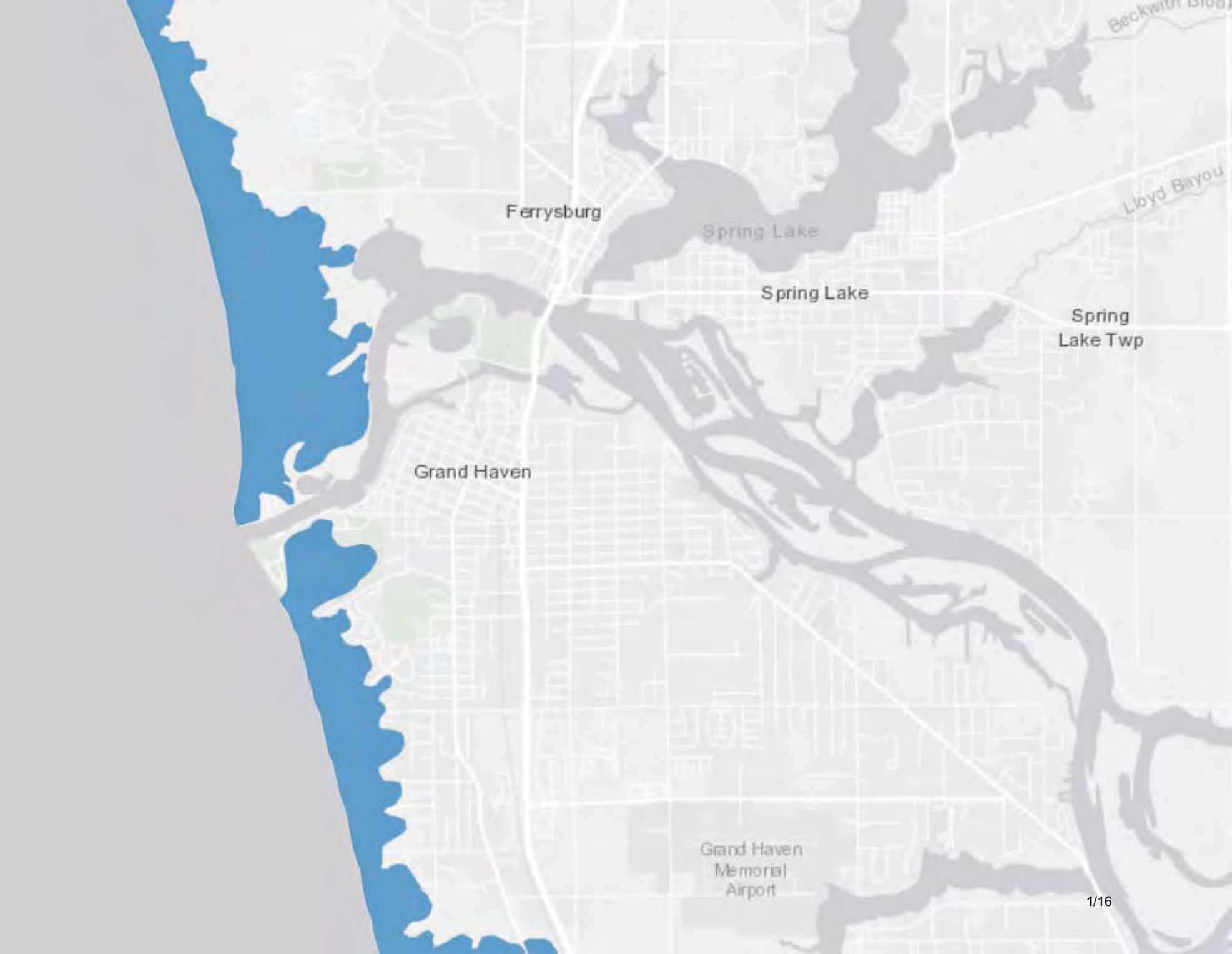
MICHIGAN DEPARTMENT OF NATURAL RESOURCES
LAND AND WATER MANAGEMENT DIVISION
P.O. BOX 30828
LANSING, MI 48909
(617) 373-1178

Gis

GREAT LAKES INFORMATION SYSTEM
MICHIGAN DEPARTMENT OF NATURAL RESOURCES
LAND AND WATER MANAGEMENT DIVISION

2 - 17 - 89





Ferrysburg

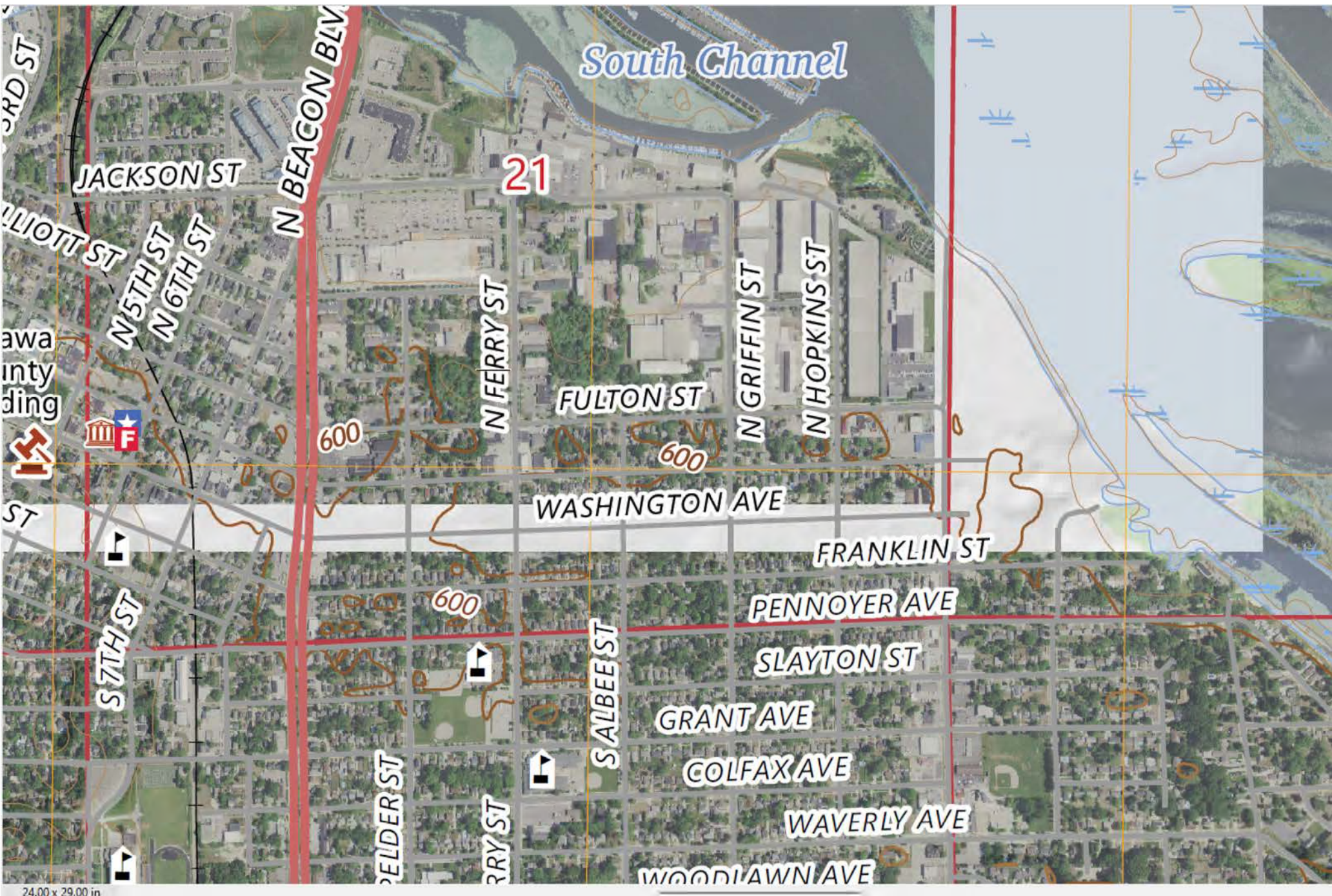
Spring Lake

Spring Lake

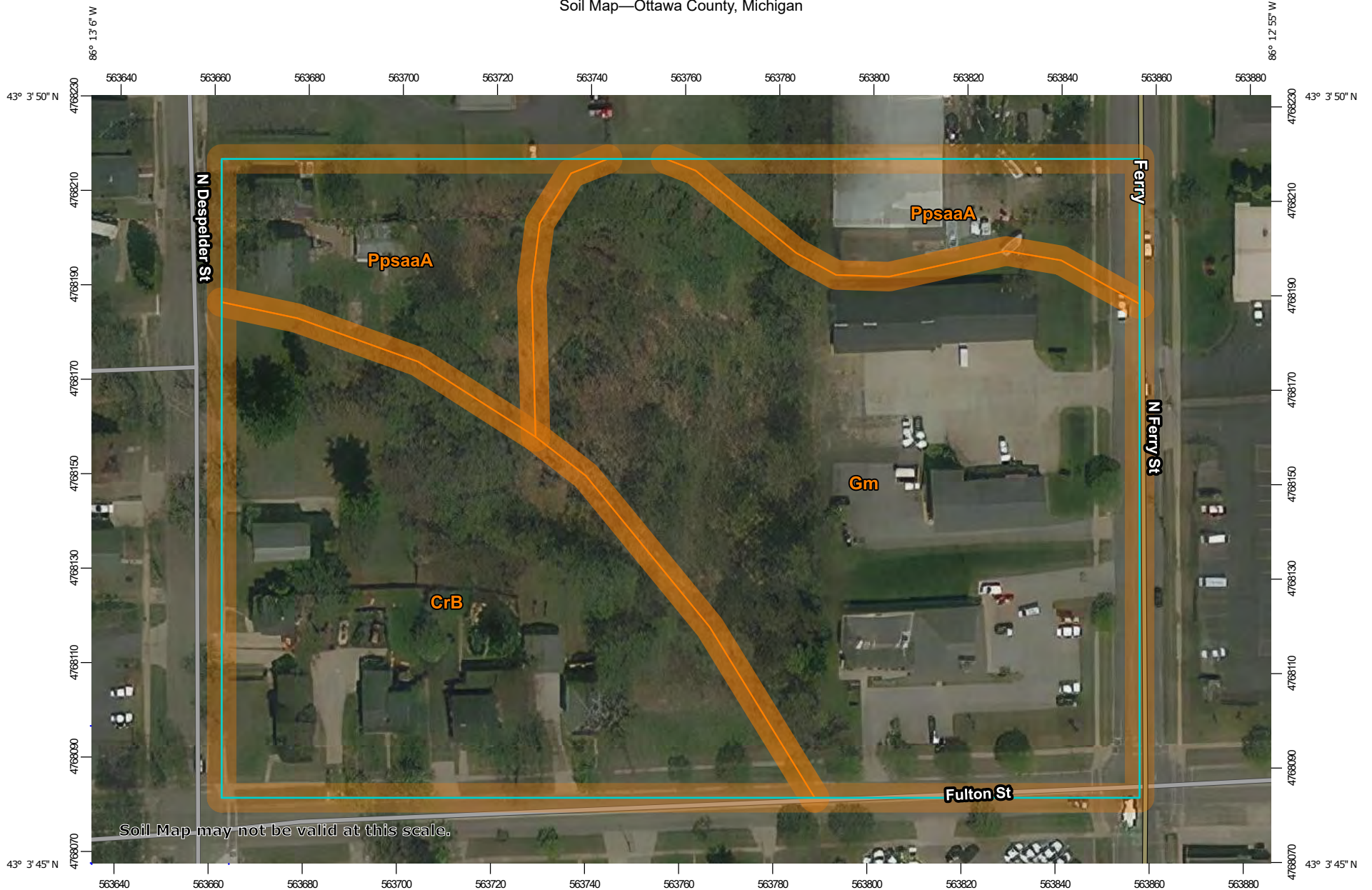
Spring
Lake Twp

Grand Haven

Grand Haven
Memorial
Airport



Soil Map—Ottawa County, Michigan



Map Scale: 1:1,150 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Ottawa County, Michigan

Survey Area Data: Version 18, Aug 25, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Dec 31, 2009—Oct 20, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CrB	Croswell sand, 0 to 6 percent slopes	2.2	33.4%
Gm	Granby loamy sand, lake plain, 0 to 2 percent slopes	3.2	48.5%
PpsaaA	Pipestone-Covert-Saugatuck sands, 0 to 3 percent slopes	1.2	18.1%
Totals for Area of Interest		6.6	100.0%

ATTACHMENT 5

US S & N I SPECIES CONCERN



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Michigan Ecological Services Field Office
2651 Coolidge Road Suite 101
East Lansing, MI 48823-6360
Phone: (517) 351-2555 Fax: (517) 351-1443

In Reply Refer To:
Project Code: 2024-0146482
Project Name: VL Fulton St

09/19/2024 14:38:48 UTC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Official Species List

The attached species list identifies any Federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Under 50 CFR 402.12(e) (the regulations that implement section 7 of the Endangered Species Act), the accuracy of this species list should be verified after 90 days. You may verify the list by visiting the IPaC website (<https://ipac.ecosphere.fws.gov/>) at regular intervals during project planning and implementation. To update an Official Species List in IPaC: from the My Projects page, find the project, expand the row, and click Project Home. In the What's Next box on the Project Home page, there is a Request Updated List button to update your species list. Be sure to select an "official" species list for all projects.

Consultation requirements and next steps

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize Federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-Federal representative) must consult with the Fish and Wildlife Service if they determine their project may affect listed species or critical habitat.

There are two approaches to evaluating the effects of a project on listed species.

Approach 1. Use the All-species Michigan determination key in IPaC. This tool can assist you in making determinations for listed species for some projects. In many cases, the determination key

will provide an automated concurrence that completes all or significant parts of the consultation process. Therefore, we strongly recommend screening your project with the **All-Species Michigan Determination Key (Dkey)**. For additional information on using IPaC and available Determination Keys, visit <https://www.fws.gov/media/mifo-ipac-instructions> (and click on the attachment). Please carefully review your Dkey output letter to determine whether additional steps are needed to complete the consultation process.

Approach 2. Evaluate the effects to listed species on your own without utilizing a determination key. Once you obtain your official species list, you are not required to continue in IPaC, although in most cases using a determination key should expedite your review. If the project is a Federal action, you should review our section 7 step-by-step instructions before making your determinations: <https://www.fws.gov/office/midwest-region-headquarters/midwest-section-7-technical-assistance>. If you evaluate the details of your project and conclude “no effect,” document your findings, and your listed species review is complete; you do not need our concurrence on “no effect” determinations. If you cannot conclude “no effect,” you should coordinate/consult with the Michigan Ecological Services Field Office. The preferred method for submitting your project description and effects determination (if concurrence is needed) is electronically to EastLansing@fws.gov. Please include a copy of this official species list with your request.

For all **wind energy projects**, please contact this field office directly for assistance, even if no Federally listed plants, animals or critical habitat are present within your proposed project area or may be affected by your proposed project.

Migratory Birds

Please see the “Migratory Birds” section below for important information regarding incorporating migratory birds into your project planning. Our Migratory Bird Program has developed recommendations, best practices, and other tools to help project proponents voluntarily reduce impacts to birds and their habitats. The Bald and Golden Eagle Protection Act prohibits the take and disturbance of eagles without a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at <https://www.fws.gov/program/eagle-management> to help you avoid impacting eagles or determine if a permit may be necessary.

Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your consideration of threatened and endangered species during your project planning. Please include a copy of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Michigan Ecological Services Field Office

2651 Coolidge Road Suite 101

East Lansing, MI 48823-6360

(517) 351-2555

PROJECT SUMMARY

Project Code: 2024-0146482

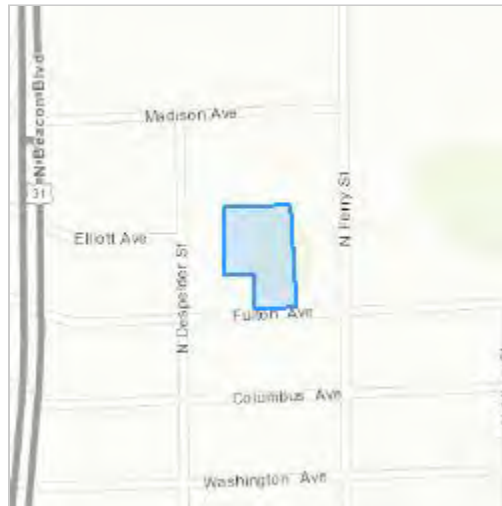
Project Name: VL Fulton St

Project Type: Residential Construction

Project Description: Potential redevelopment into multi family housing. Conducting an environmental assessment to determine the quality of habitat and extent of invasive species

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.063361900000004,-86.21706663779577,14z>



Counties: Ottawa County, Michigan

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 2 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949 General project design guidelines: https://ipac.ecosphere.fws.gov/project/6UI2WGMTJ5GFXECCY4MJMARYAE/documents/generated/6982.pdf	Endangered

BIRDS

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Great Lakes watershed DPS] - Great Lakes, watershed in States of IL, IN, MI, MN, NY, OH, PA, and WI and Canada (Ont.) There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6039	Endangered
Rufa Red Knot <i>Calidris canutus rufa</i> There is proposed critical habitat for this species. Your location does not overlap the critical habitat. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> Only actions that occur along coastal areas during the Red Knot migratory window of MAY 1 - SEPTEMBER 30. Species profile: https://ecos.fws.gov/ecp/species/1864	Threatened
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non-Essential

REPTILES

NAME	STATUS
Eastern Massasauga (=rattlesnake) <i>Sistrurus catenatus</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> For all Projects: Project is within EMR Range Species profile: https://ecos.fws.gov/ecp/species/2202 General project design guidelines: https://ipac.ecosphere.fws.gov/project/6UI2WGMTJ5GFXECCY4MJMARYAE/documents/generated/5280.pdf	Threatened

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i>	Candidate

NAME	STATUS
No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	

FLOWERING PLANTS

NAME	STATUS
Pitcher's Thistle <i>Cirsium pitcheri</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8153	Threatened

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds elsewhere

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

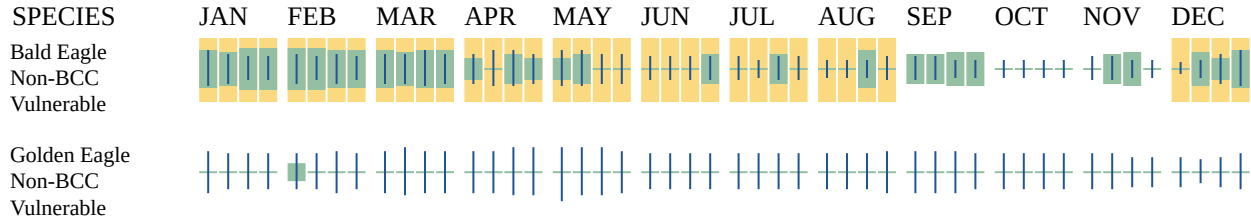
Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort — no data



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
<p>American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10561</p>	Breeds elsewhere
<p>Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626</p>	Breeds Dec 1 to Aug 31
<p>Black Tern <i>Chlidonias niger surinamensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093</p>	Breeds May 15 to Aug 20
<p>Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399</p>	Breeds May 15 to Oct 10
<p>Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454</p>	Breeds May 20 to Jul 31
<p>Canada Warbler <i>Cardellina canadensis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9643</p>	Breeds May 20 to Aug 10
<p>Cerulean Warbler <i>Setophaga cerulea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/2974</p>	Breeds Apr 22 to Jul 20
<p>Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406</p>	Breeds Mar 15 to Aug 25
<p>Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/10678</p>	Breeds May 1 to Aug 20
<p>Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680</p>	Breeds elsewhere

NAME	BREEDING SEASON
<p>Golden-winged Warbler <i>Vermivora chrysoptera</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8745</p>	Breeds May 1 to Jul 20
<p>Grasshopper Sparrow <i>Ammodramus savannarum perpallidus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8329</p>	Breeds Jun 1 to Aug 20
<p>Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679</p>	Breeds elsewhere
<p>Pectoral Sandpiper <i>Calidris melanotos</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561</p>	Breeds elsewhere
<p>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398</p>	Breeds May 10 to Sep 10
<p>Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/10633</p>	Breeds elsewhere
<p>Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9478</p>	Breeds elsewhere
<p>Semipalmated Sandpiper <i>Calidris pusilla</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9603</p>	Breeds elsewhere
<p>Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480</p>	Breeds elsewhere
<p>Western Grebe <i>aechmophorus occidentalis</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/6743</p>	Breeds Jun 1 to Aug 31

NAME	BREEDING SEASON
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

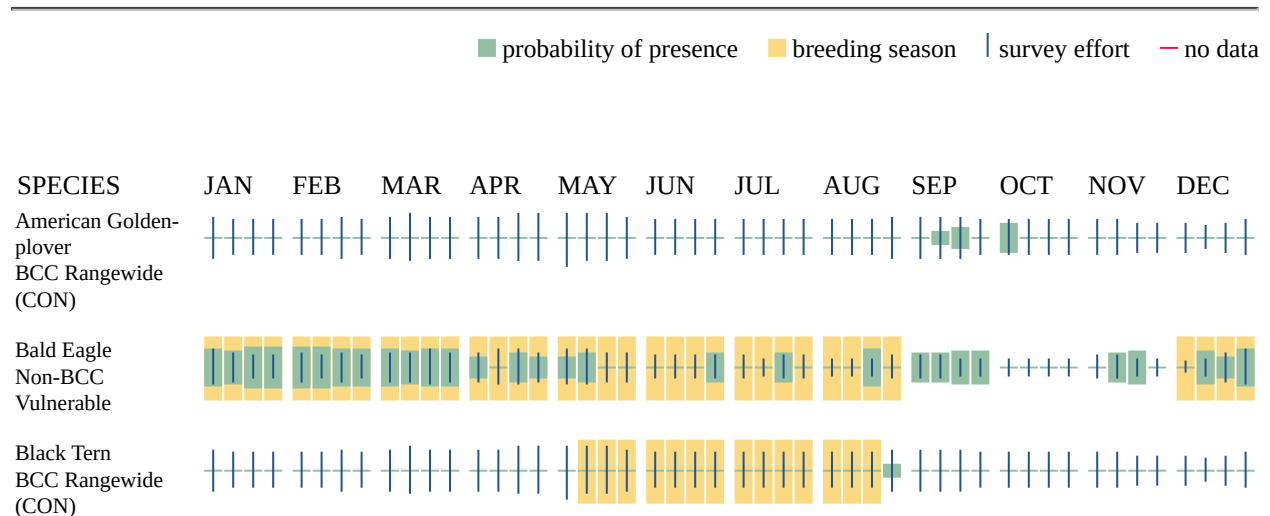
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

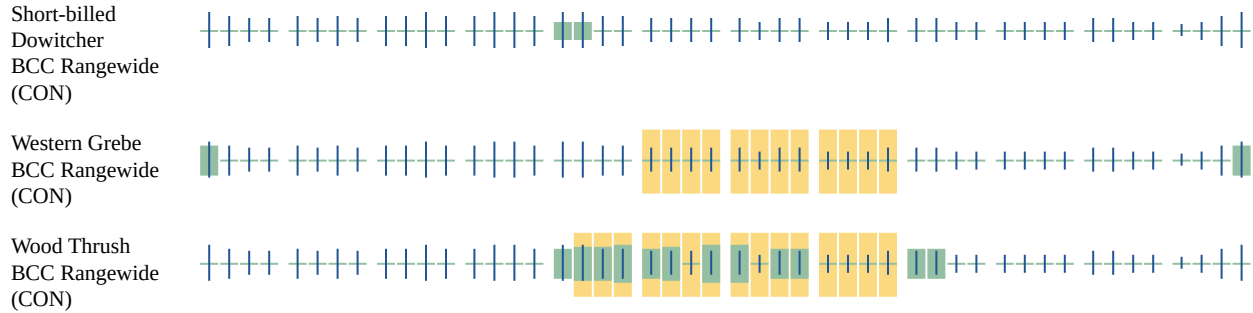
Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.







Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Christian Halquist
Address: 1375 S Washington Ave suite 100
Address Line 2: 1375 S Washington Ave suite 100
City: Lansing
State: MI
Zip: 48910
Email: christian.halquist@triterra.us
Phone: 5172999305



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Michigan Ecological Services Field Office
2651 Coolidge Road Suite 101
East Lansing, MI 48823-6360
Phone: (517) 351-2555 Fax: (517) 351-1443

In Reply Refer To:
Project code: 2024-0146482
Project Name: VL Fulton St

09/19/2024 14:54:16 UTC

Subject: Consistency letter for 'VL Fulton St' for specified threatened and endangered species that may occur in your proposed project location consistent with the Michigan Endangered Species Determination Key (Michigan DKey)

Dear Christian Halquist:

The U.S. Fish and Wildlife Service (Service) received on **September 19, 2024** your effect determination(s) for the 'VL Fulton St' (the Action) using the Michigan DKey within the Information for Planning and Consultation (IPaC) system. The Service developed this system in accordance with the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based on your answers and the assistance of the Service's Michigan DKey, you made the following effect determination(s) for the proposed Action:

Species	Listing Status	Determination
Eastern Massasauga (=rattlesnake) (<i>Sistrurus catenatus</i>)	Threatened	NLAA
Indiana Bat (<i>Myotis sodalis</i>)	Endangered	NLAA
Monarch Butterfly (<i>Danaus plexippus</i>)	Candidate	No effect
Piping Plover (<i>Charadrius melodus</i>)	Endangered	No effect
Pitcher's Thistle (<i>Cirsium pitcheri</i>)	Threatened	No effect
Rufa Red Knot (<i>Calidris canutus rufa</i>)	Threatened	No effect
Whooping Crane (<i>Grus americana</i>)	Experimental Population, Non- Essential	No effect

Coordination with the Michigan Ecological Services Office is complete. Thank you for considering federally listed species during your project planning.

Please provide sufficient project details on your project homepage in IPaC (Define Project, Project Description) to support your conclusions. Failure to disclose important aspects of your project that would influence the outcome of your effects determinations may negate your

determinations and invalidate this letter. If you have site-specific information that leads you to believe a different determination is more appropriate for your project than what the Dkey concludes, you can and should proceed based on the best available information.

The Service recommends that you contact the Service or re-evaluate the project in IPaC if: 1) the scope or location of the proposed Action is changed; 2) new information reveals that the action may affect listed species or designated critical habitat in a manner or to an extent not previously considered; 3) the Action is modified in a manner that causes effects to listed species or designated critical habitat; or 4) a new species is listed or critical habitat designated. If any of the above conditions occurs, additional consultation with the Service should take place before project changes are final or resources committed.

Bats of Conservation Concern:

Implementing protective measures for bats, including both federally listed and non-listed species, indirectly helps to protect Michigan's agriculture and forests. Bats are significant predators of nocturnal insects, including many crop and forest pests. For example, Whitaker (1995) estimated that a single colony of 150 big brown bats (*Eptesicus fuscus*) would eat nearly 1.3 million pest insects each year. Boyles et al. (2011) noted the "loss of bats in North America could lead to agricultural losses estimated at more than \$3.7 billion/year, and Maine and Boyles (2015) estimated that the suppression of herbivory by insectivorous bats is worth >1 billion USD globally on corn alone. In captive trials, northern long-eared bats were found to significantly reduce the egg-laying activity of mosquitoes, suggesting bats may also play an important role in controlling insect-borne disease (Reiskind and Wund 2009). Mosquitoes have also been found to be a consistent component of the diet of Indiana bats and are eaten most heavily during pregnancy (6.6%; Kurta and Whitaker 1998). Taking proactive steps to help protect bats may be very valuable to agricultural and forest product yields and pest management costs in and around a project area. Such conservation measures include limiting tree clearing during the bat active season (varies by location) and/or the non-volant period (June through July), when young bats are unable to fly, and minimizing the extent of impacts to forests, wetlands, and riparian habitats.

Bald and Golden Eagles:

Bald eagles, golden eagles, and their nests are protected under the Bald and Golden Eagle Protection Act (54 Stat. 250, as amended, 16 U.S.C. 668a-d) (Eagle Act). The Eagle Act prohibits, except when authorized by an Eagle Act permit, the "taking" of bald and golden eagles and defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." The Eagle Act's implementing regulations define disturb as "...to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior."

If the Action may impact bald or golden eagles, additional coordination with the Service under the Eagle Act may be required. For more information on eagles and conducting activities in the vicinity of an eagle nest, please visit <https://www.fws.gov/library/collections/all-about-eagles>. In addition, the Service developed the National Bald Eagle Management Guidelines (May 2007) in

order to assist landowners in avoiding the disturbance of bald eagles. The full Guidelines are available at <https://www.fws.gov/media/national-bald-eagle-management-guidelines-0>.

If you have further questions regarding potential impacts to eagles, please contact Chris Mensing, Chris_Mensing@fws.gov or 517-351-2555.

Monarch butterfly and other pollinators

In December 2020, after an extensive status assessment of the monarch butterfly, we determined that listing the monarch under the Endangered Species Act is warranted but precluded by higher priority actions to amend the Lists of Endangered and Threatened Wildlife and Plants. Therefore, the Service added the monarch butterfly to the candidate list. The Service will review its status each year until we are able to begin developing a proposal to list the monarch.

The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary.

For all projects, we recommend the following best management practices (BMPs) to benefit monarch and other pollinators.

Monarch and Pollinator BMP Recommendations

Consider monarch and other pollinators in your project planning when possible. Many pollinators are declining, including species that pollinate key agricultural crops and help maintain natural plant communities. Planting a diverse group of native plant species will help support the nutritional needs of Michigan's pollinators. We recommend a mix of flowering trees, shrubs, and herbaceous plants so that something is always blooming and pollen is available during the active periods of the pollinators, roughly early spring through fall (mid-March to mid-October). To benefit a wide variety of pollinators, choose a wide range of flowers with diverse colors, heights, structure, and flower shape. It is important to provide host plants for any known butterfly species at your site, including native milkweed for Monarch butterfly. Incorporating a water source (e.g., ephemeral pool or low area) and basking areas (rocks or bare ground) will provide additional resources for pollinators.

Many pollinators need a safe place to build their nests and overwinter. During spring and summer, leave some areas unmowed or minimize the impacts from mowing (e.g., decrease frequency, increase vegetation height). In fall, leave areas unraked and leave plant stems standing. Leave patches of bare soil for ground nesting pollinators.

Avoid or limit pesticide use. Pesticides can kill more than the target pest. Some pesticide residues can kill pollinators for several days after the pesticide is applied. Pesticides can also kill natural predators, which can lead to even worse pest problems.

Planting native wildflowers can also reduce the need to mow and water, improve bank stabilization by reducing erosion, and improve groundwater recharge and water quality.

Resources:

<https://www.fws.gov/initiative/monarchs>
<https://www.fws.gov/library/collections/pollinators>

Wetland impacts:

Section 404 of the Clean Water Act of 1977 (CWA) regulates the discharge of dredged or fill material into waters (including wetlands) of the United States. Regulations require that activities permitted under the CWA (including wetland permits issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE)) not jeopardize the continued existence of species listed as endangered or threatened. Permits issued by the U.S. Army Corps of Engineers must also consider effects to listed species pursuant to section 7 of the Endangered Species Act. The Service provides comments to the agencies that may include permit conditions to help avoid or minimize impacts to wildlife resources including listed species. For this project, we consider the conservation measures you agreed to in the determination key and/or as part of your proposed action to be non-discretionary. If you apply for a wetland permit, these conservation measures should be explicitly incorporated as permit conditions. Include a copy of this letter in your wetland permit application to streamline the threatened and endangered species review process.

Bat References

Boyles, J.G., P.M. Cryan, G.F. McCracken, T.H. Kunz. 2011. Economic Importance of Bats in Agriculture. *Science* 332(1):41-42.

Kurta, A. and J.O. Whitaker. 1998. Diet of the Endangered Indiana Bat (*Myotis sodalis*) on the Northern Edge of Its Range. *The American Midland Naturalist* 140(2):280-286.

Reiskind, M.H. and M.A. Wund. 2009. Experimental assessment of the impacts of northern long-eared bats on ovipositing *Culex* (Diptera: Culicidae) mosquitoes. *Journal of Medical Entomology* 46(5):1037-1044.

Whitaker, Jr., J.O. 1995. Food of the big brown bat *Eptesicus fuscus* from maternity colonies in Indiana and Illinois. *American Midland Naturalist* 134(2):346-360.

Summary of conservation measures for your project You agreed to the following conservation measures to avoid adverse effects to listed species and our concurrence is only valid if the measures are fully implemented. These must be included as permit conditions if a permit is required and/or included in any contract language.

Eastern massasauga: Materials used for erosion control and site restoration must be wildlife-friendly. Do not use erosion control products containing plastic mesh netting or other similar material that could entangle eastern massasauga rattlesnake (EMR). Several products for soil erosion and control exist that do not contain plastic netting including net-less erosion control blankets (for example, made of excelsior), loose mulch, hydraulic mulch, soil binders, unreinforced silt fences, and straw bales. Others are made from natural fibers (such as jute) and loosely woven together in a manner that allows wildlife to wiggle free.

Eastern massasauga: To increase human safety and awareness of EMR, those implementing the project must first review the EMR factsheet (available at <https://www.fws.gov/media/eastern-massasauga-rattlesnake-fact-sheet>), and watch MDNR's "60-Second Snakes: The Eastern Massasauga Rattlesnake" video (available at https://www.youtube.com/watch?v=-PFnXe_e02w).

Eastern massasauga: During project implementation, report sightings of any federally listed species, including EMR, to the Service within 24 hours.

Eastern massasauga: The project will not result in permanent loss of more than one acre of wetland or conversion of more than 10 acres of EMR upland habitat (uplands associated with high quality wetland habitat) to other land uses.

Eastern massasauga: The project will occur entirely within the EMR inactive season (in the southern Lower Peninsula: October 16 through April 14; in the northern Lower Peninsula, October 2 through April 30).

Listed bats: Any cutting/trimming of potential roost trees for Indiana bat (trees ≥ 5 inches in diameter [at breast height] with cracks, crevices and/or exfoliating bark) must occur OUTSIDE the non-volant ("pup") season for Indiana bat (June 1 through July 31). Prescribed fire and/or pesticide application must also occur outside June-July where potential roost trees are present.

Tree cutting/trimming and/or prescribed burning will not clear ≥ 20 contiguous acres of forest or fragment a connective corridor between 2 or more forest patches of at least 5 acres.

Listed bats: The action will not include temporary or permanent lighting of roadway(s), facility(ies), and/or parking lot(s).

Listed bats: Tree cutting/trimming and/or prescribed burning will not clear ≥ 10 contiguous acres of forest (including both modeled and unmodeled potential habitat) or fragment a connective corridor between 2 or more forest patches of at least 5 acres.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

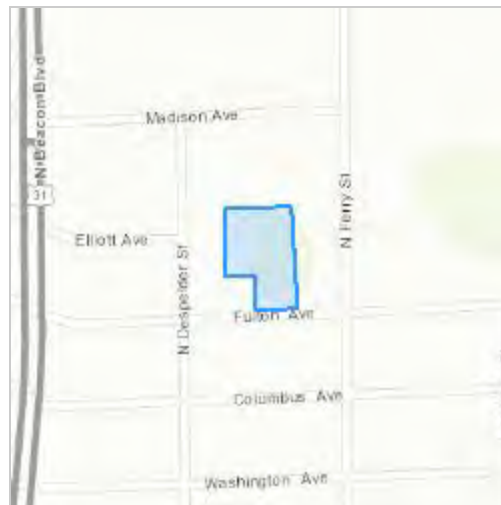
VL Fulton St

2. Description

The following description was provided for the project 'VL Fulton St':

Potential redevelopment into multi family housing. Conducting an environmental assessment to determine the quality of habitat and extent of invasive species

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.063361900000004,-86.21706663779577,14z>



QUALIFICATION INTERVIEW

1. Are there any possible effects to any listed species or to designated critical habitat from your project or effects from any other actions or projects subsequently made possible by your project?

Select "Yes" even if the expected effects to the species or critical habitat are expected to be 1) extremely unlikely (discountable), 2) can't meaningfully be measured, detected, or evaluated (insignificant), or 3) wholly beneficial.

Select "No" to confirm that the project details and supporting information allow you to conclude that listed species and their habitats will not be exposed to any effects (including discountable, insignificant, or beneficial effects) and therefore, you have made a "no effect" determination for all species. If you are unsure, select YES to answer additional questions about your project.

Yes

2. This determination key is intended to assist the user in the evaluating the effects of their actions on Federally listed species in Michigan. It does not cover other prohibited activities under the Endangered Species Act (e.g., for wildlife: import/export, Interstate or foreign commerce, possession of illegally taken wildlife, purposeful take for scientific purposes or to enhance the survival of a species, etc.; for plants: import/export, reduce to possession, malicious destruction on Federal lands, commercial sale, etc.) or other statutes. Click yes to acknowledge that you must consider other prohibitions of the ESA or other statutes outside of this determination key.

Yes

3. Is the action the approval of a long-term (i.e., in effect greater than 10 years) permit, plan, or other action? (e.g., a new or re-issued hydropower license, a large-scale land management plan, or other kinds of documents that provide direction for projects or actions that may be conducted over a long term (>10 years) without the need for additional section 7 consultation).

No

4. Is the action being funded, authorized, or carried out by a Federal agency?

No

5. Does the action involve the installation or operation of wind turbines?

No

6. Are there at least 30 days prior to your action occurring? Endangered species consultation must be completed before taking any action that may have effects to listed species. The Service also needs 30 days to review projects before we can verify conclusions in some dkey output letters. For example, if you have already started some components of the project on the ground (e.g., removed vegetation) before completing this key, answer “no” to this question. The only exception is if you have a Michigan Field Office pre-approved emergence survey (i.e., if you have conducted pre-approved emergence surveys for listed bats before tree removal, you can still answer yes to this question).

Yes

7. Does the action involve constructing a new communications tower or modifying an existing communications tower?

No

8. Does the activity involve aerial or other large-scale application of any chemical (including insecticide, herbicide, etc.)?

No

9. Does your project include water withdrawal (ground or surface water) greater than 10,000 gallons/day?

No

10. Will your action permanently affect hydrology?

No

11. Will your action temporarily affect hydrology?

No

12. Will your project have any direct impacts to a stream or river (e.g., Horizontal Directional Drilling (HDD), hydrostatic testing, stream/road crossings, new storm-water outfall discharge, dams, other in-stream work, changes to water quality or hydrology, etc.)?

No

13. Does your project have the potential to indirectly impact the stream/river or the riparian zone (e.g., cut and fill, horizontal directional drilling, hydrostatic testing, construction, vegetation removal, discharge, changes to water quality or hydrology, etc.)?

No

14. Will your action disturb the ground or existing vegetation? This includes any off road vehicle access, soil compaction, digging, seismic survey, directional drilling, heavy equipment, grading, trenching, placement of fill, pesticide application, vegetation management (including removal or maintenance using equipment or chemicals), cultivation, development, etc.

Yes

15. Is the action a utility-scale solar development project?

Note:Solar projects are considered utility scale if they will be 1 megawatt or larger.

No

16. [Hidden semantic] Does the action intersect the MOBU AOI?

Automatically answered

Yes

17. Under the ESA, monarchs remain warranted but precluded by listing actions of higher priority. The monarch is a candidate for listing at this time. The Endangered Species Act does not establish protections or consultation requirements for candidate species. Some Federal and State agencies may have policy requirements to consider candidate species in planning. We encourage implementing measures that will remove or reduce threats to these species and possibly make listing unnecessary. If your project will have no effect on monarch butterflies (for example, if your project won't affect their habitat or individuals), then you can make a "no effect" determination for this project. Are you making a "no effect" determination for monarch?

Yes

18. [Hidden Semantic] Does the action intersect the Eastern massasauga rattlesnake area of influence?

Automatically answered

Yes

19. Does your action involve prescribed fire?

No

20. Will this action occur entirely in the Eastern massasauga rattlesnake inactive season (October 16 through April 14)?

Yes

21. Will the action result in permanent loss of more than one acre of wetland or conversion of more than 10 acres of uplands of potential Eastern massasauga rattlesnake habitat (uplands associated with high quality wetland habitat) to other land uses?

No

22. Will you use [wildlife safe materials](#) for erosion control and site restoration and eliminate the use of erosion control products containing plastic mesh netting or other similar material that could ensnare Eastern massasauga rattlesnake?

Yes

23. Will you watch MDNR's ["60-Second Snakes: The Eastern Massasauga Rattlesnake \(EMR\)"](#) video, review the [EMR factsheet](#) or call 517-351-2555 to increase human safety and awareness of EMR?

Yes

24. Will all action personnel report any Eastern massasauga rattlesnake observations, or observation of any other listed threatened or endangered species, during action implementation to the Service within 24 hours?

Yes

25. [Hidden Semantic] Does the action area intersect the piping plover area of influence?
Automatically answered
Yes
26. [Hidden Semantic] Does the action area intersect the rufa red knot area of influence?
Automatically answered
Yes
27. [Hidden Semantic] Does the action area intersect the whooping crane (ex. Pop) area of influence?
Automatically answered
Yes
28. [Hidden Semantic] Does the action area intersect the area of influence for Pitcher's thistle?
Automatically answered
Yes
29. The project has the potential to affect federally listed bats. Does the action area contain any known or potential bat hibernacula (natural caves, abandoned mines, or underground quarries)?
No
30. Has a presence/absence bat survey or field-based habitat assessment following the Service's Range-wide [Indiana Bat and Northern Long-eared Bat Summer Survey Guidelines](#) been conducted within the action area?
No
31. Does the action involve removal/modification of a human structure (barn, house or other building) known to contain roosting bats?
No
32. Does the action include removal/modification of an existing bridge or culvert?
No
33. Does the action include temporary or permanent lighting of roadway(s), facility(ies), and/or parking lot(s)?
No
34. Does the action include one or more of the following: (1) tree cutting/trimming, (2) prescribed fire, (3) pesticide (including insecticide and/or rodenticide), and/or (4) herbicide/fungicide application?
Yes
35. Does the action include herbicide application?
No
36. Will the action clear >10 acres of contiguous forest (i.e., connected by 1,000 feet or less) or fragment a riparian or other connective forested corridor (e.g., tree line) between 2 or more forest patches of at least 5 acres? For more information, see [Appendix II](#).
No

37. Does the action area contain potential NLEB bat roost trees (trees ≥ 3 inches in diameter [at breast height] with cracks, crevices, cavities and/or exfoliating bark)? For more information, see [Appendix IV](#).

Yes

38. Does the action area contain potential Indiana bat roost trees (trees ≥ 5 inches in diameter [at breast height] with cracks, crevices and/or exfoliating bark)? For more information, see [Appendix III](#).

Yes

39. Does the action include emergency cutting/trimming of hazard trees in order to prevent imminent loss of human life and/or property?

No

40. [Semantic] Is any portion of the action area within 5 miles of a known bat hibernaculum?

Automatically answered

No

41. Will all tree cutting/trimming, prescribed fire, and/or insecticide/rodenticide application occur OUTSIDE the non-volant ("pup") season for listed bats (that is, no cutting/trimming, prescribed fire, or pesticide application during June 1 through July 31)? Select N/A if the project does not include at least one of these activities.

Note: that based on the project's location, conducting these activities outside the months of June and July may be sufficient to avoid adverse effects to/take of listed bats.

Yes

42. [Hidden Semantic] Does the action area intersect the Indiana bat AOI?

Automatically answered

Yes

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Christian Halquist
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City: Lansing
State: MI
Zip: 48910
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General Project Design Guidelines (2 Species)

Generated September 19, 2024 02:56 PM UTC, IPaC v6.114.0-rc2



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Eastern Massasauga (=rattlesnake) - Michigan Ecological Services Field Office	<u>15</u>

Species Document Availability

Species with general design guidelines

Eastern Massasauga (=rattlesnake) *Sistrurus catenatus*

Indiana Bat *Myotis sodalis*

Species without general design guidelines available

Monarch Butterfly *Danaus plexippus*

Piping Plover *Charadrius melodus*

Pitcher's Thistle *Cirsium pitcheri*

Rufa Red Knot *Calidris canutus rufa*

Whooping Crane *Grus americana*

General Project Design Guidelines - Indiana Bat and 6 more species

Published by Michigan Ecological Services Field Office - Publication Date: June 10, 2022 for the following species included in your project

Indiana Bat *Myotis sodalis*

Piping Plover *Charadrius melodus*

Pitcher's Thistle *Cirsium pitcheri*

Rufa Red Knot *Calidris canutus rufa*

Whooping Crane *Grus americana*

Monarch Butterfly *Danaus plexippus*

Eastern Massasauga (=rattlesnake) *Sistrurus catenatus*

Indiana Bat Project Review in Michigan

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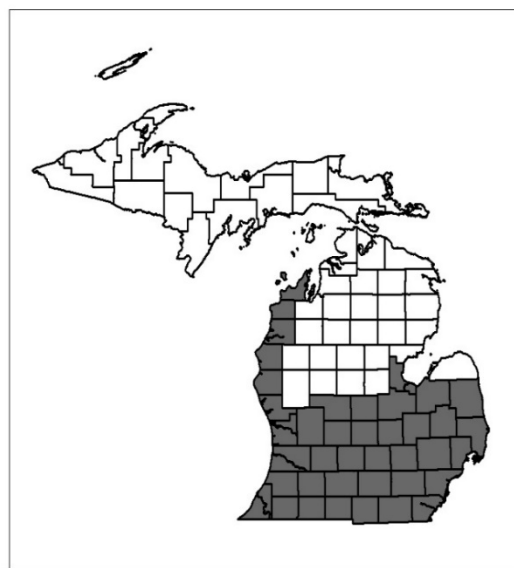
I. BACKGROUND INFORMATION

The Indiana bat was listed as endangered under the Endangered Species Act (ESA) in 1967 due to episodes of people disturbing hibernating bats in caves during winter, which resulted in the death of substantial numbers of bats. Indiana bats are vulnerable to disturbance because they hibernate in large numbers in only a few sites, with major hibernacula supporting 20,000 to 50,000 bats. Several threats are believed to have contributed to the Indiana bat's decline, including the commercialization of caves, loss and degradation of forested habitat, pesticides and other contaminants, and most recently, the disease white-nose syndrome (WNS). For more information on the Indiana bat, including life history information, designated critical habitat, draft recovery plan, and 5-year reviews, please visit the [USFWS Indiana Bat](#) page.

Indiana Bat in Michigan

Indiana bats have been documented at many sites in Lower Michigan and are believed to range throughout the southern five county tiers, as well as parts of the thumb and the western coastal counties up to (and including) the Leelanau Peninsula (see range map below). Michigan is home to a single known Indiana bat hibernaculum: a hydroelectric dam in Manistee County (Tippy Dam). Although the dam supports about 20,000 hibernating bats, Indiana bats comprise less than 1% of the winter population. Research suggests that the majority of the Indiana bats that summer in Michigan migrate to hibernacula in adjacent states, such as Indiana and Kentucky.

Like their overwintering sites, Indiana bats exhibit strong fidelity to their summer home ranges; however, we do not have knowledge of all of these summering areas in Michigan. Therefore, unless presence/absence surveys conducted in accordance with U.S. Fish and Wildlife Service (Service or USFWS) [Range-wide Indiana Bat Survey Guidelines](#) indicate the probable absence of the species, Indiana bats are considered potentially present wherever suitable habitat exists within their range.



Range of the Indiana Bat in Michigan

Suitable Habitat for Indiana Bats

During the winter, Indiana bats hibernate in caves, mines, or similar structures. Most major hibernacula for the species are found in Illinois, Indiana, Kentucky, Missouri, Tennessee, and West Virginia, and critical (winter) habitat has been designated in these states. Michigan is home to a single known Indiana bat hibernaculum, and there is no designated critical habitat for the species in Michigan.

Suitable summer habitat for Indiana bats consists of a wide variety of forested/wooded habitats where they roost, forage, and travel and may also include some adjacent and interspersed non-forested habitats, such as emergent wetlands and adjacent edges of agricultural fields, old fields and pastures. This includes forests and woodlots containing potential roosts (including live trees and/or snags ≥ 5 inches in diameter at breast height (DBH) that have exfoliating bark and/or cracks/crevices), as well as linear features such as fencerows, riparian forests, and other wooded corridors. These wooded areas may be dense or loose aggregates of trees with variable amounts of canopy closure.

In summer, female Indiana bats form colonies of 60-80 adults and their young and roost together in networks of trees, including 1-3 primary roosts and multiple secondary/alternate roosts. Southern Michigan maternity roost trees are typically dead or dying trees in open areas exposed to solar radiation. Infrequently, Indiana bats are observed roosting in human-made structures, such as buildings, barns, bridges, and bat boxes. Suitable bridges and culverts include those located below the third county tier of Michigan and within 1,000 feet of suitable forested habitat that contain suitable roosting spaces (e.g., expansion joints, cracks/crevices). Suitable culverts are at least 4 feet (1.2 meters) high and 50 feet (15 meters) long.

Modeled Indiana Bat Habitat in Michigan

To better characterize potential habitat and focus Indiana bat conservation efforts, the Michigan Ecological Services Field Office developed a habitat suitability model within the species' Michigan range based on available summer occurrence data for the state. The model is available for download as a shapefile or KMZ [here](#), and more information on the development of the model can be found in Appendix I. Additionally, the model has been integrated into our [Information for Planning and Conservation \(IPaC\)](#) website and tools, including our All-Species Michigan Determination Key.

We strongly encourage project managers, including Federal agencies and their designated representatives as well as proponents of non-Federal projects, to use the All-Species Michigan Determination Key (Dkey) to evaluate potential effects of proposed activities on the Indiana bat and other Federally listed species in Michigan. For more information on using IPaC and its consultation tools to conduct project reviews for Indiana bat and/or other listed species, please see our [IPaC instructions for MI projects](#) and our [All Species Michigan Dkey Standing Analysis](#).

II. VOLUNTARY CONSERVATION MEASURES

Voluntary conservation measures that benefit the Indiana bat include protecting, creating, and enhancing mature forest, particularly hardwood/mixedwood stands containing standing snags, dying trees, midstory/understory flight space, and waterbodies such as streams, ponds, and forested wetlands. As Indiana bats are known to avoid traversing large open areas outside of migration, preserving wooded corridors (such as tree lines) can be extremely beneficial in connecting fragmented patches of suitable roosting/foraging habitat.

Conserving Indiana bat habitat likely benefits the Federally threatened northern long-eared bat (*Myotis septentrionalis*) and other native bat species, several of which are experiencing recent population declines as a result of WNS and/or other factors. As significant predators of nocturnal insects, including many crop and forest pests, bats are important to Michigan's agriculture and forests. For example, Whitaker (1995)¹ estimated that a single colony of 150 big brown bats (*Eptesicus fuscus*) would eat nearly 1.3 million pest insects each year. Boyles et al. (2011)² noted that the "loss of bats in North America could lead to agricultural losses estimated at more than \$3.7 billion/year," and using their data for Michigan alone, we totaled the estimated value at over \$500 million per year (assuming standard crop pest survival). Taking proactive steps to help protect bats may be valuable to agricultural and timber producer yields and pest management costs.

Continue to the following sections for ESA guidance on Federal and non-Federal projects in Michigan. For more information on the Indiana bat, including life history information, designated critical habitat, draft recovery plan, and 5-year reviews, please visit the [USFWS Indiana Bat](#) page.

III. ESA GUIDANCE: PRIVATE LANDOWNERS/NON-FEDERAL PROJECTS

The Service does not require private landowners to conduct surveys for ESA-listed bats on their lands in Michigan. However, the bats and the habitats where they are known to occur are protected by the ESA. Under Section 9 of the ESA, it is unlawful for any person to "take" an endangered species. The term "take" is defined as, "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." "Harm" is further defined to include "significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering."

In general, activities that impact suitable Indiana bat habitat have the potential to result in take. One of the most common activities impacting Indiana bat habitat is tree clearing during the summer season. The potential for incidental take of Indiana bats during tree removal or forest management activities (i.e., trimming, cutting, prescribed burning) can usually be avoided by scheduling these activities during the inactive, or dormant, season, when bats have departed from summer habitat to overwinter in caves, mines, or similar environments (October 1 through April 14 in most of the species' Michigan range). The inactive season for Indiana bats is slightly reduced within close proximity of hibernacula, as Indiana bats may remain active and utilize trees for roosting through the early fall near hibernation sites. Therefore, within 5 miles of Michigan's

¹Whitaker, J.O. 1995. Food of the Big Brown Bat *Eptesicus fuscus* from Maternity Colonies in Indiana and Illinois. American Midland Naturalist 134(2):346-360.

²Boyles, J.G., P.M. Cryan, G.F. McCracken, and T.H. Kunz. 2011. Economic Importance of Bats in Agriculture. Science 332:41-42.

single known Indiana bat hibernaculum (Tippy Dam), we recommend scheduling tree removal activities during the period of November 1 through March 31.

As described in Section I, the Michigan Ecological Services Field Office recently developed a habitat model for the Indiana bat's Michigan range based on available occurrence data (available for download as a shapefile or KMZ [here](#); more information on the model's development can be found in Appendix I). Outside modeled habitat, take is less likely, but could still occur if suitable trees are impacted when Indiana bats are present, particularly during the non-volant period or "pup season," when young of the year are unable to fly. To help avoid the potential for take of Indiana bats outside of modeled habitat and more than 5 miles from Tippy Dam, we recommend avoiding potential impacts to suitable trees (including cutting/trimming and prescribed burning) during the months of June and July. In addition to seasonally restricting tree cutting and burning of suitable habitat, we recommend applying the same location-specific seasonal restrictions to pesticide (including insecticide and rodenticide) application within suitable habitat to further minimize potential impacts to roosting and foraging bats. We recommend limiting herbicide applications in the active season to targeted application methods like spot-spraying, hack-and-squirt, basal bark, injections, cut-stump, or foliar spraying on individual plants.

As long as the scope of habitat removal is not significant enough to constitute "harm," effects to Indiana bats can be kept minimal or beneficial by avoiding the relevant sensitive seasons described above (and summarized below). The Michigan Ecological Services Field Office does not expect tree removal outside of the active season to cause harm via habitat loss if clearing does not exceed 10 contiguous³ acres of modeled habitat and/or 20 contiguous acres of suitable forest. Projects that will exceed these acreage thresholds are encouraged to coordinate with the Michigan Ecological Services Field Office before proceeding with planned activities.

In summary, we recommend the following measures to help avoid the potential for take of Indiana bats in Michigan:

- (1) Do not disturb known or potential hibernacula (e.g., natural caves, abandoned mines) within the species' range.
- (2) Do not modify or remove a human structure (e.g., barn, house, or other building) known to contain roosting Indiana bats without coordinating with USFWS.
- (3) Schedule activities⁴ that may impact bats, potential roost trees⁵ or bridges/culverts⁶ during the inactive season for the project's location (see Table 1 below).

³Connected by 1,000 feet or less.

⁴Activities that could impact suitable roost trees include tree cutting, trimming, or clearing, prescribed burning, and pesticide application.

⁵Suitable roost trees include live trees and/or snags ≥ 5 inches dbh that have exfoliating bark or cracks/crevices.

⁶Suitable bridges and culverts include those located below the third county tier of Michigan and within 1,000 feet of suitable forested habitat that contain suitable roosting spaces (e.g., expansion joints, cracks/crevices). Suitable culverts are at least 4 feet (1.2 meters) high and 50 feet (15 meters) long

- (4) Within suitable habitat, limit active season herbicide application to targeted methods like spot-spraying, hack-and-squirt, basal bark, injections, cut-stump, or foliar spraying on individual plants.
- (5) Limit tree clearing to the extent possible. If more than 20 contiguous⁷ acres of forested habitat and/or more than 10 contiguous acres of modeled Indiana bat habitat must be removed at any time of year, we recommend coordinating with the Michigan Ecological Services Field Office. Additionally, avoid fragmenting or eliminating forested corridors, such as tree lines, the loss of which could functionally impair much larger blocks of suitable habitat.

Table 1. Recommended dates for avoiding reasonable certainty of taking Indiana bats

Proposed Activity	Location	Recommended Activity Dates	Recommended Avoidance Dates
(1) Cutting/trimming/ of potential roost trees ⁸ ;	Within 5 miles of Tippy Dam	November 1 through March 31	April 1 through October 31
(2) Prescribed burning within potentially suitable habitat or if flames/smoke will reach potential habitat; and/or	Within modeled summer habitat and more than 5 miles from Tippy Dam	October 1 through April 14	April 15 through September 30
(3) Pesticide application and/or aerial/nontargeted herbicide application	Outside of modeled summer habitat and more than 5 miles from Tippy Dam	August 1 through May 31	June 1 through July 31
Removal/modification of an existing bridge or culvert suitable for day-roosting Indiana bats ⁹	October 1 through April 14		

Permits and authorizations are required whenever incidental take of Indiana bats is will occur. If your project is likely to result in take of Indiana bats, please contact the Michigan Ecological Services Field Office to determine if a permit pursuant to the ESA is warranted. For general information about take permits, visit our [USFWS permits page](#).

As a means to determine the likelihood of take, project proponents may be interested in documenting whether potential modeled or unmodeled habitat is, in fact, occupied by Indiana bats. In such cases, presence/absence surveys conducted in accordance with current USFWS

⁷Connected by 1,000 feet or less.

⁸Suitable roost trees include live trees and/or snags ≥ 5 inches dbh that have exfoliating bark or cracks/crevices.

⁹Suitable bridges and culverts include those located below the third county tier of Michigan and within 1,000 feet of suitable forested habitat that contain suitable roosting spaces (e.g., expansion joints, cracks/crevices). Suitable culverts are at least 4 feet (1.2 meters) high and 50 feet (15 meters) long.

[Range-wide Indiana Bat Survey Guidelines](#) (and also available via IPaC) can inform project-specific conservation measures and the need for a permit.

Please note that projects that require State permits or authorizations that implement Federal laws or are supported by Federal funds (e.g., Clean Water Act, transportation projects) may have additional requirements under or similar to Section 7 of the ESA, as described in the following [section: IV. ESA GUIDANCE: FEDERAL PROJECTS](#).

As described in Section I, we strongly encourage project managers, including private landowners and proponents of non-Federal projects, to use the All-Species Michigan Determination Key in IPaC to evaluate potential effects of proposed activities on Indiana bats and other Federally listed species in Michigan. The All-Species Michigan Dkey allows users to quickly check whether their project qualifies for automated effects determinations for listed species and habitats. For more information on using IPaC and its consultation tools to conduct project reviews for NLEB and/or other listed species, please see our [IPaC instructions for MI projects \(PDF\)](#).

IV. ESA GUIDANCE: FEDERAL PROJECTS

Section 7 Consultation

Under the ESA, requirements for Federal projects (i.e., projects funded, authorized, permitted, or implemented by a Federal agency) are different than requirements for wholly private or otherwise non-Federal projects. The ESA mandates all Federal departments and agencies to conserve listed species and to utilize their authorities in furtherance of the purposes of the ESA. Section 7 of the ESA, called “Interagency Cooperation,” is the mechanism by which Federal agencies ensure the actions they conduct, including those they fund or authorize, do not jeopardize the existence of any listed species.

Federal agencies must request a list of species and designated critical habitat that may be present in the project area from the Service via our [Information for Planning and Consultation \(IPaC\)](#) website. Then they must determine whether their actions may affect those species or critical habitat. If a listed species or critical habitat may be affected, consultation with the Service is required.

The Service developed IPaC to help streamline the ESA review process. IPaC can assist users through the section 7 consultation process when a Federal agency authorizes, funds, permits, or carries out an action. For further information on obtaining an official Species List through IPaC and using available assisted Determination Keys, see our [IPaC instructions for MI projects \(PDF\)](#).

Please note that Section 7 or similar obligations may also apply to State permits or authorizations that implement Federal laws or projects that are supported by Federal funds (e.g., Clean Water Act, transportation projects).

For general guidance on Section 7(a)(2) obligations for Federal projects, see our [ESA Section 7 Consultation page](#).

IPaC Determination Keys

Determination Keys (Dkeys), available through the Service's Information for Planning and Consultation (IPaC) web site, are logically structured sets of questions designed to assist users in determining if a project qualifies for a pre-determined consultation outcome based on existing programmatic consultations or internal USFWS standing analyses. Qualifying projects may generate USFWS concurrence letters instantly through IPaC. Dkeys provide consistent and transparent outcomes, and significantly reduce the time to complete consultation for qualifying projects.

Two Dkeys are currently available for evaluating the effects of Federal projects on Indiana bat in Michigan: The All-Species Michigan Dkey, and the FHWA, FRA, FTA Programmatic Consultation Dkey for Transportation Projects. As described in Section II, we strongly encourage project managers, including Federal agencies and/or their designated non-Federal representatives, to use IPaC, and in particular the All-Species Michigan Determination Key, to evaluate potential effects of proposed activities on Indiana bats in Michigan. For additional details on using Dkeys and other IPaC tools, see our [IPaC instructions for MI projects](#).

Evaluating Effects to Indiana Bats

The Michigan Ecological Services Field Office has established a consistent and transparent process for evaluating potential effects of Federal actions on the Indiana bat, based on existing Service guidance and relevant literature, available Michigan survey data, and expert elicitation. This process is outlined below as well as in an internal [standing analysis](#) developed to support our All-Species Michigan Determination Key.

As described in Section I, the Michigan Ecological Services Field Office recently developed a habitat suitability model for the Indiana bat's Michigan range based on available species presence data. (The model is available for download as a shapefile or KMZ [here](#), and more information on the model's development can be found in Appendix I). We have slightly modified our recommendations for avoiding adverse effects to Indiana bats based on whether projects overlap with modeled habitat (see below).

Within the species' Michigan range, we do not expect Federal actions to rise to the level of adverse effects to Indiana bat when the following conditions are met¹⁰:

- The action area does not contain any known or potential hibernacula (including natural caves, abandoned mines, or underground quarries).
- The action will not remove/modify a human structure (barn, house or other building) known to contain roosting Indiana bats.

¹⁰Projects that do not meet these conditions may still be able to avoid adverse effects to Indiana bat but warrant project-specific review and considerations.

- Tree clearing/cutting/trimming does not impact any potential roost trees¹¹; OR, if suitable roost trees must be cut/trimmed, it is done so during the applicable recommended season (see Table 2 below).
- Tree clearing does not exceed 20 acres of contiguous¹², forested habitat and/or more than 10 acres of contiguous modeled Indiana bat summer habitat and does not fragment a connective corridor between two or more forest patches of at least 5 acres.
- Prescribed burning does not clear >20 acres of contiguous forest or 10 acres of modeled Indiana bat habitat and is conducted during the recommended applicable season (see Table 2).
- If burning in non-suitable habitat adjacent to suitable forest when Indiana bats may be present (e.g., grassland or scrub/shrublands near mature forest), flame height and smoke are kept to a minimum.
- Application of pesticides (including insecticides and rodenticides) and/or aerial/nontargeted herbicide application is restricted to the applicable recommended season (see Table 2).
- Application of herbicides follows the label and is limited to targeted methods like spot-spraying, hack-and-squirt, basal bark, injections, cut-stump, or foliar spraying on individual plants or conducted during the applicable recommended season (see Table 2).
- Removal/modification of an existing bridge or culvert suitable for day-roosting Indiana bats¹³ does not result in the permanent loss of known or potential roosting spaces and is conducted during the inactive season (October 1 through April 14).
- Projects that include temporary or permanent lighting of roadway(s), facility(ies), and/or parking lot(s) apply the following conservation measures:
 - (a) When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, the goal is to be as close to 0 for all three ratings with a priority of “uplight” of 0 and “backlight” as low as practicable.
 - (b) Direct temporary lighting away from suitable habitat when bats may be present.

¹¹Suitable roost trees include live trees and/or snags ≥ 5 inches dbh that have exfoliating bark or cracks/crevices.

¹²Connected by 1,000 feet or less.

¹³Suitable bridges and culverts include those located below the third county tier of Michigan and within 1,000 feet of suitable forested habitat that contain suitable roosting spaces (e.g., expansion joints, cracks/crevices). Suitable culverts are at least 4 feet (1.2 meters) high and 50 feet (15 meters) long.

Table 2. Recommended dates for avoiding adverse effects to Indiana bats

Proposed Activity	Location	Recommended Activity Dates	Recommended Avoidance Dates
(1) Cutting/trimming of potential roost trees ¹⁴ ;	Within 5 miles of Tippy Dam	November 1 through March 31	April 1 through October 31
(2) Prescribed burning within potentially suitable habitat or if flames/smoke will reach potential habitat; and/or	Within modeled summer habitat and more than 5 miles from Tippy Dam	October 1 through April 14	April 15 through September 30
(3) Pesticide application and/or aerial/nontargeted herbicide application	Outside of modeled summer habitat and more than 5 miles from Tippy Dam	August 1 through May 31	June 1 through July 31
Removal/modification of an existing bridge or culvert suitable for day-roosting Indiana bats ¹⁵	October 1 through April 14		

If the above conditions are met, projects may be able to complete Section 7 consultation through our IPaC All-Species Michigan Determination Key and/or through informal consultation with the Service outside the Dkey. If these conditions cannot be met, please contact our office for additional site-specific review regarding your project.

Note that these conditions are only necessary if Indiana bats are present. Prior to conducting a project, including tree clearing or burning, surveys can be done to determine if Indiana bats are present or likely absent from the action area. See our [Range-wide Indiana Bat Survey Guidelines](#) for more information. In the absence of site-specific survey data, adherence to the above conditions should appreciably reduce the potential for adverse effects.

In addition to habitat assessments and presence/probable absence surveys, bridge/culvert assessment can be conducted to determine whether a suitable bridge or culvert is occupied by bats. See these [Guidelines](#) for more information. If a bridge/culvert has been inspected for signs of roosting bats (guano, urine staining, bat vocalizations, and/or bats) during the summer roosting season (May 15 through August 15), and no bats or signs of bats were observed, work on the bridge/structure can proceed at any time of year.

¹⁴Suitable roost trees include live trees and/or snags ≥5 inches dbh that have exfoliating bark or cracks/crevices.

¹⁵Suitable bridges and culverts include those located below the third county tier of Michigan and within 1,000 feet of suitable forested habitat that contain suitable roosting spaces (e.g., expansion joints, cracks/crevices). Suitable culverts are at least 4 feet (1.2 meters) high and 50 feet (15 meters) long.

V. MICHIGAN ECOLOGICAL SERVICES FIELD OFFICE CONTACT INFORMATION

Please contact the Michigan Ecological Services Field Office for more information on potential impacts to Indiana bats or other Federally listed species as a result of any projects occurring in Michigan.

U.S. Fish and Wildlife Service
Michigan Ecological Services Field Office
2651 Coolidge Road, Suite 101
East Lansing, MI 48823
Phone: 517-351-2555
Fax: 517-351-1443
TTY: 1-800-877-8339 (Federal Relay)
e-mail: EastLansing@fws.gov

Appendix I: Development of a Habitat Suitability Model for the Indiana Bat (*Myotis sodalis*) in Michigan

In 2018, the Michigan Ecological Services Field Office contracted with Dr. Eric McCluskey of Grand Valley State University to develop a habitat model for the Indiana bat in Michigan. A shapefile and KMZ of the model are available for download here: [Indiana Bat Habitat Model](#)

To develop the model, we compiled all available Indiana bat summer capture (foraging) and roost occurrence data and applied a 500-m spatial filter as a minimum distance between occurrence records to minimize overemphasis of habitat importance based on clusters of individuals. After filtering the occurrence data, 44 locations remained (20 capture and 24 roost locations). We developed models using capture and roost occurrences separately as well as with all occurrences combined to determine which model was best suited for identifying foraging and roost habitat.

Due to the small number of occurrences, we used an ensemble of small models (ESM) approach that permits more predictor variables to be used by running each pairwise combination of variables and then weighting these final models in an ensemble. The ESMs were run in the R package *ecospat*. Presence only modeling requires the selection of background area from which background points will be randomly sampled to compare to the occurrence data. The background area should represent parts of the landscape that are accessible to the focal organism. We created a convex hull around our occurrence data using ArcMap, a polygon formed by connecting straight lines between points. We then buffered this convex hull by 25 km to include areas beyond the known core distribution of Indiana Bat in southern Michigan that should be physically accessible and may have undetected presences. We set background point selection for this entire buffered area except for within 5 km of Indiana Bat occurrences where background points are most likely to unintentionally represent true presences.

We selected predictor variables by removing the worse performing variable from highly correlated pairs (>0.75) using the 'corSelect' function from the *fuzzySim* R package. Then we then used Maxent's internal variable importance (permutation importance) and jackknife measures to determine which of the remaining variables were important to retain for separate capture and roost models. We selected two model types, Artificial neural network (ANN) and Maxent, for the ESMs. We compared five runs for each model type with the capture, roost, and combined datasets using area under the ROC curve (AUC) and true skill statistic (TSS). We then calculated the Boyce Index value using *ecospat* to compare the ANN and Maxent models from each dataset in their ability to identify capture and roost locations. We used Boyce Index as the primary assessment metric as it allowed for comparisons across all three model types for capture and roost data.

Based on the Boyce Index assessment, we selected the Maxent presence-only roost model as the strongest fit model. Using the 10th percentile threshold, we converted the model output to a binary raster. The binary raster was then converted to a shapefile using non-simplified shapes. Because considerable portions of the modeled habitat contained clearly non-suitable cover types, particularly near highly developed urban areas, we further refined the model by clipping the binary shapefile by the most recent available National Land Cover Database (NLCD 2019) data. Land cover categories excluded (clipped) from modeled habitat included open water, perennial ice/snow, developed (low, medium, and high intensity), and barren land (sand, rock, clay).

General Project Design Guidelines - Indiana Bat and 6 more species

Published by Michigan Ecological Services Field Office for the following species included in your project

Indiana Bat *Myotis sodalis*

Piping Plover *Charadrius melodus*

Pitcher's Thistle *Cirsium pitcheri*

Rufa Red Knot *Calidris canutus rufa*

Whooping Crane *Grus americana*

Monarch Butterfly *Danaus plexippus*

Eastern Massasauga (=rattlesnake) *Sistrurus catenatus*

Environmental Screening for Eastern Massasauga Rattlesnake in Michigan March 14, 2017

Background

The Eastern Massasauga Rattlesnake (EMR) is listed as a threatened species under the U.S. Endangered Species Act (Act). The Act protects the EMR and their habitat by prohibiting “take” and may require agencies to coordinate with the U.S. Fish and Wildlife Service (Service) before authorizing or funding an activity affecting the species. To streamline coordination, the Service’s Michigan Ecological Services Field Office has developed a set of Best Management Practices (BMPs) for specific activities potentially impacting EMR in Michigan. These BMPs are voluntary and just one of the ways that compliance with the Act may be achieved.

Projects may...

- have no effect to EMR and no need for additional ESA compliance considerations.
- have potential for adverse effects, but use BMPs to avoid adverse effects (i.e., “not likely to adversely affect” EMR) or minimize the adverse effects.
- use surveys to confirm probable absence of EMR (contact the Service for survey guidance).
- use “Informal Consultation” with Service (for actions requiring a Federal permit or funding).
- use “Formal Consultation” with Service (for actions requiring a Federal permit or funding).
- develop a Habitat Conservation Plan and seek an ESA permit, if adverse effects cannot be avoided.

For activities not listed in the BMPs, please contact the Service for project-specific recommendations. In some cases implementation of BMPs may not be sufficient to avoid all adverse impacts to EMR and additional consultation with the Service may be required. The Service can assist planners in determining whether adverse effects are likely as a result of proposed projects, and whether implementation of BMPs is sufficient to remove the risk of adverse effects.

Additional information on compliance with the Act can be found:

For Federal actions/section 7 consultation:

<https://www.fws.gov/midwest/Endangered/section7/s7process/index.html>

For non-Federal actions:

<https://www.fws.gov/midwest/endangered/permits/index.html>

For questions or comments you may contact the Service below:

U.S. Fish and Wildlife Service
Michigan Ecological Services Field Office
2651 Coolidge Road, Suite 101
East Lansing, MI 48823
Phone: (517)351-2555
Email: eastlansing@fws.gov

Definitions

Active Season: The active season begins in the spring when snakes emerge from hibernation, generally when maximum air temperatures are above 50°F, and ends in the fall when EMR have returned to their hibernacula and temperatures are consistently below 45°F. In Michigan, the active season is generally April through October. The active season dates will vary by location and weather. **Contact the Service for project-specific dates based on location when work in EMR habitat is planned near the start or end of the active season.**

Affecting hydrology: We consider “affecting hydrology” to include projects that are likely to appreciably change the elevations of surface water upstream or downstream, or in the local ground water (as estimated pre-project vs. post-project). The concern is for changes to local hydrology (e.g., creating new ditches, creating a new impoundment) that might harm EMR hibernating at or near ground water, or actions that significantly alter available suitable habitat either through flooding or drying of EMR wetlands.

Hibernacula: Areas suitable for EMR to overwinter. For most EMR populations, the locations of hibernacula are not known, but these areas are critical to protect. Unfortunately, we lack information on how to reliably identify these areas. EMR usually hibernate below the frost line in crayfish or small mammal burrows, tree root networks or rock crevices in or along the edge of wetlands or in adjacent upland areas with presumably high water tables (areas where the soil is saturated but not inundated). Following egress from hibernacula in the spring, EMR typically remain aboveground in the vicinity for a week or two, and return to these areas in the fall for several weeks prior to entering hibernation. Surveys in the spring (shortly following egress) or fall (prior to ingress) when snakes are congregating in the vicinity may help identify these important areas. Maintaining stable hydrology of these areas is important during the inactive season.

IPaC: “Information for Planning and Conservation” is a project planning tool available on-line to the public that streamlines the Service’s environmental review process.

EMR Habitat: “Eastern Massasaugas have been found in a variety of wetland habitats. Populations in southern Michigan are typically associated with open wetlands, particularly prairie fens, while those in northern Michigan are known from open wetlands and lowland coniferous forests, such as cedar swamps. Some populations of Eastern Massasaugas also utilize open uplands and/or forest openings for foraging, basking, gestation and parturition (i.e., giving birth to young). Massasauga habitats generally appear to be characterized by the following: (1) open, sunny areas intermixed with shaded areas, presumably for thermoregulation; (2) presence of the water table near the surface for hibernation; and (3) variable elevations between adjoining lowland and upland habitats.” From Michigan Natural Features Inventory (Website: mnfi.anr.msu.edu)

Tier 1 Habitat: Areas known to be occupied by EMR or highly likely to be occupied by EMR.

Tier 2 Habitat: Areas with high potential habitat and may be occupied by EMR.

Within the known range: EMR can occur throughout the Lower Peninsula and on Bois Blanc Island in Mackinac County. Areas within the known range but outside of Tier 1 and Tier 2 are considered less likely to be occupied. EMR is highly secretive and cryptic in nature, and can persist in low densities, which makes them difficult to detect. Further, there are extensive areas of the state that have never been surveyed. It is likely that there are additional and yet-unknown occurrences throughout the Lower Peninsula of Michigan. Mapped habitats are subject to change based on new information identifying current Tier 1 and 2 areas as unsuitable, or based on discovery of new EMR occurrences.

EMR Environmental Screening Step-wise Process

Step 1. Determine if EMR may be present in the action area

- ✓ Determine whether the project is in potential EMR habitat using <https://ecos.fws.gov/ipac>
 - You can search for your project location and define the action area by drawing a polygon or uploading a shapefile.
 - IPaC will give you a list of species that may be present in the area you identified. If you click on the thumbnail for EMR, it will tell you if your project is within Tier 1 or Tier 2 habitat, or within the known range of EMR. If EMR is not listed, you do not need to consider this species. Effects to other listed species should also be considered; contact the Service if you need assistance.
 - If EMR is listed, it does not necessarily mean that the entire action area is potential habitat, only that some potential habitat is within the action area entered. For large-scale (e.g., county-wide or multi-county projects) consider coordinating the Michigan Ecological Services Field Office for direct assistance.

If your project is within the known range of EMR, including Tier 1 or Tier 2 habitat, continue to step 2:

Step 2. Determine if the project has the potential to affect EMR

Projects have no effect on EMR when...

- ✓ There is no suitable EMR habitat in the project area and no potential impact off-site (e.g., water discharge into adjacent EMR habitat). If project site conditions are determined to be wholly unsuitable for EMR (e.g., project is in regularly mowed turf grass, row crop, graveled lot, existing building, or industrial site), it is not suitable EMR habitat.
- ✓ The project occurs within suitable habitat, but the action will have absolutely no effect on the habitat or EMR.
- ✓ In suitable EMR habitat, but the site is entirely unoccupied by the species. This is typically confirmed through surveys (contact the Service for more information). In some cases it may be easier to assume EMR are present and use BMPs than to conduct surveys for the species.

For projects where there is a potential for effects to EMR, continue to the section of the document as follows:

For Tier 1 Habitat Page 5

For Tier 2 Habitat Page 6

Within the range of EMR Page 7

For projects with a combination of Tier 1 and Tier 2 habitat, follow the instructions for Tier 1.

Tier 1 Habitat

Tier 1: Project will not affect EMR if all of the following apply:

1. Project will not result in any changes to suitable EMR habitat quality, quantity, availability or distribution, including changes to local hydrology
2. If EMR are present in the project area, they are not likely to have any response as a result of exposure to the action or any environmental changes as a result of the action
3. Project includes all General Best Management Practices:
 - a. Use wildlife-safe materials for erosion control and site restoration (see Erosion Control Resources side panel). In Tier 1 habitat, immediately eliminate use of erosion control products containing plastic mesh netting or other similar material that could entangle EMR.
 - b. To increase human safety and awareness of EMR, those implementing the project should first watch MDNR's "60-Second Snakes: The Eastern Massasauga Rattlesnake" video (available at https://youtu.be/-PFnXe_e02w), or review the EMR factsheet (available at <https://www.fws.gov/midwest/endangered/reptiles/eam/pdf/EMRfactsheetSept2016.pdf> or by calling 517-351-2555.
 - c. Require reporting of any EMR observations, or observation of any other listed threatened or endangered species, during project implementation to the Service within 24 hours.

Tier 1: Project Not Affecting EMR Coordination

Recommendation: No pre-project coordination with Service needed. Document the steps above for your records.

Tier 1: All Other Projects: For any other projects in Tier 1 habitat that may affect EMR or its habitat, contact the Service for assistance in evaluating potential impacts. Best Management Practices (starting on page 8) are included for many actions to help with project planning, but may not be sufficient to avoid all adverse impacts. The Service can determine whether additional measures are necessary after a project-specific review.

Erosion Control Resources

There are a variety of products that can be used for soil erosion and control requirements. These products may incorporate plastic mesh netting to help maintain form and function. This plastic netting has been demonstrated to entangle a wide variety of wildlife from birds to small mammals. In Michigan, soil erosion control netting has resulted in the documented mortality of a number of imperiled amphibian and reptile species including the EMR and the Eastern Fox Snake (State Threatened).

Several products for soil erosion and control exist that do not contain plastic netting including net-less erosion control blankets (for example, made of excelsior), loose mulch, hydraulic mulch, soil binders, unreinforced silt fences, and straw bales. Others are made from natural fibers (such as jute) and loosely woven together in a manner that allows wildlife to wiggle free. For more information regarding wildlife-safe erosion control measures contact the [USFWS Michigan Ecological Services Field Office](#).

Tier 2 Habitat

Tier 2: Project is not likely to adversely affect EMR if all of the following apply:

1. Project does not impact more than 1 acre of wetland habitat and includes all applicable activity-specific BMPs (starting on page 8), and
2. Project will not appreciably affect hydrology
3. Project includes all General Best Management Practices:
 - a. Use wildlife-safe materials for erosion control and site restoration (See Erosion Control Resources side panel, page 4). In Tier 2 habitat, eliminate the use of erosion control products containing plastic mesh netting or other similar material that could ensnare EMR as soon as is feasible but no later than January 1, 2018.
 - b. To increase human safety and awareness of EMR, those implementing the project should first watch MDNR's "60-Second Snakes: The Eastern Massasauga Rattlesnake" video (available at https://youtu.be/-PFnXe_e02w), or review the EMR factsheet (available at <https://www.fws.gov/midwest/endangered/reptiles/eama/pdf/EMRfactsheetSept2016.pdf> or by calling 517-351-2555).
 - c. Require reporting of any EMR observations, or observation of any other listed threatened or endangered species, during project implementation to the Service within 24 hours.

Tier 2: Project Not Likely to Adversely Affect EMR Coordination Recommendation: Informal consultation with Service for actions requiring a Federal permit or funding. For non-Federal projects, document the steps above for your records, but no pre-project coordination with the Service needed.

Tier 2: All Other Projects: Coordinate with the Service for a project-level review to determine potential impacts and whether additional conservation measures are needed to avoid adverse effects.

Within the known range of EMR

For projects within the known range of EMR, but outside of Tier 1 and Tier 2 habitat:

To help ensure your project is unlikely to affect EMR:

1. Project applies the General Best Management Practices:
 - a. Use wildlife-safe materials for erosion control and site restoration (See Erosion Control Resources side panel, page 4). By January 1, 2019, eliminate the use of erosion control products containing plastic mesh netting or other similar material that could ensnare EMR (within the known range but outside of Tier1 or Tier 2 habitat).
 - b. To increase human safety and awareness of EMR, those implementing the project should first watch MDNR's "60-Second Snakes: The Eastern Massasauga Rattlesnake" video (available at https://youtu.be/-PFnXe_e02w), or review the EMR factsheet (available at <https://www.fws.gov/midwest/endangered/reptiles/eama/pdf/EMRfactsheetSept2016.pdf> or by calling 517-351-2555).
 - c. Require reporting of any EMR observations, or observation of any other listed threatened or endangered species, during project implementation to the Service within 24 hours.
2. Project will not have significant impacts to dispersal, connectivity, or hydrology of existing EMR potential habitat, i.e., filling less than 1 acre of wetland habitat or converting less than 20 acres of uplands of potential EMR habitat (uplands associated with high quality wetland habitat) to other land uses.

Within the Known Range, but Outside Tier 1 or 2 Coordination Recommendation:

Document the steps above for your records and no pre-project coordination with the Service needed. If you cannot implement the General Best Management Practices contact the Service for assistance in evaluating potential impacts.

Activity-Specific Best Management Practices

For Tier 1, BMPs are included; however, even with implementation of the BMPs, project-specific review may be needed to determine whether they are sufficient to avoid all adverse impacts

- In Tier 1 habitat, contact the Service regarding the potential applicability of surveys to determine EMR absence in suitable habitat. In Tier 2, surveys can be conducted to confirm the presence of suitable habitat and/or the presence/probable absence of EMR. If onsite habitat is determined to be wholly unsuitable via desktop analysis (e.g., entirely mowed lawn, row crop, graveled lot, and industrial site), then it can be classified as unoccupied and the BMPs will not be necessary.
- Minimize work in Tier 1 and Tier 2 EMR habitat. When feasible, do not route new construction projects, such as pipelines, facilities, or access roads, through potential EMR habitat. Implement the use of wildlife-friendly corridors (e.g., oversized culverts) into new road design to maintain or enhance habitat connectivity.
- Projects should be designed to minimize the potential for disturbance to EMR during project activities.

Maintenance Activities (includes nominal modifications to existing roads and infrastructure)

1. Ground Disturbing Activities

a. All

- i. No known EMR hibernacula are destroyed or disturbed at any time of year. Because these areas are often not known:
 1. For Tier 1: contact the Service to determine whether adverse impacts are likely as a result of ground disturbing work in Tier 1 habitat.
 2. For Tier 2: when operating in potential hibernation areas (e.g., EMR wetlands and adjacent areas with crayfish burrows, rodent holes, small mammal burrows, etc.), work is conducted well within the active season (June – August) to avoid when snakes are likely to be present. During this time, they are most likely to be able to move out of the way of disturbance and have greater chances to find alternative hibernation sites. Destroying potential hibernacula may still impact snakes indirectly. Potential hibernation areas should be avoided to the extent possible.

b. Grading

- i. When working during EMR active season, use exclusionary fencing to separate EMR habitat from the work site to prevent EMR from accessing the disturbance area. For example, in linear projects exclusionary fencing should run parallel to the disturbance, creating a barrier to snake movement. Each end of the exclusionary fencing should be angled away from the area of disturbance to direct snakes traveling along fencing away from the site. The

- exclusionary fencing will typically be traditional silt fence that is set up outside of all areas of disturbance and other types of fencing (i.e., snow fence used to delineate the work zone). Do not use fencing materials that can entangle or injure snakes.
- ii. Any areas using exclusionary fencing should first be “cleared” by a qualified individual¹ before beginning construction activities. Fencing should be installed a minimum of 1 day before construction activities occur and walked weekly to ensure the integrity of the fence. If snakes are seen within the work zone, activity should stop until the snake can be safely moved, and the fence examined for breeches.
 - iii. Revegetate all disturbed Tier 1 and Tier 2 habitat with appropriate plant species (i.e., native species or other suitable non-invasive species present on site prior to disturbance). Monitor all restoration plantings for proper establishment and implement supplemental plantings as necessary to ensure restorations are of equal to or better habitat quality than previous conditions.
 - iv. In Tier 1 and Tier 2, avoid spread of invasive species into EMR habitat by following best practices. This includes inspecting and cleaning equipment and vehicles between work sites as needed to avoid the spread of invasive plant materials.
- c. Trenching
- i. In Tier 1 and Tier 2, avoid trenching in EMR wetlands when possible. In Tier 1, if open trenching is required install exclusionary fencing (follow measures 1(b)(i)-(iv)) and ensure the area is clear prior to trenching.
- d. Fill
- i. In Tier 1 and Tier 2, ensure all imported fill material is free from contaminants or invasive species could affect the species or habitat through acquisition of materials at an appropriate quarry or other such measures.
 - ii. In Tier 1 and Tier 2, use exclusionary fencing around the area to be filled and have the site “cleared” prior to placing fill by a qualified individual (as in 1(b)(i)-(ii)).
- e. Ditching
- i. For Tier 1 and Tier 2, conduct work well within the active season (June-August) when snakes are not likely to be near hibernation sites and can escape disturbance, or contact Service for project specific recommendations.
 - ii. For Tier 1, use exclusionary fencing around the area to be cleared/graded and have the site cleared by a qualified individual prior to construction activities.
 - iii. For Tier 1, contact the Service for work greater than 200’ for project specific recommendations.

¹ A qualified individual is someone who has received training on the identification and life history of EMR.

2. Site Access with vehicles (both Tiers)
 - a. Limit operating vehicles/equipment, clearing trees, etc., in EMR habitat to the inactive season when the ground is frozen. During this time, under these conditions, EMR are most likely underground and will not be impacted by these activities. When possible, use low-impact equipment such as light weight track mounted vehicles with low ground pressure. In Tier 1, if the ground isn't completely frozen (due to weather conditions during the inactive season or if working near seeps and springs that are less likely to freeze), or if working near potential hibernacula, manual access (on foot) may be required.
 - b. Strictly control and minimize vehicle activity in known/presumed occupied EMR habitat to the extent possible. During EMR active season, speed limits at facilities and access roads (i.e., 2-track and gravel) in occupied habitat should be <15 MPH.
 - c. In Tier 1 and Tier 2 habitat areas, drivers should be aware of the potential danger to the driver of swerving to intentionally drive over snakes as well as legal and conservation implications.

3. Heavy Equipment (both Tiers)
 - a. Spill Prevention for oils/fluids
 - i. Site staging areas for equipment, fuel, materials, and personnel at least 100 feet from the waterway, if available, to reduce the potential for sediment and hazardous spills entering the waterway. If sufficient space is not available, a shorter distance can be used with additional control measures (e.g., redundant spill containment structures, on-site staging of spill containment/clean-up equipment and materials). If a reportable spill has impacted occupied habitat:
 1. Follow spill response plan;
 2. Call MDEQ and the National Response Center (800-424-8802), and the Service's Michigan Ecological Services Field Office (517-351-2555) to report the release.
 - b. Do not use large equipment or perform earth-moving activities, water withdrawal and discharge for hydrostatic testing, or other activities that substantially affect the ground or water levels in potential EMR hibernacula areas. Avoidance measures may include, but are not limited to, re-routing of pipeline and appurtenance facilities, boring or drilling, and timing/weather-related restrictions. Measures will be determined on a site-specific basis, based on local habitat conditions, contact Service for more information.

4. Hydrology impacts (both Tiers)
 - i. Water levels in known/presumed occupied habitats should not be artificially manipulated during the inactive season.

- ii. Where applicable, water levels should be allowed to flow naturally and not be artificially stabilized. This allows for the restoration of early successional habitats.

Habitat Management and Restoration

5. Vegetation Management

a. Mowing

- i. In Tier 1, mow during the inactive season.
- ii. For Tier 2, mowing is unrestricted during the inactive season. During the active season, follow daytime mowing restrictions and mow during times of day when snakes are less likely to be active (Figure 1). Increase mower deck height to >8 inches to reduce likelihood of injury to snakes. Higher deck height will reduce the risk of death or injury to snakes in the area.
- iii. In areas with turf grass or areas where trying to discourage EMR (e.g., in areas around buildings), mow regularly and keep grass relatively short (less than 4-6 inches) to reduce its suitability for EMR. If starting with longer grass (greater than 6 inches), mow during the inactive season initially, and then maintenance mowing can occur during the active season (as long as it is regularly maintained and kept shorter than 4-6 inches, so that EMR is unlikely to use those areas). Unmaintained/longer grass may be used by snakes and make them vulnerable to mortality during the next mowing event.

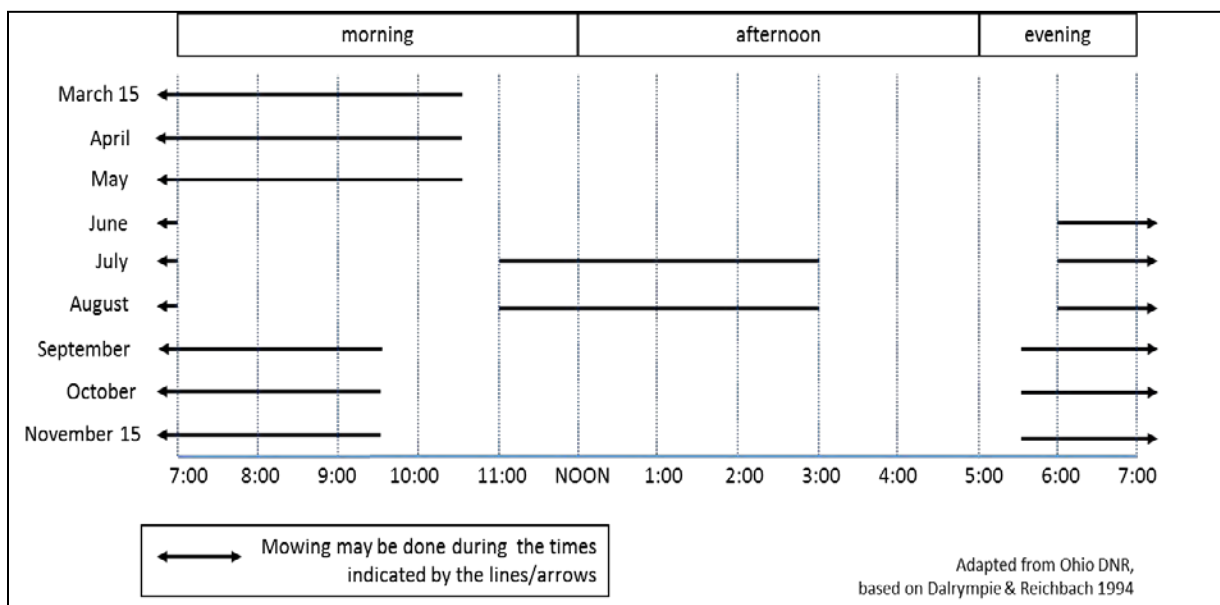


Figure 1. EMR Active season mowing schedule (NiSource Biological Opinion, page 273, USFWS 2015)

- b. Cultivation (e.g., disking)
 - i. In Tier 1 habitat, disking should be limited to the inactive season, and areas within 50 m of known or potential hibernacula should be avoided. In Tier 2, disking can occur in the active season if area is mowed during the inactive season and maintained shorter than 4-5 inches.
- c. Brush/Tree Removal
 - i. In Tier 1, conduct brush or tree removal in known/presumed EMR habitat during the inactive season, when the ground is frozen (such that soils can be left undisturbed).
 - ii. Use low impact harvest methods in Tier 1 and Tier 2 wetlands to cut and remove individual trees. This includes using low-impact equipment such as light weight track mounted vehicles with low ground pressure. In Tier 1, if the ground isn't completely frozen (due to weather conditions during the inactive season or if working near seeps and springs that are less likely to freeze), or if working near potential hibernacula, use hand tools and access site on foot.
 - iii. In Tier 1 and Tier 2, do not burn brush piles during the active season. Dispose of brush offsite or leave in place.
- d. Herbicides
 - i. Follow all appropriate label instructions regarding which herbicide formulation to use in potential EMR habitat. Avoid spray drift beyond the target species/area (observing label instructions regarding optimal wind speed and direction, boom height, droplet size calibration, precipitation forecast, etc.).
 - ii. Avoid broadcast applications of herbicides in Tier 1. Spot spraying or wicking can be used to control invasive plants in occupied habitat. If using broadcast spray in Tier 2, limit the area of exposure to less than half of the available EMR habitat to allow for untreated areas to provide potential areas of refugia from exposure. Contact the Service if you need help in determining this.
- e. Prescribed burning (Tier 1 and Tier 2)
 - i. Conduct prescribed burns during the inactive season before snakes emerge from hibernation. Walk the burn unit following the burn and report any dead or injured EMR to the Service within 24 hours. Burn only a portion (e.g., one-third) of available EMR habitat in any year to leave suitable cover for EMR and its prey.
 - ii. Establish fire breaks using existing fuel breaks (roads, rivers, trails, etc.) to the greatest extent possible. Cultivation (disking or roto-tilling) of burn breaks will be minimized to the extent that human health and safety are not jeopardized. Cultivation and mowing to establish fire breaks will occur during the inactive season.

6. Erosion control
 - a. Use wildlife-safe erosion control blankets (without plastic mesh netting in the layers of material) as required in the general BMPs. Remove all silt fence used for erosion control once soils are stable to reduce barriers to EMR movement.
7. Revegetation
 - a. Revegetate all disturbed Tier 1 and Tier 2 habitat with appropriate plant species (i.e., native species or other suitable non-invasive species present on site prior to disturbance). Monitor all restoration plantings for proper establishment and implement supplemental plantings as necessary to ensure restorations are of equal to or better habitat quality than previous conditions.
8. Invasive species
 - a. In Tier 1 and Tier 2, avoid spread of invasive species into EMR habitat by following best practices. This includes inspecting and cleaning equipment and vehicles between work sites as needed to avoid the spread of invasive plant materials.
9. Wetland restoration
 - a. Restoring natural hydrology in areas that have been drained by tiling and ditching may greatly benefit EMR habitat. Conduct tile breaking or excavation well within the active season to avoid potential hibernacula. Have a qualified individual walk in front of the equipment to clear the area. Work with the Service for Tier 1 habitat to ensure no indirect adverse effects are expected as a result of restoration efforts.
10. Water-level manipulation
 - a. Water levels should not be artificially manipulated during the inactive season to avoid impacts to hibernating snakes. Contact the Service in Tier 1 habitat when water levels will be manipulated during the inactive season or will result in significant alterations to EMR habitat during the active season.



Eastern Massasauga *Sistrurus catenatus*

The eastern massasauga rattlesnake has been listed as a threatened species under the Endangered Species Act. Threatened species are animals and plants that are likely to become endangered in the foreseeable future. Identifying, protecting, and restoring endangered and threatened species is the primary objective of the U.S. Fish and Wildlife Service's endangered species program.

What is an eastern massasauga rattlesnake?

Appearance: Massasaugas are small snakes with thick bodies, heart-shaped heads and vertical pupils. The average length of an adult is about 2 feet. Adult massasaugas are gray or light brown with large, light-edged chocolate brown blotches on the back and smaller blotches on the sides. Young snakes have the same markings, but are more vividly colored. Other snakes that look similar include the fox snake, milk snake and hognose snake.

Habitat: Massasaugas live in wet areas including wet prairies, marshes and low areas along rivers and lakes. In many areas massasaugas also use adjacent uplands during part of the year. They often hibernate in crayfish burrows but may also be found under logs and tree roots or in small mammal burrows. Unlike other rattlesnakes, massasaugas hibernate alone.



Photo courtesy of Dan Kennedy, Michigan DNR

Reproduction: Like all rattlesnakes, massasaugas bear live young. Depending on their health, adult females may bear young every year or every other year. When food is especially scarce they may only have young every three years. Most massasaugas mate in late summer, and give birth about a year later. Litter size varies from 5 to 20 young.

Feeding Habits: Massasaugas eat small rodents such as mice and voles but they sometimes eat frogs and other snakes. They hunt by sitting and waiting. Heat sensitive pits near the snakes' eyes alert the snake to the presence of prey. They can find their prey by sight, by feeling vibrations, by sensing heat given off by their prey, and by detecting chemicals given off by the animal (like odors).

Range: Eastern massasaugas live in an area that extends from central New York and southern Ontario to southcentral Illinois and eastern Iowa. Historically, the snake's range covered this

Massasaugas are docile, secretive snakes that will try to escape rather than fight. But they will protect themselves and may bite if cornered. Be cautious in massasauga areas by wearing leather boots or shoes, watching where you place your hands and feet and walking around, rather than over, fallen logs. Treat massasaugas with respect, like any wild animal. If you are bitten by a massasauga, seek medical help immediately.

same area, but within this large area the number of populations and numbers of snakes within populations have steadily shrunk. Generally, only small, isolated populations remain. The eastern massasauga is listed as endangered, threatened, or a species of concern in every state and province where it is found.

Why has the eastern massasauga been listed as a threatened species?

Eradication: People seem to have an innate fear of snakes and fear of venomous snakes is particularly strong. Massasaugas are often killed when they show up near homes or businesses, and people may go out of their way to kill or even eliminate them. Indeed, many states had bounties on all rattlesnakes, including massasaugas.

Habitat loss: Massasaugas depend on wetlands for food and shelter and often use nearby upland areas during part of the year. Draining wetlands for farms, roads, homes, and urban expansion has eliminated much of the massasauga habitat. Also, massasaugas are not long distance travelers, so roads, towns, and farm fields prevent them from moving between the wetland and upland habitats they need. These same barriers also separate and isolate remaining populations from each other. Small, isolated populations often continue on a downward spiral until the massasauga is lost from those areas.

Management: Lack of management and improper timing of management are threats to

massasaugas. The snake's habitat needs vegetation control such as prescribed fire and mowing to prevent invasion of shrubs, trees and non-native plants. Woody plant invasion is reducing the amount of available habitat in some areas. Where land is managed to prevent woody invasion, snakes may be killed by prescribed fire and mowing when it happens after snakes emerge from hibernation.

What is being done to conserve the eastern massasauga?

Research: Researchers are studying the eastern massasauga to learn about its life history, about how it uses its habitat, and how we can manage for it and its habitat.

Habitat Management: Many remaining populations of massasaugas are on public land and privately owned natural areas. Some land management practices on those properties harm massasaugas. The Service is working with willing land managers to practice techniques that allow traditional management goals to continue but avoid harming the massasauga and its habitat.

Education: Although many people have an innate fear of massasaugas, it is actually a secretive, docile snake that strikes humans only when it feels threatened and cornered. Living, working, or recreating in massasauga areas does require caution, but the massasauga is also an important and beautiful part of the natural heritage of those areas. We hope that

education about the docile nature of the snake, its habits, and its role in the ecosystem will help people feel more comfortable living with this rare creature.

Why do we want to conserve the eastern massasauga?

Ecosystem Role: The massasauga plays an important role in its ecosystems, both as a predator on small mammals, other snakes, and amphibians and as prey for hawks, owls, cranes, and some mammals.

Indicator Species: The fact that massasaugas are in serious decline is a warning bell telling us that something is wrong. The story of the massasauga is similar to the story of many plants and animals that need wetlands or a combination of wetlands and uplands to survive. When we drain wetlands and develop in natural areas, we push our wild plants and animals onto ever smaller isolated islands of habitat where it is difficult for them to survive. By conserving massasaugas, we conserve natural systems that support many species of plants and animals.

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September 2016



Threatened and Endangered Species

Indiana Bat (*Myotis sodalis*)

The Indiana bat is an endangered species. Endangered species are animals and plants that are in danger of becoming extinct. Threatened species are those that are likely to become endangered in the foreseeable future. Identifying, protecting, and restoring endangered and threatened species are primary objectives of the U.S. Fish and Wildlife Service's endangered species program.

What is the Indiana Bat?

Description

The scientific name of the Indiana bat is *Myotis sodalis* and it is an accurate description of the species. *Myotis* means “mouse ear” and refers to the relatively small, mouse-like ears of the bats in this group. *Sodalis* is the Latin word for “companion.” The Indiana bat is a very social species; large numbers cluster together during hibernation. The species is called the Indiana bat because the first specimen described to science in 1928 was based on a specimen found in southern Indiana's Wyandotte Cave in 1904.

The Indiana bat is quite small, weighing only one-quarter of an ounce (about the weight of three pennies). In flight, it has a wingspan of 9 to 11 inches. The fur is dark-brown to black. The Indiana bat is similar in appearance to many other related species. Biologists can distinguish it from similar species by comparing characteristics such as the structure of the foot and color variations in the fur.

Habitat

Indiana bats hibernate during winter in caves or, occasionally, in abandoned mines. For hibernation, they require cool, humid caves with stable temperatures, under 50° F but above freezing. Very few caves within the range of the species have these conditions.



Photo by Rich Fields

Indiana bats eat up to half their body weight in insects each night.

Hibernation is an adaptation for survival during the cold winter months when no insects are available for bats to eat. Bats must store energy in the form of fat before hibernating. During the six months of hibernation the stored fat is their only source of energy. If bats are disturbed or cave temperatures increase, more energy is needed and hibernating bats may starve.

After hibernation, Indiana bats migrate to their summer habitat in wooded areas where they usually roost under loose tree bark on dead or dying trees. During summer, males roost alone or in small groups, while females roost in larger groups of up to 100 bats or more. Indiana bats also forage in or along the edges of forested areas.

Reproduction

Indiana bats mate during fall before they enter caves to hibernate. Females store the sperm through winter and become pregnant in spring soon after they emerge from the caves.

After migrating to their summer areas, females roost under the peeling bark of dead and dying trees in groups of up to 100 or more. Such groups are called maternity colonies. Each female in the colony gives birth to only one pup per year. Young bats are nursed by the mother, who leaves the roost tree only to forage for food. The young stay with the maternity colony throughout their first summer.

Feeding Habits

Indiana bats eat a variety of flying insects found along rivers or lakes and in uplands. Like all insect-eating bats, they benefit people by consuming insects that are considered pests or otherwise harmful to humans. Their role in insect control is not insignificant – Indiana bats eat up to half their body weight in insects each night.

Range

Indiana bats are found over most of the eastern half of the United States. Almost half of all Indiana bats (207,000

in 2005) hibernate in caves in southern Indiana. In 2005, other states which supported populations of over 40,000 included Missouri (65,000), Kentucky (62,000), Illinois (43,000) and New York (42,000). Other states within the current range of the Indiana bat include Alabama, Arkansas, Connecticut, Iowa, Maryland, Michigan, New Jersey, North Carolina, Ohio, Oklahoma, Pennsylvania, Tennessee, Vermont, Virginia, West Virginia. The 2005 population estimate is about 457,000 Indiana bats, half as many as when the species was listed as endangered in 1967.

Why is the Indiana Bat Endangered?

Human Disturbance

Indiana bats, because they hibernate in large numbers in only a few caves, are extremely vulnerable to disturbance. During hibernation, they cluster in groups of up to 500 per square foot. Since the largest hibernation caves support from 20,000 to 50,000 bats, it is easy to see how a large part of the total population can be affected by a single event. Episodes of large numbers of Indiana bat deaths have occurred due to human disturbance during hibernation.

Cave Commercialization and Improper Gating

The commercialization of caves – allowing visitors to tour caves during hibernation – drives bats away. Changes in the structure of caves, such as blocking an entrance, can change the temperature in a cave. A change of even a few degrees can make a cave unsuitable for hibernating bats. Some caves are fitted with gates to keep people out, but improper gating that prevents access by bats or alters air flow, temperature, or humidity can also be harmful. Properly constructed gates are beneficial because they keep people from disturbing hibernating bats while maintaining temperature and other requirements and allowing access for bats.

Summer Habitat Loss or Degradation

Indiana bats use trees as roosting and foraging sites during summer months.

Loss and fragmentation of forested habitats can affect bat populations.

Pesticides and Environmental Contaminants

Insect-eating bats may seem to have an unlimited food supply, but in local areas, insects may not be plentiful because of pesticide use. This can also affect the quality of the bats' food supply. Many scientists believe that population declines occurring today might be due, in part, to pesticides and environmental contaminants. Bats may be affected by eating contaminated insects, drinking contaminated water, or absorbing the chemicals while feeding in areas that have been recently treated.

What is Being Done to Prevent Extinction of the Indiana Bat?

Listing

Prompted by declining populations caused by disturbance of bats during hibernation and modification of hibernacula, the Indiana bat was listed in 1967 as “in danger of extinction” under the Endangered Species Preservation Act of 1966. It is listed as “endangered” under the current Endangered Species Act of 1973. Listing under the Endangered Species Act protects the Indiana bat from take (harming, harassing, killing) and requires Federal agencies to work to conserve it.

Recovery Plan

The Endangered Species Act requires that recovery plans be prepared for all listed species. The U.S. Fish and Wildlife Service developed a recovery plan for the Indiana bat in 1983 and is now revising that Plan. The recovery plan describes actions needed to help the bat recover.

Habitat Protection

Public lands like National Wildlife Refuges, military areas, and U.S. Forest Service lands are managed for Indiana bats by protecting forests. This means ensuring that there are the size and species of trees needed by Indiana bats for roosting; and providing a supply of dead and dying trees that can be used as roost sites. In addition, caves used for hibernation are managed to

maintain suitable conditions for hibernation and eliminate disturbance.

Education and Outreach

Understanding the important role played by Indiana bats is a key to conserving the species. Helping people learn more about the Indiana bat and other endangered species can lead to more effective recovery efforts.

U.S. Fish & Wildlife Service

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<http://www.fws.gov/midwest/endangered>

December 2006



Image Details

Monarch

FWS Focus

Overview

With its iconic orange and black markings, the monarch butterfly is one of the most recognizable butterfly species in North America and is known for its impressive long-distance migration.

Scientific Name

Danaus plexippus

Common Name

monarch butterfly, Monarch

FWS Category

Insects

Kingdom

Animalia

Location in Taxonomic Tree ()

Subgenus


↳ *Danaus* (*Danaus*)

Species

↳ *Danaus plexippus*

Identification Numbers

TSN:  ()

117273 

Characteristics

PHYSICAL CHARACTERISTICS

Weight

Monarchs weigh, on average, about half of a gram, which is less than the weight of a paperclip.

Size & Shape

The large and brightly colored monarch butterfly has two sets of wings that span three to four inches. Monarch caterpillars, or larvae, have black, yellow and white stripes and reach lengths of two inches before metamorphosis.

Measurements:

Wingspan: 3 to 4 inches (7 to 10 cm)

Larval length: 2 inches (5 cm)

Color & Pattern

Adult monarch butterflies are large and conspicuous, with bright orange wings surrounded by a black border and covered with black veins. The black border has a double row of white spots, present on the upper side of the wings. Adult monarchs are

sexually dimorphic, with males having narrower wing venation and scent patches. The bright coloring of a monarch serves as a warning to predators that eating them can be toxic.

Physical Characteristics

The large and brightly colored monarch butterfly has two sets of wings that span three to four inches. Monarch caterpillars, or larvae, have black, yellow and white stripes and reach lengths of two inches before metamorphosis.

Measurements:

Wingspan: 3 to 4 inches (7 to 10 cm)

Larval length: 2 inches (5 cm)

HABITAT



Habitat

Whether it's a field, roadside area, open area, wet area or urban garden, milkweed and flowering plants are needed for monarch habitat. Adult monarchs feed on the nectar of many flowers during breeding and migration, but they can only lay eggs on milkweed plants.

For overwintering monarchs, habitat with a specific microclimate is needed for protection from the elements, as well as moderate temperatures to avoid freezing.

These conditions vary between populations. For the eastern North American population, most monarchs overwinter in oyamel fir tree roosts located in mountainous regions in central Mexico at an elevation of 2,400 to 3,600 meters. Monarchs living west of the Rocky Mountain range in North America primarily overwinter in California at sites along the Pacific Coast, roosting in eucalyptus, Monterey pines and Monterey cypress trees.

Grassland

Land on which the natural dominant plant forms are grasses and forbs.

Tundra

A level or rolling treeless plain that is characteristic of arctic and subarctic regions with permanently frozen subsoil.

Coastal

The land near a shore.

Mountain

A landmass that projects conspicuously above its surroundings and is higher than a hill.

Urban

Of or relating to cities and the people who live in them.

Rural

Environments influenced by humans in a less substantial way than cities. This can include agriculture, silvaculture, aquaculture, etc.

Wetland

Areas such as marshes or swamps that are covered often intermittently with shallow water or have soil saturated with moisture.

FOOD**Food**

?Monarch butterflies require healthy and abundant milkweed plants for laying eggs on and as a food source for larvae or caterpillars. By consuming milkweed plants, monarchs obtain toxins, called *cardenolides*, that provide a defense against predators. Additionally, nectar from flowers is needed for adults throughout the breeding season, migration and overwintering.

BEHAVIOR**Behavior**

?In the fall, in both eastern and western North America, monarchs go into a state of suspended reproduction, known as *diapause*, and begin migrating to their respective overwintering sites. This migration can take monarchs distances of more than 3,000 kilometers and last for more than two months. In early spring, surviving monarchs

break diapause and mate at the overwintering sites before dispersing. The same individuals that undertook the initial southward migration begin flying back through the breeding grounds. After several generations of monarch offspring in the spring and summer, a new generation begins the fall migration for the first time.

LIFE CYCLE



Life Span

Most breeding adult butterflies live approximately two to five weeks, but overwintering adults that enter into reproductive diapause can live six to nine months.

Reproduction

As temperatures warm at the overwintering sites in the spring, monarchs begin to breed and lay eggs on milkweed throughout their migration. The following generations breed and lay eggs throughout the summer. In the fall, monarchs enter a state where they stop reproducing, known as *diapause*. This allows them to focus their energy and resources on the long-distance migration and surviving the winter. Some non-migratory monarchs in warmer climates breed year-round.

Life Cycle

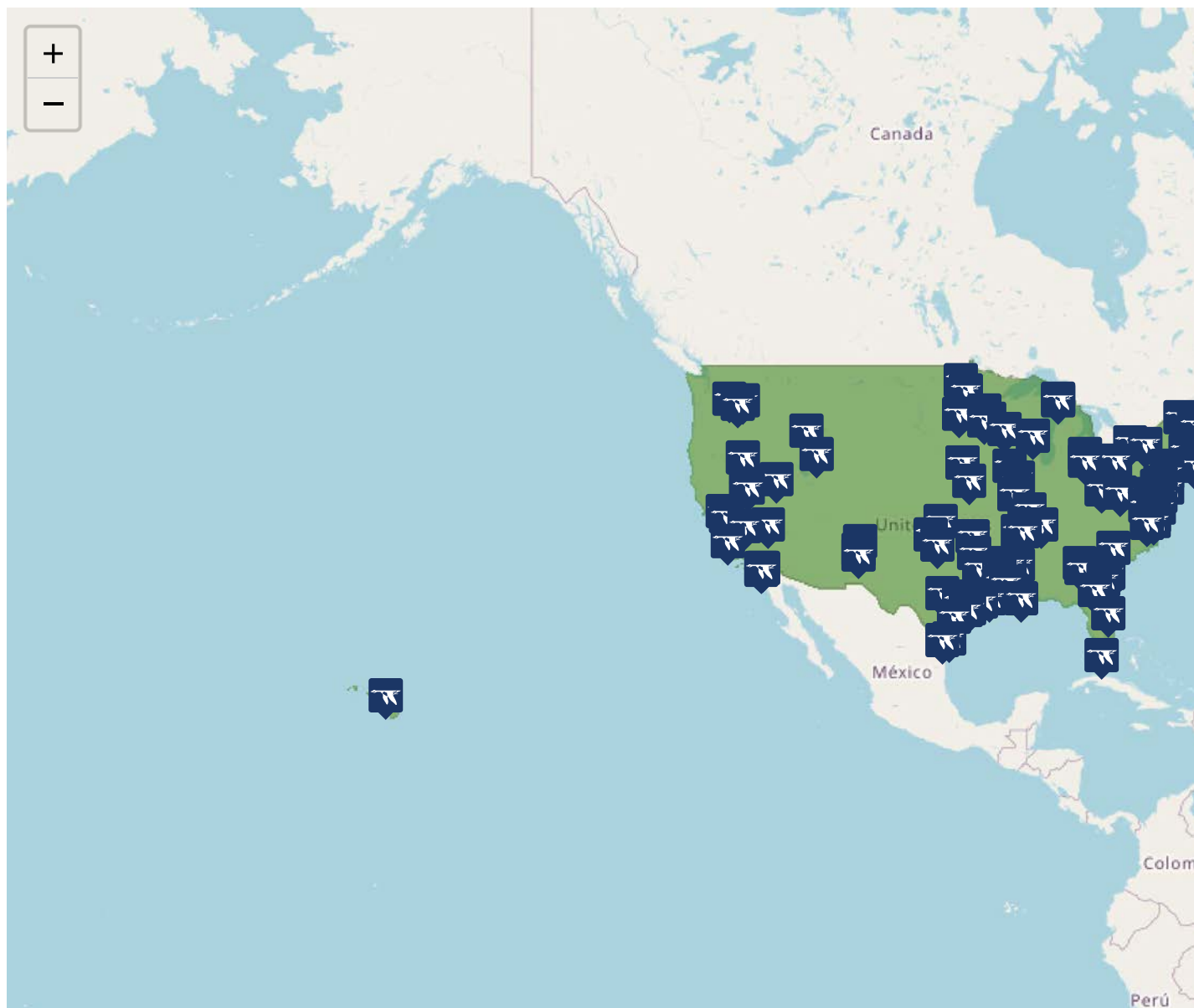
Monarchs begin their lifecycle as eggs, which are laid on milkweed plants and hatch after two to five days. The eggs hatch into larvae, or caterpillars, and progress through five instars over the next two weeks before pupating into a green chrysalis. An adult monarch will emerge one to two weeks later.

Geography

Range

Monarchs are native to North and South America but have since spread to many other locations where milkweed and suitable temperatures exist, including Australia, New Zealand and portions of the Iberian Peninsula.

LAUNCH INTERACTIVE MAP



Timeline

Explore the information available for this taxon's timeline. You can select an event on the timeline to view more information, or cycle through the content available in the carousel below.



Piping Plover

(Charadrius melodus)

Description: The piping plover is a small shorebird approximately 7 inches long with a wingspan of about 15 inches. Piping plovers have white underparts with a light beige back and crown. Breeding adults have a single black breast band, which is often incomplete, and a black bar across the forehead. The legs and bill are orange in summer, with a black tip on the bill. In winter, the birds lose the breast bands, the legs fade from orange to pale yellow, and the bill becomes mostly black. Piping plover adults and chicks feed on marine macro invertebrates such as worms, fly larvae, beetles, and crustaceans.



Females lay four eggs that hatch in about 25 days, and surviving chicks learn to fly (fledge) after about 25 to 35 days. The flightless chicks follow their parents to feeding areas, which include the intertidal zone of ocean beaches, ocean wash-over areas, mud flats, sand flats, wrack lines (organic ocean material left by high tide), and the shorelines of coastal ponds, lagoons, and salt marshes.

Habitat: Piping plovers are found on sandy beaches in southern Maine. They nest between the high tide line and toe of the dunes. They use sandy beaches, adjacent salt marshes, and intertidal sand flats for foraging during the nesting season and spring and fall migration. Piles of wrack (rockweed and other marine plants) at the high tide line are



important source of invertebrate food and nutrients to support a healthy the intertidal ecosystem.

Occurrence in Maine: Piping plovers nest on these Maine beaches: Ogunquit, Moody, Wells, Drakes Island, Laudholm, Crescent Surf, Parsons, Marshall Point, Goose Rocks, Fortunes Rocks, Hills, Ferry (Saco), Goosefare Brook, Ocean Park, Old Orchard, Pine Point, Western, Scarborough, Higgins, Ram Island, Crescent Beach State Park, Seawall, Popham, Hunnewell, and Reid State Park Beaches.



Red Knot

(*Calidris canutus*)

Description: The red knot is a medium-sized, highly migratory shorebird approximately 9 inches long with a wingspans of about 20 inches. Some red knots fly more than 9,300 miles from south to north every spring and repeat the trip in reverse every autumn, making this bird one of the longest-distance migrants.



The red knot spends most of the year in flocks, sometimes with other species. As the knot heads north to breed in the tundra of the central Canadian Arctic, its plumage becomes rusty red and then returns to gray as they head south to wintering grounds.

For much of the year red knots feed on invertebrates, including small clams, mussels, snails and occasionally crustaceans, marine worms, and horseshoe crab eggs. At their breeding grounds, red knots rely on insects as their main food source.

Habitat: In Maine, red knots are found along sandy, gravel, or cobble beaches, tidal mudflats, salt marshes, and shallow coastal impoundments. At high tide they roost on intertidal ledges, islands, jetties, or on beaches in mixed flocks with other shorebirds. The wrack line is an important habitat feature for foraging and roosting.



Occurrence in Maine: Red knots nest in the high Canadian arctic and occur in Maine during their spring and fall migrations. They may be observed along the entire coast of Maine, but are consistently observed and in larger numbers in eastern Maine (Hancock and Washington Counties). Their wintering grounds are along the Atlantic and Gulf coastal areas from North Carolina to Texas, throughout the Caribbean, and from northern Brazil to the tip of South America.



U.S. Fish & Wildlife Service



The Pitcher's thistle is found in Illinois, Indiana, Michigan, and Wisconsin.



Pitcher's Thistle

Pitcher's thistle is a *threatened species*. Threatened species are animals and plants that are likely to become endangered in the foreseeable future. *Endangered species* are animals and plants that are in danger of becoming extinct. Identifying, protecting and restoring endangered and threatened species is the primary objective of the U.S. Fish and Wildlife Service's endangered species program.

What is the Pitcher's thistle?

Scientific Name - *Cirsium pitcheri*

Range - The Pitcher's thistle is a native thistle that grows on the beaches and grassland dunes along the shorelines of Lakes Michigan, Superior, and Huron. It is now found in Indiana, Michigan, and Wisconsin and in Ontario Canada. Pitcher's thistle was extirpated from Illinois but has been reintroduced in Lake County.

Appearance - The Pitcher's thistle grows for five to eight years before it flowers. Its non-flowering form is a rosette or cluster of silvery leaves and its flowering form typically has one stem with many branches. The entire flowering plant may grow 3 feet tall. Cream or pink flowers grow at the end of branches and from the leaf axils. Leaves are finely and deeply lobed and may be one foot long. The stems and leaves of both the flowering and non-flowering forms are covered with white hairs that give the plant a woolly white or silvery appearance. These hairs are an adaptation to its beach environment and help the plant retain water and reflect the sun's strong rays. Spines are found along the edges of leaves near the base and at the tips of some of the lobes. Both non-flowering and flowering plants have a long taproot, up to 6 feet long.

Habitat - Pitcher's thistle grows on the open sand dunes and low open beach ridges of the Great Lakes' shores. It is most often found in near-shore plant communities but it can grow in all nonforested areas of a dune system.

What is the Pitcher's thistle? (cont'd.)

Reproduction - The Pitcher's thistle blooms and sets seed once during its lifetime, after a five to eight year (i.e., juvenile) non-flowering period. It then blooms from June to September. The blooms are pollinated by insects. Thirty species of insects, mainly bees, have been observed visiting Pitcher's thistle blossoms. After the seeds mature, they fall or are windblown and germinate the following spring and early summer. Pitcher's thistle tends to colonize open areas or areas with low plant cover.

Why is the Pitcher's thistle threatened?

Shoreline Development - Residential, condominium, and marina development along with associated landscaping directly eliminates Pitcher's thistle and its habitat within the footprint of the development. Such development also fragments remaining populations and dune habitats.

Road Maintenance and Construction - Construction of coastal roads removes and fragments sand dune habitat, alters dune processes, provides access for destructive recreational activities, and spurs shoreline development.

Shoreline Recreation Activities - People are drawn to shorelines for their beauty and recreational opportunities so the remaining shoreline areas with dune habitat are often also public use areas. Hikers and Off Road Vehicles (ORVs) trample Pitcher's thistle which harms or destroys the plants. ORV traffic in dunes also causes erosion which creates unstable areas where it's difficult for plants to take hold. Pitcher's thistle and its dune habitat are also destroyed for the creation and maintenance of public beaches.

What is being done to prevent extinction of the Pitcher's thistle?

Listing - Pitcher's thistle was added to the List of Endangered and Threatened Wildlife and Plants on July 18, 1988.

Landowner Contacts - Michigan and Wisconsin have landowner contact programs to educate private and public property owners about this species needs and ways that it can be conserved.

Project Planning - In areas where the Pitcher's thistle is found it is considered during project planning for federally funded or authorized projects such as marina development and road construction. Means of avoiding or minimizing harm to the species is often possible when it is considered during project planning.

What can I do to help prevent the extinction of species?

Learn - Learn more about the Pitcher's thistle and other endangered and threatened species. Understand how the destruction of habitat leads to loss of endangered and threatened species and plant and animal diversity. Tell others about what you have learned.

Plant Natives - Use native plants in landscaping and gardening and avoid the use of invasive plants that have been imported from other countries, such as purple loosestrife, dames rocket, and the shrub honeysuckles.

Conserve - When recreating in coastal areas, drive vehicles only where authorized and when hiking stay on established or authorized footpaths to avoid harming rare plants like Pitcher's thistle and damaging fragile natural dune areas.



Image Details

Whooping Crane



Overview

The whooping crane (*Grus americana*) occurs only in North America, specifically within Canada and the United States, and is North America's tallest bird. It is a flagship species for the wildlife conservation movement in North America, as it symbolizes the struggle for survival that characterizes endangered species worldwide, as was noted in the international recovery plan in 2007.

Historically, more than 10,000 whooping cranes once populated North America. Its north to south range included Canada and the United State to Mexico, and its east to west range included the Rocky Mountains to the East Coast, as documented in the 5-year review in 2011. Population declines were caused primarily by shooting and destruction of habitat in the prairies from agricultural development, as was noted in the international recovery plan in 2007. The international recovery plan also notes that all whooping cranes alive today have come from the all-time low of 15 whooping cranes that were wintering at Aransas National Wildlife Refuge in Austwell, Texas in 1941. This is

currently the best place to find this species during the winter, as noted by Cornell University in 2019. Cornell University also notes that in the summer, this species can be found at Wood Buffalo National Park in Canada and that Nebraska's Platte River often hosts this species during migration.

Strict legal protection, habitat preservation, captive breeding, international cooperation between Canada and the United States have helped to promote recovery of this species. These successes are also because of collaboration among state and federal governments, non-governmental and non-profit organizations like zoos and other conservation groups, as well as private citizens. Whooping cranes continue to face threats from alteration and destruction of habitat - including migratory habitat and winter habitat - from wetland drainage, increased development and conversion of suitable habitat to agriculture. The increase in the frequency and severity of drought due to [climate change](#) , as well as the reduction in river flows degrade migration roost habitat. In 1998, the Texas Parks and Wildlife Department documented that reduced freshwater inflows that are due to diversions, as well as withdrawals for agriculture and human use also have a negative impact on the species. They also noted that declines in blue crab populations from reduced inflow were a part of the many threats facing whooping cranes.

Scientific Name

Grus americana

Common Name

Whooping Crane

FWS Category

Birds

Kingdom

Animalia

Location in Taxonomic Tree ()

Genus

↳ *Grus*

Species

↳ *Grus americana*

Identification Numbers

TSN: ⓘ ()

176176 ↗

Characteristics

HABITAT



Habitat

The whooping crane breeds, migrates, winters and forages in a variety of habitats, including coastal marshes and estuaries, inland marshes, lakes, open ponds, shallow bays, salt marsh and sand or tidal flats, upland swales, wet meadows and rivers, pastures and agricultural fields, as was noted in the 5-year review.

The 5-year review also notes that the loss of wetlands to cropland conversion, urbanization, roads and powerlines, as well as wind farms, has a significant negative impact to the migratory corridor used by whooping cranes. Furthermore, decreases in river flows have degraded riverine migration habitat for this species and development is also encroaching on salt marsh habitat that is used by whooping cranes in the winter.

Coastal

The land near a shore.

Lake

A considerable inland body of standing water.

River or Stream

A natural body of running water.

Wetland

Areas such as marshes or swamps that are covered often intermittently with shallow water or have soil saturated with moisture.

FOOD



Food

Summer foods include large nymphal or larval forms of insects, frogs, rodents, small birds, minnows and berries, as R. P. Allen documented in 1956, and was later confirmed by N. Novakowski in 1966 and D.G. Bergeson and others in 2001. Allen and many others researchers documented that the whooping crane winter diet consists mainly of blue crabs (*Callinectes sapidus*), clams (*Tagelus constricta*) and Carolina wolfberry (*Lycium carolinianum*). Carolina wolfberry (*Lycium carolinianum*) is an important food for whooping cranes in the fall.

BEHAVIOR



Behavior

Whooping cranes live and travel alone, in pairs, as families or in flocks of 50 or more birds during migration as A.J. Caven and others documented in 2020. Cornell University also note that sometimes whooping cranes will flock with sandhill cranes, spending their time on the ground and in shallow water. Some restoration activities have focused on clearing and maintaining roost sites free of trees and shrubs, restoring and rehabilitating wetland meadows and marshes adjacent to river channels, as noted in the international recovery plan of 2007. Cornell University also notes that whooping cranes cannot land on trees and thus, do not use them, and that the strong homing instinct of whooping cranes limits their dispersal to new habitat.

PHYSICAL CHARACTERISTICS



Weight

Weight of the whooping crane ranges between 13.2 and 17.2 pounds (6.0 to 7.8 kilograms). Captive males average 16 pounds (7.3 kilograms) and females average 14 pounds (6.4 kilograms).

Color & Pattern

Adult plumage is primarily snowy white. Exceptions to the white plumage include the:

- Primary feathers, the largest flight feathers on its wing, are black

- Alula, specialized feathers attached to the upper leading end of the wing, are black or grayish

- Crown, which is a vivid crimson color and has sparse black bristly feathers

- Malar region, the side of the head from the bill to the angle of the jaw, has sparse black bristly feathers

- Nape, which has a dark gray-black wedge-shaped patch

When the wings are folded back, the black primaries and black or grayish alula are not visible. The bill is dark olive-gray outside of the breeding season, and lighter olive-gray during the breeding season. The area at the base of the bill is pink or rosaceous in color.

Upon hatching, the iris of the eye is blue, as observed by researcher Jane Chandler, with the Patuxent Wildlife Research Center and noted in the international recovery plan of 2007. Chandler also noted that it gradually turns gray in chicks and becomes yellow by the end of the first year. The legs and feet are gray-black in color.

Juveniles display a reddish cinnamon plumage. White feathers begin to appear on the neck and back at 120 days of age, and this white plumage replaces the reddish cinnamon plumage throughout the winter months. By the following spring, the plumage is predominantly white, and the dark red crown, lores, meaning the area between eye and bill, and malar areas have manifested. Rusty juvenile plumage remains only on the head, the upper neck, secondary wing coverts, which are smaller feathers that cover the middle of wing, and scapulars, which are the wing feathers that arise from the shoulder, as documented by J.D. Stephenson in 1971. Yearlings achieve typically adult plumage late in their second summer.

Sound

The common name *whooping crane* probably originated from the loud, single-note vocalization given repeatedly by the birds when they are alarmed.

Size & Shape

Whooping cranes are tall, white birds with long necks and long legs. They have stout, straight bills. Their body is slender and widens to a plump bustle by the tail. When in flight, the wings of a whooping crane are broad and the neck is fully extended. Their wingspan is more than 7 feet. This species is monomorphic; both sexes stand about 5 feet (1.5 meters) in height when standing erect.

LIFE CYCLE



Reproduction

Whooping Cranes are monogamous, meaning that they mate for life, as was documented by D.R. Blankinship in 1976 and confirmed by others in the 1980s. However, Blankinship and others also observed that if a mate dies, this species will form another pair bond, sometimes within only a few days following the death of a mate.

Whooping cranes form their pair bonds at 2 or 3 years of age. Pair formation can occur rapidly, or it can be a lengthy process that develops over one to three winters, as documented by M.A. Bishop in 1984. Bishop and others also observed that new pairs often establish a winter territory near the winter territory of their parents. The courting rituals of whooping cranes include elaborate and energetic dancing displays during which the birds bob their heads, flap their wings, leap into the air and fling feathers and grass.

Whooping cranes may start nesting as early as 3 years of age, as documented by E. Kuyt and J. P. Goossen in 1987, but the average age of first egg production is 5 years. Eggs are normally laid in late April to mid-May. Whooping cranes may re-nest if their first clutch is destroyed or lost before mid-incubation, as documented by R.C. Erickson and others in the early 1980s, but E. Kuyt noted that re-nesting has only been documented a few times. A large majority of clutches contain two eggs, but clutches of one egg and three eggs have also been documented by Kuyt in 1995. Eggs in clutches of two are laid 48 to 60 hours apart and incubation begins with the first egg laid, which results in asynchronous hatching of the eggs. This asynchrony may follow the insurance hypothesis, meaning that the parents produce a back-up offspring in case the first one does not make it, as documented by S. Forbes and D. Mock in 2000. Asynchronous hatching may be an adaptation to the availability of food resources or habitat suitability. Those eggs that are

laid after incubation has begun usually only produce fledged young if the earlier laid egg fails to hatch or the chick dies soon after hatching. Therefore, although whooping cranes may lay two eggs, only about 10% of families arriving on the winter range have two chicks, noted R.C. Erickson in 1975. However, in years with suitable habitat conditions, crane pairs have been known to raise two young, noted B.W. Johns in 1998.

Eggs are light brown or olive-buff, with the blunt end of the egg bearing a concentration of dark, purplish-brown blotches. Egg length averages approximately 4 inches (100 millimeters), while width averages 2.5 inches (63 millimeters), as described by A.C. Bent in 1926, as well as R.P. Allen in 1952 and others in following decades. Whooping cranes tend to nest annually, but have been known to skip a year if they are nutritionally stressed or if nesting habitat conditions are unsuitable, as documented by F. Chavez-Ramirez and others in 1997 and later confirmed by B.W. Johns in 1998. The international recovery plan of 2007 clarified that there may also be other reasons that are not yet clear for this nesting behavior.

Each breeding pair has a territory defended primarily by the male, whose defense tactics may include running, flapping, hissing, stabbing or jumping and slashing with his feet, as described by Cornell University in 2019. Cornell University also noted that both parents incubate and brood-rear the young. One member of the pair remains on the nest at all times, with the exception of brief intervals. Females tend to incubate at night, as documented by R.P. Allen in 1952 and L.H. Walkinshaw later confirmed in 1965 and 1973. Females also assume primary responsibility of feeding and caring for the young, as was documented by D.R. Blankinship in 1976. Parents and young return to the nest each night during the first three to four days after hatching; thereafter, parents brood their young wherever they are at night or during inclement weather. During the first 20 days after hatching, the parents and their young tend to stay within 1.1 miles (1.8 kilometers) of the nest site as observed by Ernie Kuyt and referenced in the international recovery plan of 2007. Doug Bergeson observed that their daily movements average 0.2 miles (340 meters), as further referenced in the international recovery plan.

Life Cycle

Every two to three years, whooping cranes complete a full flightless molt of primary flight feathers, which makes them more vulnerable to predation threats and perhaps prompts them to change their habitat selection from open wetlands to areas with a higher concentration of cover, as noted by A. Lacy and D. McElwee in 2016.

Life Span

Whooping cranes are a long-lived species, with current estimates suggesting a maximum longevity of at least 30 years for individuals in the wild, as documented by C. Mirande and others in 1993. A.F. Moody documented in 1931, and F. McNulty later confirmed in 1966, that captive individuals can live 35 to 40 years.

SIMILAR SPECIES



Geography

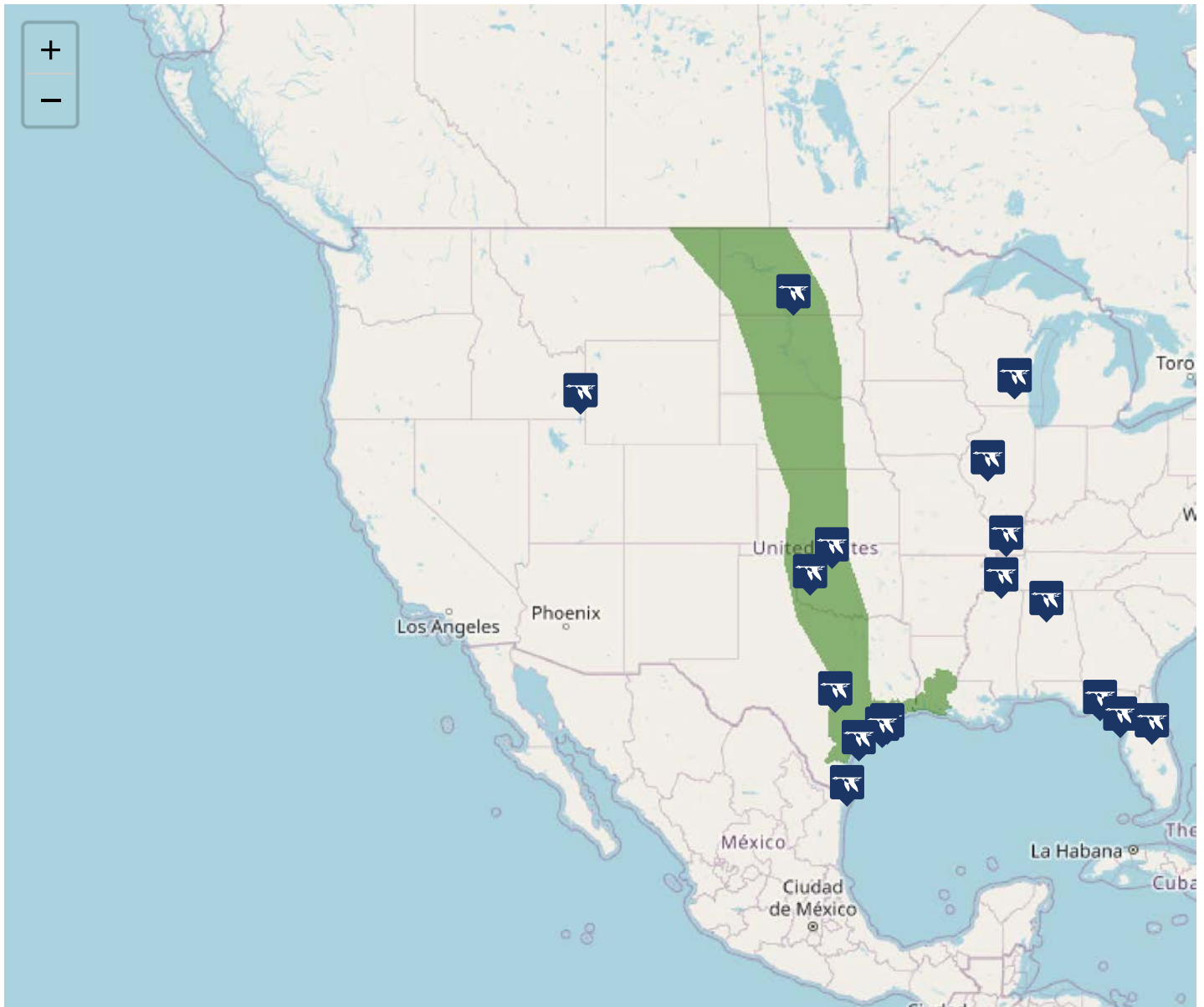
Range

The historical range of the whooping crane from north to south range included Canada and the United State to Mexico, and its east to west range included the Rocky Mountains to the East Coast, as noted in the 5-year review. Specific states where occurrence of this species was documented include Alabama, Arkansas, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wisconsin and Wyoming.

Four geographically distinct populations exist in the wild, as noted in the 5-year review:

1. Aransas Wood Buffalo Population – The only natural, self-sustaining population in existence migrates between Aransas National Wildlife Refuge on the Texas Coast and Wood Buffalo National Park in Alberta, Canada
2. Central Florida – An experimental, non-migratory population that was reintroduced from 1993 to 2005
3. Eastern Migratory Population – An experimental population that was reintroduced from 2001 to 2010 and migrates between Wisconsin and Florida
4. White Lake, Louisiana - A non-migratory flock that was introduced in 2011

The natural population nests in Wood Buffalo National Park and adjacent areas in Canada and winters in coastal marshes in Texas at Aransas. The 5-year review of 2011 notes that none of the reintroduced populations are self-sustaining. The 5-year review of 2011 also notes that there was a population that was reintroduced into the Rocky Mountains from 1975 to 1989, and the last remaining wild bird from that population died in the spring of 2002.



Timeline

Explore the information available for this taxon's timeline. You can select an event on the timeline to view more information, or cycle through the content available in the carousel below.

24 ITEMS



NATIONWIDE STANDARD CONSERVATION MEASURES

Listed below are effective measures that should be employed at all project development sites nationwide with the goal of reducing impacts to birds and their habitats. These measures are grouped into three categories: General, Habitat Protection, and Stressor Management. These measures may be updated through time. We recommend checking the Conservation Measures website regularly for the most up-to-date list.

1. General Measures

- a. Educate all employees, contractors, and/or site visitors of relevant rules and regulations that protect wildlife. See the Service webpage on [Regulations and Policies](#) for more information on regulations that protect migratory birds.
- b. Prior to removal of an inactive nest, ensure that the nest is not protected under the Endangered Species Act (ESA) or the Bald and Golden Eagle Protection Act (BGEPA). Nests protected under ESA or BGEPA cannot be removed without a valid permit.
 - i. See the [Service Nest Destruction Policy](#)
- c. Do not collect birds (live or dead) or their parts (e.g., feathers) or nests without a valid permit. Please visit the [Service permits page](#) for more information on permits and permit applications.
- d. Provide enclosed solid waste receptacles at all project areas. Non-hazardous solid waste (trash) would be collected and deposited in the on-site receptacles. Solid waste would be collected and disposed of by a local waste disposal contractor. For more information about solid waste and how to properly dispose of it, see the [EPA Non-Hazardous Waste](#) website.
- e. Report any incidental take of a migratory bird, to the [local Service Office of Law Enforcement](#).
- f. Consult and follow applicable [Service industry guidance](#).

2. Habitat Protection

- a. Minimize project creep by clearly delineating and maintaining project boundaries (including staging areas).
- b. Consult all local, State, and Federal regulations for the development of an appropriate buffer distance between development site and any wetland or waterway. For more information on wetland protection regulations see the Clean Water Act sections [401](#) and [404](#).
- c. Maximize use of disturbed land for all project activities (i.e., siting, lay-down areas, and construction).
- d. Implement standard soil erosion and dust control measures. For example:
 - i. Establish vegetation cover to stabilize soil
 - ii. Use erosion blankets to prevent soil loss
 - iii. Water bare soil to prevent wind erosion and dust issues

3. Stressor Management

Stressor: Vegetation Removal

Conservation Goal: Avoid direct take of adults, chicks, or eggs.

Conservation Measure 1: Schedule all vegetation removal, trimming, and grading of vegetated areas outside of the peak bird breeding season to the maximum extent practicable. Use available resources, such as internet-based tools (e.g., the FWS's Information, Planning and Conservation system and Avian Knowledge Network) to identify peak breeding months for local bird species; or, contact local Service Migratory Bird Program Office for breeding bird information.

Conservation Measure 2: When project activities cannot occur outside the bird nesting season, conduct surveys prior to scheduled activity to determine if active nests are present within the area of impact and buffer any nesting locations found during surveys.

- 1) Generally, the surveys should be conducted no more than five days prior to scheduled activity.
- 2) Timing and dimensions of the area to be surveyed vary and will depend on the nature of the project, location, and expected level of vegetation disturbance.
- 3) If active nests or breeding behavior (e.g., courtship, nest building, territorial defense, etc.) are detected during these surveys, no vegetation removal activities should be conducted until nestlings have fledged or the nest fails or breeding behaviors are no longer observed. If the activity must occur, establish a buffer zone around the nest and no activities will occur within that zone until nestlings have fledged and left the nest area. The dimension of the buffer zone will depend on the proposed activity, habitat type, and species present and should be coordinated with the local or regional Service office.
- 4) When establishing a buffer zone, construct a barrier (e.g., plastic fencing) to protect the area. If the fence is knocked down or destroyed, work will suspend wholly, or in part, until the fence is satisfactorily repaired.
- 5) When establishing a buffer zone, a qualified biologist will be present onsite to serve as a biological monitor during vegetation clearing and grading activities to ensure no take of migratory birds occurs. Prior to vegetation clearing, the monitor will ensure that the limits of construction have been properly staked and are readily identifiable. Any associated project activities that are inconsistent with the applicable conservation measures, and activities that may result in the take of migratory birds will be immediately halted and reported to the appropriate Service office within 24 hours.
- 6) If establishing a buffer zone is not feasible, contact the Service for guidance to minimize impacts to migratory birds associated with the proposed project or removal of an active nest. Active nests may only be removed if you receive a permit from your local Migratory Bird Permit Office. A permit may authorize active nest removal by a qualified biologist with bird handling experience or by a permitted bird rehabilitator.

Conservation Measure 3: Prepare a vegetation maintenance plan that outlines vegetation maintenance activities and schedules so that direct bird impacts do not occur.

Stressor: Invasive Species Introduction

Conservation Goal: Prevent the introduction of invasive plants.

Conservation Measure 1: Prepare a weed abatement plan that outlines the areas where weed abatement is required and the schedule and method of activities to ensure bird impacts are avoided.

Conservation Measure 2: For temporary and permanent habitat restoration/enhancement, use only native and local (when possible) seed and plant stock.

Conservation Measure 3: Consider creating vehicle wash stations prior to entering sensitive habitat areas to prevent accidental introduction of non-native plants.

Conservation Measure 4: Remove invasive/exotic species that pose an attractive nuisance to migratory birds.

Stressor: Artificial Lighting

Conservation Goal: Prevent increase in lighting of native habitats during the bird breeding season.

Conservation Measure 1: To the maximum extent practicable, limit construction activities to the time between dawn and dusk to avoid the illumination of adjacent habitat areas.

Conservation Measure 2: If construction activity time restrictions are not possible, use down shielding or directional lighting to avoid light trespass into bird habitat (i.e., use a 'Cobra' style light rather than an omnidirectional light system to direct light down to the roadbed). To the maximum extent practicable, while allowing for public safety, low intensity energy saving lighting (e.g. low pressure sodium lamps) will be used.

Conservation Measure 3: Minimize illumination of lighting on associated construction or operation structures by using motion sensors or heat sensors.

Conservation Measure 5: Bright white light, such as metal halide, halogen, fluorescent, mercury vapor and incandescent lamps should *not* be used.

Stressor: Human Disturbance

Conservation Goal: Minimize prolonged human presence near nesting birds during construction and maintenance actions.

Conservation Measure 1: Restrict unauthorized access to natural areas adjacent to the project site by erecting a barrier and/or avoidance buffers (e.g., gate, fence, wall) to minimize foot traffic and off-road vehicle uses.

Stressor: Collision

Conservation Goal: Minimize collision risk with project infrastructure and vehicles.

Conservation Measure 1: Minimize collision risk with project infrastructure (e.g., temporary and permanent) by increasing visibility through appropriate marking and design features (e.g., lighting, wire marking, etc.).

Conservation Measure 2: On bridge crossing areas with adjacent riparian, beach, estuary, or other bird habitat, use fencing or metal bridge poles (Sebastian Poles) that extend to the height of the tallest vehicles that will use the structure.

Conservation Measure 3: Install wildlife friendly culverts so rodents and small mammals can travel under any new roadways instead of over them. This may help reduce raptor deaths associated with being struck while tracking prey or scavenging road kill on the roadway.

Conservation Measure 4: Remove road-kill carcasses regularly to prevent scavenging and bird congregations along roadways.

Conservation Measure 5: Avoid planting “desirable” fruited or preferred nesting vegetation in medians or Rights of Way.

Conservation Measure 6: Eliminate use of steady burning lights on tall structures (e.g., >200 ft).

Stressor: Entrapment

Conservation Goal: Prevent birds from becoming trapped in project structures or perching and nesting in project areas that may endanger them.

Conservation Measure 1: Minimize entrapment and entanglement hazards through project design measures that may include:

1. Installing anti-perching devices on facilities/equipment where birds may commonly nest or perch
2. Covering or enclosing all potential nesting surfaces on the structure with mesh netting, chicken wire fencing, or other suitable exclusion material prior to the nesting season to prevent birds from establishing new nests. The netting, fencing, or other material must have no opening or mesh size greater than 19 mm and must be maintained until the structure is removed.
3. Cap pipes and cover/seal all small dark spaces where birds may enter and become trapped.

Conservation Measure 2: Use the appropriate deterrents to prevent birds from nesting on structures where they cause conflicts, may endanger themselves, or create a human health and safety hazard.

1. During the time that the birds are trying to build or occupy their nests (generally , between April and August, depending on the geographic location), potential nesting

- surfaces should be monitored at least once every three days for any nesting activity, especially where bird use of structures is likely to cause take. It is permissible to remove non-active nests (without birds or eggs), partially completed nests, or new nests as they are built (prior to occupation). If birds have started to build any nests, the nests shall be removed before they are completed. Water shall not be used to remove the nests if nests are located within 50 feet of any surface waters.
2. If an active nest becomes established (i.e., there are eggs or young in the nest), all work that could result in abandonment or destruction of the nest shall be avoided until the young have fledged or the nest is unoccupied. Construction activities that may displace birds after they have laid their eggs and before the young have fledged should not be permitted. If the project continues into the following spring, this cycle shall be repeated. When work on the structure is complete, all netting shall be removed and properly disposed of.

Stressor: Noise

Conservation Goal: Prevent the increase in noise above ambient levels during the nesting bird breeding season.

Conservation Measure 1: Minimize an increase in noise above ambient levels during project construction by installing temporary structural barriers such as sand bags

Conservation Measure 2: Avoid permanent additions to ambient noise levels from the proposed project by using baffle boxes or sound walls.

Stressor: Chemical Contamination

Conservation Goal: Prevent the introduction of chemicals contaminants into the environment.

Conservation Measure 1: Avoid chemical contamination of the project area by implementing a Hazardous Materials Plan. For more information on hazardous waste and how to properly manage hazardous waste, see the [EPA Hazardous Waste](#) website.

Conservation Measure 2: Avoid soil contamination by using drip pans underneath equipment and containment zones at construction sites and when refueling vehicles or equipment.

Conservation Measure 3: Avoid contaminating natural aquatic and wetland systems with runoff by limiting all equipment maintenance, staging laydown, and dispensing of fuel, oil, etc., to designated upland areas.

Conservation Measure 4: Any use of pesticides or rodenticides shall comply with the applicable [Federal and State laws](#).

1. Choose [non-chemical](#) alternatives when appropriate
2. Pesticides shall be used only in accordance with their registered uses and in accordance with the manufacturer's instructions to limit access to non-target species.

3. For general measures to reducing wildlife exposure to pesticides, see EPA's [Pesticides: Environmental Effects](#) website.

Stressor: Fire

Conservation Goal: Minimize fire potential from project-related activities.

Conservation Measure 1: Reduce fire hazards from vehicles and human activities (e.g., use spark arrestors on power equipment, avoid driving vehicles off road).

Conservation Measure 2: Consider fire potential when developing vegetation management plans by planting temporary impact areas with a palette of low-growing, sparse, fire resistant native species that meet with the approval of the County Fire Department and local FWS Office.

Meredeth Crane
Triterra
1375 South Washington Avenue
Suite 100
Lansing, MI 48910

September 17, 2024

Re: Rare Species Review #5152 – Fulton Street, Grand Haven (24-3775), Ottawa County, MI

Hello:

The location for the proposed project was checked against known localities for rare species and unique natural features, which are recorded in the Michigan Natural Features Inventory (MNFI) natural heritage database. This continuously updated database is a comprehensive source of existing data on Michigan's endangered, threatened, or otherwise significant plant and animal species, natural plant communities, and other natural features. Records in the database indicate that a qualified observer has documented the presence of special natural features. The absence of records in the database for a particular site may mean that the site has not been surveyed. The only way to obtain a definitive statement on the status of natural features is to have a competent biologist perform a complete field survey.

Under Act 451 of 1994, the Natural Resources and Environmental Protection Act, Part 365, Endangered Species Protection, "a person shall not take, possess, transport, ...fish, plants, and wildlife indigenous to the state and determined to be endangered or threatened," unless first receiving an Endangered Species Permit from the Michigan Department of Natural Resources (MDNR), Wildlife Division. Responsibility to protect endangered and threatened species is not limited to the lists below. Other species may be present that have not been recorded in the database.



MSU EXTENSION
Michigan Natural
Features Inventory

PO Box 13036
Lansing MI 48901

(517) 284-6200
Fax (517) 373-9566

mnfi.anr.msu.edu

Although several at-risk species and/or natural communities have been documented within 1.5 miles of the project location it is unlikely that adverse impacts will occur. This response reflects a desktop review of the database and MNFI cannot fully evaluate this project without visiting the area. MNFI offers several levels of [Rare Species Reviews](#), including field surveys which I would be happy to discuss with you.

Sincerely,

Michael Sanders

Michael Sanders
Environmental Review Specialist/Zoologist
Michigan Natural Features Inventory

Comments for Rare Species Review #5152

It is important to note that it is the applicant’s responsibility to comply with both state and federal threatened and endangered species legislation. Therefore, if a state listed species occurs at a project site, and you think you need an endangered species permit please contact: DNR-Wildlife Division, DNR-StateTEPermit@michigan.gov. If a federally listed species is involved and, you think a permit is needed, please contact Jessica Pruden, U.S. Fish and Wildlife Service, East Lansing office, 517-351-8316, or Jessica.Pruden@fws.gov.

NOTE: Special concern species and natural communities are not protected under endangered species legislation, but efforts should be taken to minimize any or all impacts. Please consult MNFI’s [Rare Species Explorer](#) for additional information on Michigan’s rare plants and animals.

Table 1: Occurrences of Threatened & Endangered Species within 1.5 miles of Project Site

Element Category	Scientific Name	Common Name	Federal Status	State Status	G Rank	S Rank	EO Rank	First Observed Date	Last Observed Date
Animal	<i>Cyclonaias tuberculata</i>	Purple wartyback		T	G5	S2	H	1959	1959
Animal	<i>Falco peregrinus</i>	Peregrine falcon		T	G4	S3	A?	2001	2019
Animal	<i>Moxostoma carinatum</i>	River redhorse		T	G4	S2	E	1978-09-06	2018-08-15
Animal	<i>Notropis texanus</i>	Weed shiner		X	G5	S1	H	1934	1934-11-20
Animal	<i>Obliquaria reflexa</i>	Threehorn wartyback		E	G5	S1	H	1959-08-25	1959-08-25
Animal	<i>Obliquaria reflexa</i>	Threehorn wartyback		E	G5	S1	H	1958-04-19	1958-04-19
Animal	<i>Obovaria olivaria</i>	Hickorynut		E	G4	S1	H	1958-04-19	1958-04-19
Animal	<i>Obovaria olivaria</i>	Hickorynut		E	G4	S1	H	1959-08-25	1959-08-25
Animal	<i>Obovaria olivaria</i>	Hickorynut		E	G4	S1			
Animal	<i>Potamilus ohioensis</i>	Pink papershell		X	G5	SNR	H	1949-08-23	1949-08-23
Animal	<i>Truncilla donaciformis</i>	Fawnsfoot		E	G5	S1	H	1959-08-25	1959-08-25
Plant	<i>Adlumia fungosa</i>	Climbing fumitory		T	G4	S3	H	1871	1871-07-22
Plant	<i>Cirsium pitcheri</i>	Pitcher's thistle	LT	T	G3	S3	C	1867	2012-06-20
Plant	<i>Panax quinquefolius</i>	Ginseng		T	G3G4	S2S3	C	1977	1980-08-09
Plant	<i>Pterospora andromedea</i>	Pine-drops		T	G5	S2	H	1871	1871-07-20
Plant	<i>Zizania aquatica</i>	Wild rice		T	G5	S2S3	H	1928	1928-08-25

Comments for Table 1

No concerns. The occurrences are Historic and/or far removed from project site.

Table 2: Occurrences of Special Concern Species and Natural Communities within 1.5 miles of Project Site

Element Category	Scientific Name	Common Name	Federal Status	State Status	G Rank	S Rank	EO Rank	First Observed Date	Last Observed Date
Animal	<i>Alasmidonta marginata</i>	Elktoe		SC	G4	S3?	H		
Animal	<i>Anaxyrus fowleri</i>	Fowler's toad		SC	G5	S3S4	E	2021-06-15	2021-06-15
Animal	<i>Bombus borealis</i>	Northern amber bumble bee		SC	G4G5	S3	H	1912-08-23	1912-08-23
Animal	<i>Lasmigona costata</i>	Flutedshell		SC	G5	SNR	H	1959-06-06	1960-05-22
Animal	<i>Nycticorax nycticorax</i>	Black-crowned night-heron		SC	G5	S3	E	2016-09-22	2016-09-22
Animal	<i>Pisidium cruciatum</i>	Ornamanted peaclam		SC	G4?	SNR	H	1959-08-25	1959-08-25
Animal	<i>Pisidium simplex</i>	A fingernail clam		SC	G5	SNR	H	1959-08-25	1959-08-25
Animal	<i>Pleurobema sintoxia</i>	Round pigtoe		SC	G4?	S3	H	1959-08-25	1960-05-22
Animal	<i>Truncilla truncata</i>	Deertoed		SC	G5	S2S3	H	1958-04-19	1959-08-25
Plant	<i>Corispermum americanum</i>	American bugseed		SC	G5?	SNR	H	1900-08-20	1900-08-20

Comments for Table 2

No concerns. The occurrences are Historic and/or far removed from project site.

Codes to accompany tables

State Protection Status Code Definitions

E = Endangered

T = Threatened

SC = Special concern

Federal Protection Status Code Definitions

LE = listed endangered

LT = listed threatened

LELT = partly listed endangered and partly listed threatened

PDL = proposed delist

E(S/A) = endangered based on similarities/appearance

PS = partial status (federally listed in only part of its range)

C = species being considered for federal status

Global Heritage Status Rank Definitions (G RANK)

The priority assigned by [NatureServe](#)'s national office for data collection and protection based upon the element's status throughout its entire world-wide range. Criteria not based only on number of occurrences; other critical factors also apply. Note that ranks are frequently combined.

G1 = critically imperiled globally because of extreme rarity (5 or fewer occurrences range-wide or very few remaining individuals or acres) or because of some factor(s) making it especially vulnerable to extinction.

G2 = imperiled globally because of rarity (6 to 20 occurrences or few remaining individuals or acres) or because of some factor(s) making it very vulnerable to extinction throughout its range.

G3 = Either very rare and local throughout its range or found locally (even abundantly at some of its locations) in a restricted range (e.g. a single western state, a physiographic region in the East) or because of other factor(s) making it vulnerable to extinction throughout its range; in terms of occurrences, in the range of 21 to 100.

G4 = Apparently secure globally, though it may be quite rare in parts of its range, especially at the periphery.

G5 = Demonstrably secure globally, though it may be quite rare in parts of its range, especially at the periphery.

Q = Taxonomy uncertain

State Heritage Status Rank Definitions (S RANK)

The priority assigned by the Michigan Natural Features Inventory for data collection and protection based upon the element's status within the state. Criteria not based only on number of occurrences; other critical factors also apply. Note that ranks are frequently combined.

S1 = Critically imperiled in the state because of extreme rarity (5 or fewer occurrences or very few remaining individuals or acres) or because of some factor(s) making it especially vulnerable to extirpation in the state.

S2 = Imperiled in state because of rarity (6 to 20 occurrences or few remaining individuals or acres) or because of some factor(s) making it very vulnerable to extirpation from the state.

S3 = Rare or uncommon in state (on the order of 21 to 100 occurrences). S4 = apparently secure in state, with many occurrences.

S5 = demonstrably secure in state and essentially ineradicable under present conditions.

SX = apparently extirpated from state.

EO Rank Codes

Element Occurrence (EO) ranks refer to the viability or ecological integrity of the occurrence; they provide an assessment of the likelihood that if current conditions prevail the EO will persist for a defined period of time, typically 20-100 years.

- A - Excellent estimated viability/ecological integrity
- A? - Possibly excellent estimated viability/ecological integrity
- AB - Excellent or good estimated viability/ecological integrity
- AC - Excellent, good, or fair estimated viability/ecological integrity
- B - Good estimated viability/ecological integrity
- B? - Possibly good estimated viability/ecological integrity
- BC - Good or fair estimated viability/ecological integrity
- BD - Good, fair, or poor estimated viability/ecological integrity
- C - Fair estimated viability/ecological integrity
- C? - Possibly fair estimated viability/ecological integrity
- CD - Fair or poor estimated viability/ecological integrity
- D - Poor estimated viability/ecological integrity
- D? - Possibly poor estimated viability/ecological integrity
- E - Verified extant (viability/ecological integrity not assessed)
- F - Failed to find
- F? - Possibly failed to find
- H - Historical
- H? - Possibly historical
- X - Extirpated
- X? - Possibly extirpated
- U - Unrankable
- NR - Not ranked

ATTACHMENT
PROFESSIONAL QUALIFICATIONS



CHRISTIAN HALQUIST

ENVIRONMENTAL SCIENTIST



Christian Halquist currently serves as an Environmental Scientist in the Due Diligence group of Triterra. His work focuses on collecting field samples in response to environmental assessments. While he works in the Due Diligence Group, He also supports the Investigation and Remediation Groups by collecting field samples, conducting site visits, records research as well as report and figure preparation.

AREAS OF EXPERTISE

- Vapor Mitigation System Install
- ASTM International Phase I Environmental Site Assessment (ESA), Phase II (ESA)
- Borehole Logging and Soil Classification
- Monitoring Well Installation and Groundwater Interpretation
- Soil Gas Pin and well installations
- Soil, Groundwater, and Soil Gas sampling
- Analytical and Data Evaluation
- Site Historical Research and Evaluation
- GIS Image Interpretation and Mapping
- Invasive plant removal and management
- Routine Wetland Delineation

CERTIFICATIONS

- Hazardous Waste Operations & Emergency Response (HAZWOPER)
- MDARD Category 5 Commercial Pesticide Applicator
- Wetland Training Institute Certification

NOTABLE PROJECT EXPERIENCE

- Installed, and tested vapor mitigation systems for new and existing buildings on at-risk and/or contaminated properties to mitigate volatilization to indoor air concerns and protect occupant health
- Phase I Environmental Site Assessments
- Phase II Subsurface Investigations
- NEPA Part 50 & Part 58 Environmental Assessments
- Records Search with Risk Assessments
- Implementing both aquatic and emergent invasive plant managing strategies
- Invasive cattail, buckthorn, and phragmites removal from Michigan state parks and recreation areas

EDUCATION

- BS Fisheries and Wildlife
Michigan State University – East Lansing, Michigan

CREATING HEALTHIER COMMUNITIES





MEREDETH CRANE

SENIOR SCIENTIST
DIRECTOR | NATURAL RESOURCES



Meredeth Crane serves as a Senior Scientist and the Director of our Natural Resource Division. Meredith's expertise is management of projects that include a variety of tasks including: environmental due diligence (Phase I ESAs, Phase II Sub-surface Investigations, Baseline Environmental Assessments), preparation of NEPA Part 50 & 58 Environmental Assessments, Wetland Delineations, and reviews for threatened and endangered species. Her role also includes conducting various natural resource assessments, industrial stormwater assessments, and water quality and sediment evaluations. She manages subcontractors and evaluates innovative and cost-effective strategies for natural resource services.

AREAS OF EXPERTISE

- ▣ NEPA Part 50 & Part 58 Environmental Assessments
- ▣ Wetland Assessments and Routine Wetland Delineations
- ▣ Wetland Permit Application Consulting and Project Planning
- ▣ ASTM Phase I and II Environmental Site Assessments (ESAs)
- ▣ Baseline Environmental Assessments (BEAs), Due Care Plans, and Environmental Transaction Screens
- ▣ Evaluating Soil and Groundwater Data for Due Care Obligations
- ▣ Storm Water Assessment and Water Quality Characterization
- ▣ Industrial and Construction Site Stormwater Management

EDUCATION

- ▣ AS in Biological Science - 2021
Lansing Community College, Lansing, Michigan
- ▣ BS in Fisheries and Wildlife/Conservation Biology - 2015
Michigan State University, East Lansing, Michigan

NOTABLE PROJECT EXPERIENCE

- ▣ Over 8 years Environmental Consulting Experience
- ▣ Borehole logging, Screens and Sampling, and Sediment Sampling and Evaluation for Due Care
- ▣ Environmental site planning for large solar power installations
- ▣ Industrial stormwater site management
MSHDA pre-approved Group A & B Consultant

CERTIFICATIONS

- ▣ Hazardous Waste Operations & Emergency Response (HAZWOPER) Training
- ▣ Army Corps of Engineers Wetland Delineation Training Program
- ▣ Certified Construction Site Storm Water Operator (# C-19492)
- ▣ Certified Industrial Stormwater Operator (I-15489)
- ▣ Soil erosion and sedimentation control plan review & design (SE/C 02601)

CREATING HEALTHIER COMMUNITIES

517.853.2157 | meredeth.crane@triterra.us | Lansing, MI



1/16

CITY OF GRAND HAVEN

Planning Department

519 Washington Ave
Grand Haven, MI 49417
Phone: (616) 935-3276



TO: Ashley Latsch, City Manager
FROM: Brian Urquhart, City Planner
DATE: January 10, 2025
SUBJECT: Noto's Planned Development Amendment – 2nd reading

On December 2nd, a public hearing was held on the amendment to the Planned Development for a sign on the south wall at Noto's at 1223 S. Harbor Dr. Council discussed the recommendation from Planning Commission to approve the amendment, but restrict the sign to be non-illuminated. The applicant spoke during the hearing and recommended that council reconsider the restriction to a non-illuminated sign. They claimed the sign was in not a nuisance the neighboring properties, did not cause any light pollution or trespassing, and would help with public safety.

City Council Action

During the December 2nd meeting, Council discussed the requirement for a non-illuminated sign. A recommendation was made for staff to contact the City Attorney to draft ordinances to amend Notos PD, giving the option for a non-illuminated sign and an illuminated sign.

At the December 16th meeting, the 1st reading was held. Per Sec. 40-421.07 of the zoning ordinance, City Council can approve, deny, or approve with conditions the PD application and preliminary development plan. Council elected to recommend approval of an illuminated sign on the south wall, as shown per the plan. The attached ordinance reflects the requested change from council. .

Planning Commission Action

Following the approval of the PD amendment, the Planning Commission will review the final development plan. After receiving PC approval, the applicant can apply for the necessary sign, electrical and building permits.

Attachments:

PD Ordinance, Site Plan, Sign Plan

**THE FOLLOWING PAGE IS FOR REFERENCE ONLY
AND SHOULD NOT BE SUBMITTED WITH YOUR APPLICATION**

The City of Grand Haven Planning Commission meets in a regular session on the second Tuesday of each month at 7:30 p.m. in the City Council Chambers, 519 Washington, Grand Haven, Michigan.

Materials related to requests for Board action, including any required fees, must be filed at the Community Development Department located at 519 Washington Avenue, Grand Haven, Michigan, 49417. Questions may be directed to Brian Urquhart, City Planner, at (616) 935-3276.

Filing requests which are not complete or which are not filed by the meeting deadline, as determined by the City Planner, will not be placed on the agenda of the respective Board meeting, nor will they be considered at the respective Board meeting.

Filing deadlines are established:

- To comply with various Ordinance requirements;
- To permit adequate time for staff to arrange the notice for publication as may be required;
- To permit adequate time for staff to arrange the mailing of notices as may be required;
- To permit adequate time for the Board and staff to review the filed materials.

Filing deadline	Tentative Meeting Date
December 6, 2023	January 9, 2024
January 10, 2024	February 13, 2024
February 7, 2024	March 12, 2024
March 16, 2024	April 9, 2024
April 10, 2024	May 14, 2024
May 8, 2024	June 11, 2024
June 5, 2024	July 9, 2024
July 10, 2024	August 13, 2024
August 7, 2024	September 10, 2024
September 4, 2024	October 8, 2024
October 9, 2024	November 12, 2024
November 6, 2024	December 10, 2024
December 11, 2024	January 14, 2025

Please note that a Pre-Application Conference is required prior to submission of an application for a Planned Development. See Section 40-421.04 of the City of Grand Haven Zoning Ordinance for the Planned Development application process, submittal requirements, and approval procedures.



PLANNED DEVELOPMENT APPLICATION

Planning Department, City of Grand Haven
519 Washington Avenue, Grand Haven, MI 49417
Phone: (616) 935-3276 Website: www.grandhaven.org

1. Project Information

Address/location of property: 1223 S Harbor Drive, Grand Haven, Mi 49417
Name of Development: Noto's at the Bil-Mar
Parcel #: 70-03-29-312-004 Current Zoning District: PD - Planned Development
Current Use: Resturaunt Proposed Use: N/A
Area in Acres: N/A Zoning of adjacent properties: WF

2. Applicant

Name: Greg Gurney (Agent)
Company: Bear Sign Company
Address: 7290 Division Ave S, Grand Rapids
MI, 49548
Phone #: 313-468-3822
Email: gregg@bearsignco.com

3. Property Owner

Name: Tom Noto
Company: Noto's at the Bil-Mar
Address: 1223 S Harbor Drive, Grand Haven, Mi 49417
Phone #: 616-634-1810
Email: tom@notosoldworld.com

4. Required Attachments

- Application (PDF + 5 copies)
- Preliminary Development Plan (PDF + 5 copies)
- Narrative (PDF + 5 copies)
- See Section 40-421.04.D of the City of Grand Haven Zoning Ordinance for additional details

5. Fees and Escrow Deposit:

Application Fee: \$750.00 *(covers the Rezoning and Preliminary Development Plan review only)*

A deposit of \$1,500 shall be collected for all Planning Commission and Zoning Board of Appeals cases where it is expected that costs above staff time and one public hearing publication will be incurred. These expenses include additional public hearing notifications, attorney fees, engineering or surveying fees, or other special studies. Should expenses total more than the deposit, the applicant will be billed by the City for the additional costs, or additional escrow payment shall be required to complete the Planning Commission or Zoning Board of Appeals process. Should expenses total less than the deposit received, excess amounts shall be returned to the applicant.

By signing below, permission is granted for city staff, including Planning Commissioners, to enter the subject property for purpose of gathering information to review this request. In addition, the applicant agrees to perform the described work in accordance with all applicable Sections of the City of Grand Haven Code of Ordinances. Signer will insure that all inspection requests are made a minimum of 24 hours prior to the requested time.

Signature of Applicant:  Date: 10/16/2024

Print Name: Greg Gurney

Signature of Owner:  Date: 10/16/2024

Print Name: Tom Noto

<i>Office Use Only</i>		
Case #:	Date Received:	Fee(s):





NEEDERFIELD
 www.neederfield.com
 800.221.1688
GRAND RAPIDS
 2000 1st Street SW
 Grand Rapids, MI 49506
 Phone: 616.461.6686

PREPARED FOR:

Notes: Duward Adam Ding
 Anthony Niss
 6901 28th Street SW
 Grand Rapids, MI 49506
 Phone: 616.461.6686

REVISIONS:

NO.	DATE	DESCRIPTION

LEGEND

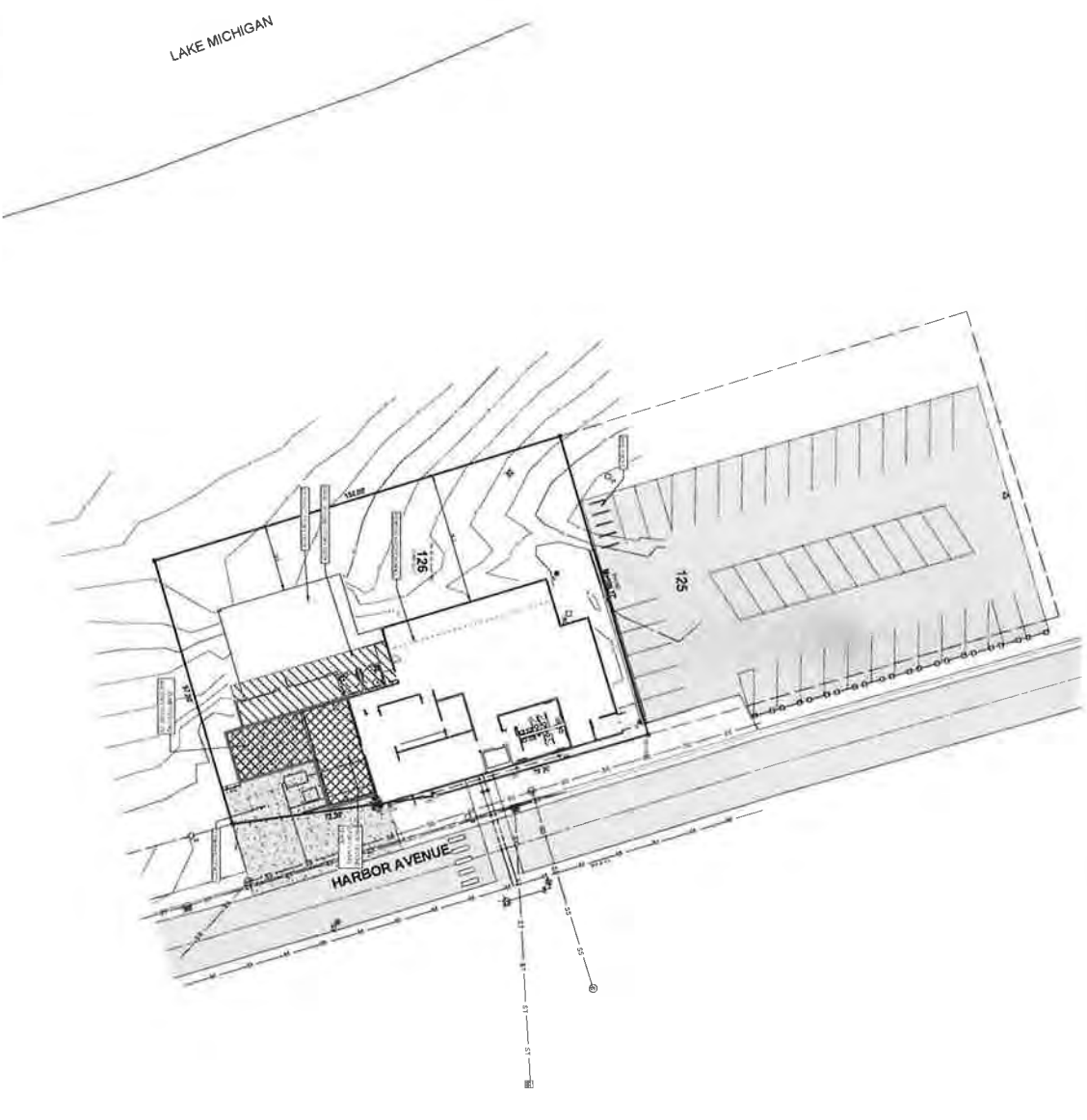
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[Symbol]	EXISTING SIDEWALKS
[Symbol]	PROPOSED SIDEWALKS
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[Symbol]	PROPOSED PARKING
[Symbol]	EXISTING CURBS
[Symbol]	PROPOSED CURBS
[Symbol]	EXISTING UTILITIES
[Symbol]	PROPOSED UTILITIES

GENERAL NOTES

1. Refer to the site plan for general information.
2. All dimensions are in feet and inches.
3. All dimensions are to the centerline of the driveway or sidewalk.
4. All dimensions are to the centerline of the curb.
5. All dimensions are to the centerline of the building.
6. All dimensions are to the centerline of the parking space.
7. All dimensions are to the centerline of the utility.
8. All dimensions are to the centerline of the structure.
9. All dimensions are to the centerline of the structure.
10. All dimensions are to the centerline of the structure.

PARKING ANALYSIS

EXISTING PARKING: 10 SPACES
 PROPOSED PARKING: 25 SPACES
 TOTAL PARKING: 35 SPACES



FOR MORE INFORMATION ON THE 811 PROGRAM, VISIT US AT WWW.811MICHIGAN.COM OR CALL 811. THE 811 PROGRAM IS A FREE SERVICE PROVIDED BY THE STATE OF MICHIGAN TO HELP PREVENT DAMAGE TO UNDERGROUND UTILITIES. CALL 811 AT LEAST 48 HOURS BEFORE ANY EXCAVATION WORK BEGINS. THE 811 PROGRAM IS NOT A GUARANTEE OF THE ACCURACY OF THE DATA PROVIDED. THE 811 PROGRAM IS NOT RESPONSIBLE FOR ANY DAMAGE TO UNDERGROUND UTILITIES CAUSED BY ANY EXCAVATION WORK.

Land Planning — Landscape Architecture — Civil Engineering — Land Surveying — Environmental Consulting — High Definition Surveying — Forensic Engineering — Fire Investigation

Noto's at Bil-Mar

Amended Site Layout Plan

1229 S. Harbor Drive
 LOT 126 HIGHLAND PARK PART OF SECTION 29 T1N R18W
 CITY OF GRAND HAVEN OTTAWA COUNTY MICHIGAN

STAMP:

PROJECT NO:
 21W2366

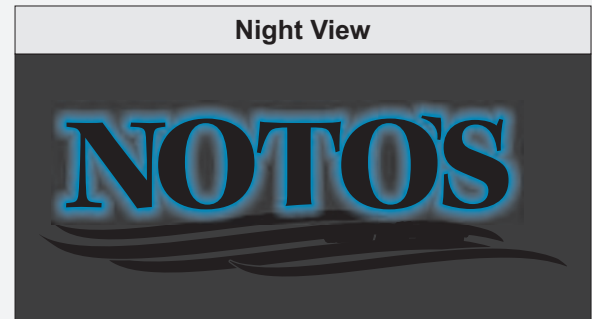
SHEET NO:

C-205

Sign 1: Illuminated Wall Sign









- ### Specifications
- ① 2½" Deep reverse-illuminated channel letters with clear polycarbonate backs stud mounted to facade with 2" standoffs.
 - ② Illuminated with blue Principal LEDs powered by low voltage power supplies.
 - ③ Wave graphics and secondary copy boarder to be CNC routed .125" aluminum painted with Matthews Satin Polyurethane Enamel and stud mounted flush to building facade. Secondary copy to be applied pressure sensitive vinyl.
 - ④ Photo eye, toggle disconnect, U.L. listed and labeled.

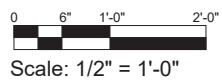


Square Footage
45.00 Sq.Ft.



Color Specifications

 PMS 447	 PMS 3005 C	 PMS 534 C	 PMS 651 C
 Paint to Match Facade	 Black		



Sign 1: Elevation



Note: sign rendered for size and placement only. To be installed after completion of building facade.

Site Plan

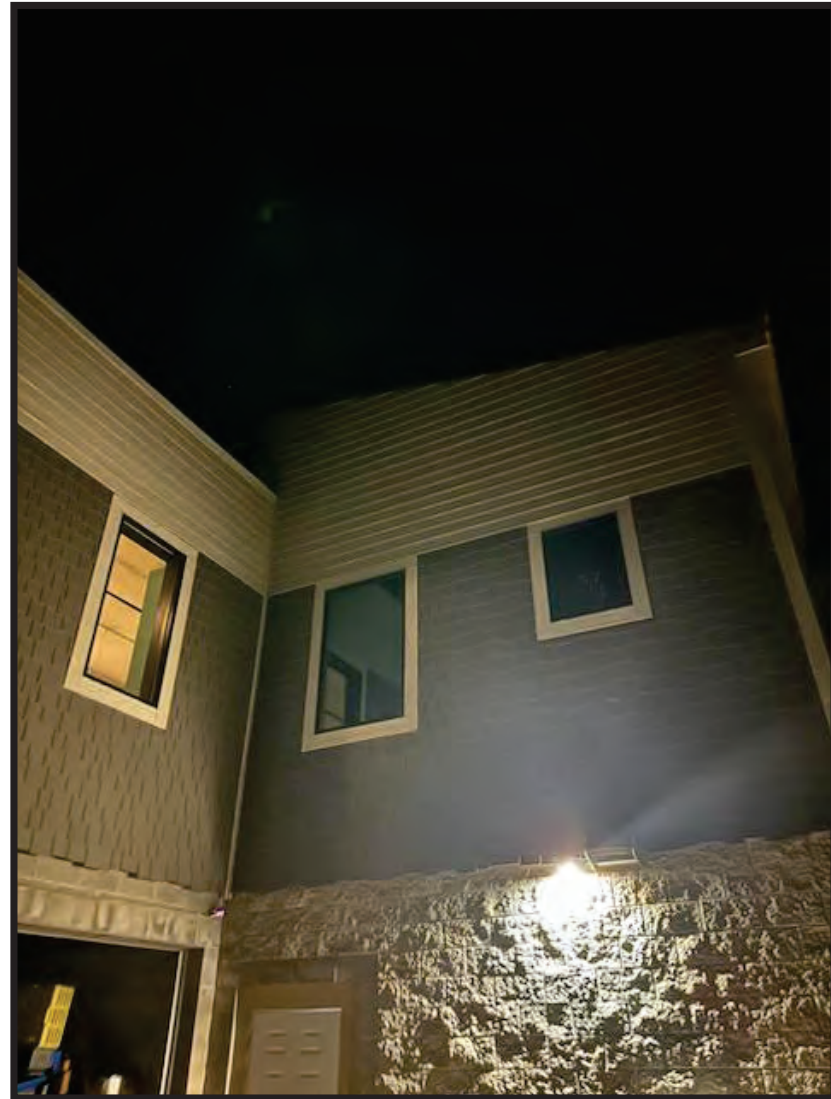


Proposed location of illuminated wall sign.

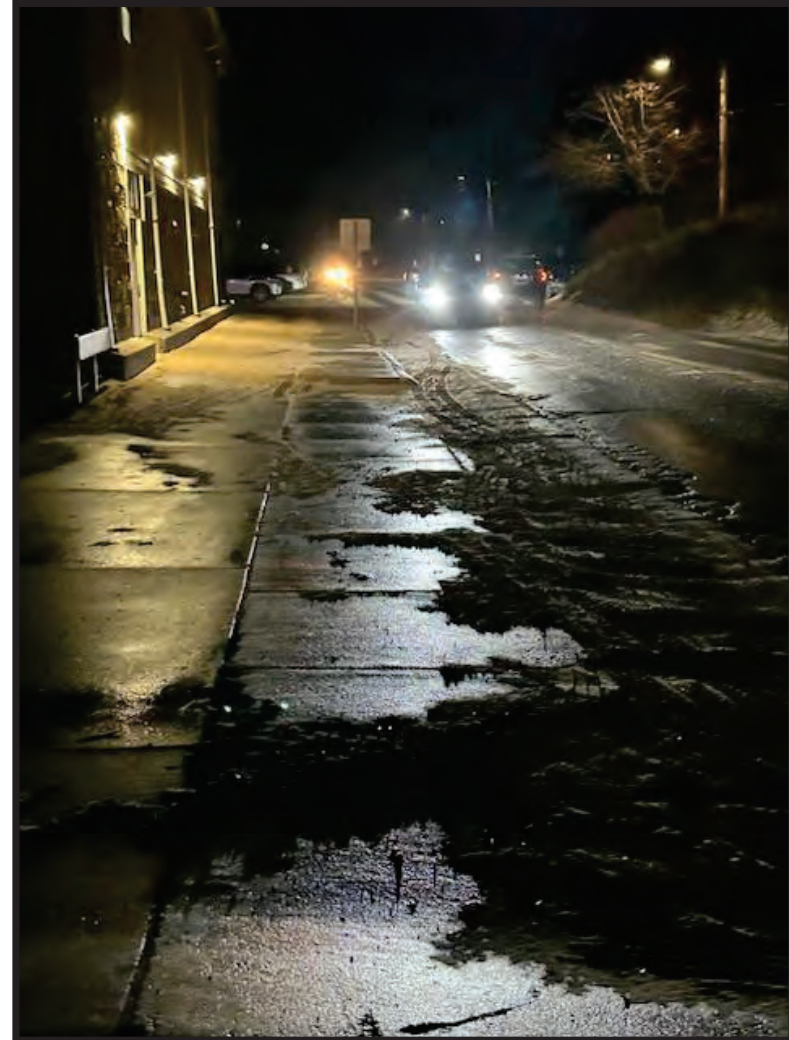
NIGHT TIME IMAGE OF EXISTING SIGN (NORTH WALL)



NIGHT TIME IMAGE OF SOUTH WALL



NIGHT TIME IMAGES OF EAST WALL



**CITY COUNCIL
CITY OF GRAND HAVEN
Ottawa County, Michigan**

Councilmember _____, supported by Council member _____, moved the adoption of the following ordinance:

ORDINANCE NO. 24-__
AN ORDINANCE TO APPROVE AN AMENDMENT OF THE APPROVED PLANNED DEVELOPMENT FOR NOTOS AT THE BIL MAR LOCATED AT 1223 SOUTH HARBOR DRIVE (PARCEL #70-03-29-312-004). THE PROPOSED AMENDMENT IS TO PERMIT AN ILLUMINATED WALL SIGN ON THE SOUTH WALL OF THE RESTAURANT.

THE CITY OF GRAND HAVEN ORDAINS:

Section 1. Approval of Project. Pursuant to subsection 40-421.07 of the City of Grand Haven Zoning Ordinance, the amendment to the Noto's at the Bil-Mar Planned Development and the preliminary development plan for parcel 70-03-29-312-004 are approved. The preliminary development plan includes the following documents, which are incorporated by reference and attached as **Exhibit A** (later received documents shall control over earlier received documents):

- A. Application dated October 16, 2024;
- B. Four pages of specifications and photographs, dated October 16, 2024, from Bear Sign Company;
- C. Amended Site Layout Plan, dated October 17, 2024.

Section 2. Findings. On the basis of the discussion had by the Planning Commission as reflected in the minutes of November 12, 2024, and on the basis of the discussion had by the City Council, the City Council finds that the PD as amended meets the purposes of Section 40-421.01; meets the qualifying conditions of Section 40- 421.02; meets the development requirements of Section 40-421.03.A, is a permitted use per B, meets the guidance standards of C; meets the standards of Section 40-421.05; and meets the standards of Section 40-421.06.

Section 3. Condition. There are no special condtions.

Section 4. Effective Date. This Ordinance shall take effect 20 days after adoption or such later date as is required by Public Act 110 of 2006, as amended.

YEAS:
NAYS:
ABSTAIN:
ABSENT:
APPROVED: _____, 202_

I certify that this ordinance was adopted by the City Council of the City of Grand Haven at a regular meeting held on _____, and published in *The Grand Haven Tribune*, a newspaper of general circulation in the City, on _____.

_____, 202__

Maria Boersma, City Clerk

Introduced: _____

Adopted: _____

Published: _____

Effective: _____

**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
PLANNING COMMISSION MINUTES
November 12, 2024**

A regularly meeting of the Grand Haven Planning Commission was called to order by Chair Dora at 7:00 pm. Upon roll call, the following members were present:

Present: Magda Smolenska, Amy Kozenecki, Dan Borchers, David Skelly, Tamera Owens, Joe Pierce, Jennifer Smelker, Vice-Chair Ryan Galligan, Chair Mike Dora

Absent: None

Also Present: City Planner Brian Urquhart, City Manager Ashley Latsch, Mayor Monetza, and members of the public.

Approval of Minutes

Motion by **Skelly**, seconded by **Kozenecki**, to approve the minutes of the October 8th meeting as printed. All ayes. **Motion passes.**

Approval of Agenda

Motion by **Pierce**, seconded by **Smelker**, to approve the agenda as printed. All ayes. **Motion passes.**

Call to the Audience: First Opportunity

None

Case 24-36: A public hearing to consider a Major amendment to Noto's Planned Development for an additional sign. (parcels # 70-03-29-312-004)

Urquhart introduced the case. In October 2023, the Planning Commission approved the final development plan for Noto's at 1223 S. Harbor Drive. The final development included a sign plan, which included one sign on the north wall facing the parking lot. Under the regulations for a Planned Development, any signage changes must be reviewed as specified in the Planned Development ordinance. At the October 8th, 2024, meeting, the Planning Commission determined the sign was a major change.

Greg Gurney of Bear Sign Company, on behalf of property owners Tom Noto of *Noto's at the Bil Mar*, submitted a Planned Development application for the major amendment to the PD.

Earlier this year, Mr. Gurney approached the city regarding an additional sign on the south wall. The primary reason to attract attention to motorists traveling north on S. Harbor Dr. The applicant justifies the additional sign will improve safety, and there is no practical location for a ground sign.

The Planning Commission determined the additional sign did meet the requirements for a major amendment, largely because the original development plan only depicted one wall sign. The Planning Commission also determined the sign may have an additional impact on adjoining properties, due to the

illumination of the sign.

Summary of Proposed Changes

- One illuminated 45 sq. ft. wall sign installed on south wall hotel plans call for mixture of exterior material color and type, with various architectural features and articulation. The final design of the hotel can be refined during final plan review.

As of the date of this memo, the city has received six emails against the proposed amendment. Reasons include nuisance from the lighting of the sign, and failure of the property owner to upkeep the property in terms of appearance. Photographs have been included in the packet.

Applicant was present.

Chair Dora opened the public hearing at 7:10 pm.

Mark Makower, 132 Crescent Drive, said the lighting impact would be minimal and that he would be in favor of the additional sign.

Bob Sullivan from Scholten Fant, 100 N. 3rd Street, was present as a representative of Thomas and Nichole Frache and their daughter Rosa, who recently purchased and would be directly impacted by the decision made. Property owners feel as though the illumination would change the ambiance. They are also concerned with how the sight has not been appropriately managed. Property owners are requesting that if the sign is granted, it will not be lit. If it is lit, then have parameters on the times.

Shirley Poulton, 1856 Far Hills Court, feels a lite sign would detract from the prime portion of the view of the lake. She also commented on the size of the sign.

Peter DeWitt, 60 Poplar Ridge, said the light from the sign would be facing their bedrooms. He also voiced concerns about what additional things might be asked if the sign was approved.

Amy Rothman, 11570 Oak Grove, said she didn't mind the sign. She feels it would be helpful for those coming from the south to find the restaurant. She also liked that the sign was backlit.

Tony Noto, 1223 S. Harbor, spoke, stating they had met the obligations set forth by the City and wanted to present something positive to the community. The sign is also part of their branding. Noto also mentioned this would be the final request.

Steve Rothman, 11570 Oak Grove, spoke, stating that Noto's is a gift to the community and that starting a small business is hard. He also stated that he felt it was dangerous not to have a sign on the south side indicating the business.

A motion was made by Owens and seconded by Skelly to close the public hearing. All ayes. **Motion passes.**

Chair Dora closed public hearing at 7:25 p.m.

Pierce mentioned that he was not thrilled about the sign being lit. However, he was not opposed to a sign but would prefer it not to be lit. He does not feel any safety concerns or questions about what the building is used for.

Smelker also mentioned she would be okay with a sign for delivery purposes but would not favor having it illuminated.

Kozenecki spoke, stating that she echoed much of what's already been said. She also mentioned that she could see some of the benefits of a sign; however, she felt the beachfront needed protection. Kozenecki stated she was okay with the sign; she was just not OK with it being lit.

Owens stated she was ok with the sign being lit during business hours.

Borchers said it would be best to stay with the original agreement.

Smolenska stated she did not favor any sign but could be convinced to support a not-lit sign.

Skelly mentioned that he understood the branding. If the owners were okay with the sign being lit during regular business hours, he would be OK with voting to approve this change.

Vice-Chair Galligan stated how it would be ok with lights that are times for during business hours as well.

Chair Dora also stated that while no ordinances were being broken, if the owners were okay with complying with the sign being lit during operating hours only, he would support it.

Pierce voiced his concern, stating that allowing the lit sign during evening business hours would still prevent people from enjoying the beachfront view, and he does not feel the sign is necessary.

Greg Gurney of Bear Sign Company stated that they could potentially build a sign on the ground, although it would not look as aesthetic.

Motion made by **Owens**, seconded by **Vice-Chair Galligan**, to approve Case 24-36, a request for a major amendment to Noto's Planned Development for an illuminated sign which is to be turned off during non-business hours on the south wall, and the associated preliminary development plan located at 1223 S. Harbor Dr. (parcel #70-03-29-312-003).

Roll call vote.

Yeas: Vice Chair Galligan, Skelly, Owens, Chair Dora **Nays:** Smelker, Pierce, Smolenska, Borchers, Kozanecki
Motion fails.

Commissioners asked if the property owner would consider having a sign that is not illuminated.

Jim Noto said a sign would be useless if it were inconsistent with the branding and messaging.

Further discussion was had regarding the specifications of the sign.

Motion made by **Kozanecki**, seconded by **Smelker**, to approve Case 24-36, a request for a major amendment to Noto's Planned Development for a nonilluminated sign on the south wall and the associated preliminary development plan located at 1223 S. Harbor Dr. (parcel #70-03-29-312-003).

Roll call vote.

Yeas: Smelker, Pierce, Smolenska, Borchers, Kozanecki, Owens **Nays:** Skelly, Vice chair Galligan, Chair Dora
Motion passes

Case 24-37: A public hearing for Special Land Use –for a retaining wall greater than 48 inches at 19705 NorthShore (parcel #70-03-19-426-002).

Urquhart presented the case. Scott Colby of *Bespoke Homes*, on behalf of property owner Glenn and Kathryn McMillian, submitted a special land use request for a retaining wall located in the front yard of the property at 19705 N. Shore Dr. The retaining wall is greater than 48 inches in height, which requires review and approval by the Planning Commission per Sec. 40-327.A.2.b.

Bespoke Homes has been contracted to install an addition to the home at 19705 N. Shore, which required an updated septic system. According to the project narrative, the home is located in the critical dune and high risk erosion area. Due to those conditions, they are required to adhere to the 60-year setback for the septic system. The contractor was able to install two septic tanks, one dose tank in the waterfront yard. Unfortunately, they were unable to fit the drain field in the waterfront yard. After review with Ottawa County Health Department, EGLE, and the Public Works Dept., they determined drain field could be installed in the bluff area in front of the home. The bluff area contains steep slopes and requires the addition of retaining wall to properly contain the drain field system.

A retaining wall height is measured from the top of the wall at its highest point, to the top of the footing. According to the site plan, with a frost free footing, the height of the wall ranges from 90 inches to 108 inches. A retaining wall greater than 48 inches in height will require a building permit. The applicant provided a landscape plan with vegetation assurance. The disturbed area will be replanted with native trees, shrubs, and dune grass.

Section 40-327 of the Zoning Ordinance provides requirements for retaining walls and outlines provisions for administrative approvals and Planning Commission approvals. The applicant has provided a narrative describing the scope of work.

As of the date of this memo, the city has not received any correspondence.

Scott Colby, 5865 Egypt Valley, was present to answer any questions.

Chair Dora opened public hearing at 7:59 p.m.

No Public comment

Motion made by **Skelly**, seconded by **Vice Chair-Galligan** to close the public hearing. All ayes. **Motion passes.**

The public hearing was closed at 8:00 p.m.

No concerns or questions from the Commissioners

Motion by **Smolenska**, seconded by **Pierce**, to approve Case 24-37, PC Case 24-37, a special land use permit and sensitive area overlay for a retaining wall that exceeds 48 inches in height at 19705 N. Shore Dr. (parcel #70-03-19-426-002) subject to the condition(s) below:

1. A building permit shall be submitted.

Roll call vote. All ayes. **Motion passed.**

New Business: None

Old Business

Case 24-23: Reconsideration and designation of Sensitive Area – Salvation Army attainable housing project.

Urquhart presented the case. Denny Dryer, Tom Reinsma, and Bill Holman approached the city for a possible attainable housing development of 27 townhomes on the Salvation Army's property off Fulton St. (parcel #70-03-21-328-031). Last month, they provided public comment to the Planning Commission to consider removing the sensitive area overlay designation of the 2.09-acre parcel. The zoning map (attachment B) denotes the majority of the parcel is within the sensitive area overlay.

The applicant's memo indicates the property is not necessary for Salvation Army operations and is presently overgrown brush. In addition, they assert the sensitive area overlay district precludes development of the site for housing. The underlying zoning district is NMU - Neighborhood Mixed-Use, which a multifamily dwelling is permitted by right in this district.

The applicant is requesting a determination from the Planning Commission of what content would be necessary in an environmental survey. This process is outlined in Sec. 40-422.06 of the zoning ordinance. The applicant noted the wetland is not regulated by the State of Michigan, nor does it appear to be a connected to other wetland/streams or sensitive ecosystems. According to Sec. 40-442.02.B. a wetland is determined to be sensitive because it provides flood and storm control, wildlife habitat, pollution treatment, water recharge and storage area, benefits to water quality, and erosion control.

Removing a sensitive area overlay is a two-step process. The first step is obtaining the necessary information to make an informed decision on whether to remove the sensitive area overlay. The environmental survey is imperative to the applicant's request. The second step is to amend the zoning map, and is treated as a rezoning, with final approval by City Council.

Items for the Planning Commission to consider:

- Is there justification of removing the sensitive overlay for the proposed use?
- What is the compatibility of the proposed use and the future land use and Master Plan?
- What environmental qualities does this site contain, or not contain, to continue the sensitive area designation? Is there a negative impact on wildlife habitat? Water recharge and storage? Pollution treatment?

- What content within the Environmental survey will be necessary to make a qualified determination?

Jacob Horner, a representative of Dwelling Place, was present.

Sean Chadley, a representative from Tri Terra, was also present for any questions.

Pierce inquired about the property being sold on land trust and asked for a guaranteed number of affordable houses. Pierce felt okay with moving this item to a Public Hearing.

Smelker, Kozanecki, Borchers, Owens, Smolenska, and Vice Chair Galligan were also okay with the information provided to proceed to a Public Hearing.

Skelly was also okay with moving forward but asked whether the study provided represented a full year. Chandley mentioned that the most accurate data is collected during the growth season from which the report was derived.

Chair Dora asked if the low portions would be filled in and rebuilt. Horner responded, stating they are trying to limit the amount of roads going in but will have to remove some of the dirt for proper drainage and some contamination removal for regrading. Chair Dora felt as though there was more than enough information to be able to move forward.

Motion made by **Smelker**, seconded by **Kozanecki**, to schedule a public hearing on December 10th, 2024, for case 24-23, a rezoning of the Sensitive Area Overlay on the zoning map (parcel# 70-03-21-328-031) Roll call vote. All ayes. **Motion passed.**

Zoning Board of Appeals Liaison Report

Kozanecki stated at their last meeting that there was much discussion about adding the Christian School variance. It was approved.

Discussion about an extension of the Caribou Coffee plan that was approved.

There was also a discussion of a non-conforming pole sign for Loose Spokes that was approved.

The next meeting is scheduled for next month.

City Planner Report

Next month, there will be a Public Hearing.

700 Washington is requesting a change to Centertown Overlay.

Consider a work session to review the master plan for a more urban for the downtown area.

Received redevelopment recertification for 2023-2028.

We will present an annual report next month.

Call to the Audience: Second Opportunity

Bob Monetza, 945 Washington, voiced concern regarding the use of regulated and non-regulated wetland terminology. He stated that wetlands are locally regulated and would prefer that language to be used.

Motion made to Adjourn.

Roll call vote. All ayes. **Motion passed.**

Adjournment: Chair Dora adjourned the meeting at 8:32 pm.

Melissa Bos, Executive Assistant to City Manager

From: [Nanaruth Carpenter](#)
To: [Brian Urquhart](#); [Bob Monetza](#); [Kevin Mclaughlin](#); [Mike Fritz](#); [Karen Lowe](#)
Subject: Request for sign by Noto's restaurant
Date: Saturday, November 2, 2024 10:25:48 AM

Dear Mr. Urquhart and members of the Grand Haven City Council,

I am a year round resident of Grand Haven, living at 91 Poplar Ridge, Grand Haven, MI 49417. I am opposed to Noto's request for a number of reasons.

The Grand Haven City Beach is our city's most precious resource. It is a great source of pride and pleasure for our community, as well as being a tremendous draw for visitors to our city and the surrounding area. Noto's restaurant enjoys the privilege of being located in this wonderful setting which provides them with a scenic, and undoubted economic advantage for their business. And yet, Noto's has treated the southern exposure of their site as a private dumping ground for their trash and off-season equipment. Anyone approaching Grand Haven from the south along Harbor Drive, either on foot or by car, is confronted with the sight of their trash &/or grease disposal dumpsters in plain view, leftover construction materials dumped haphazardly against the building, rolled up matting sitting near the sidewalk, and more. It is my understanding that they had promised, after receiving a variance in the past, that they would remove the grease dumpster from public view. Clearly, their promises mean nothing.

Until Noto's takes the action necessary to make their business property reflect the honor and privilege they enjoy in this unparalleled setting, the city should not do them any favors, nor allow them to draw further attention to the mess they maintain. They should show that they care about the city and the beach and are willing to act like good citizens and stewards of our environment.

Attached are some pictures I took from the sidewalk and beach adjacent to the south wall of Noto's midafternoon on October 31, 2024. Please note the grease dumpster sitting a few feet off the sidewalk in plain view. Not only is it ugly, but it smells bad. Not good advertising for our hometown.

Thank you for your consideration,
Nanaruth Carpenter

From: [Dee Wagner](#)
To: [Brian Urquhart](#)
Subject: For the November 12 public hearing
Date: Monday, November 4, 2024 10:55:43 AM

Brian,

I am unable to attend the November 12 meeting in person because of a previous commitment. I am emailing you today to oppose the request for Noto's to put a lighted sign on the south side of their building. They already have a lighted sign in the North side.

One reason is because of a concern about light pollution from the lighted sign.

The city of Grand Haven should keep the dark and quiet area south of Noto's as it is. It is a section of the beach where star gazing is wonderful and occasionally to view the northern lights.

Are you aware that Noto's haven't done their part of the city's request to clean up their trash bins to keep them out of site? They also store their seasonal equipment and building materials on the beach. It is becoming not attractive if you look around their property.

Noto's already have taken over enough of the beach by their outdoor seating for drinks. Also, their newly added addition of the wedding loft.

In conclusion, I oppose Noto's request for another lighted sign on the south side of their building. Noto's just keeps doing whatever they want and the city will not tell them no. Please consider residents of Grand Haven and keep it dark on that section of the beach.

Kindly,
Dee Wagner

From: [Marietta Bigelow](#)
To: [Brian Urquhart](#)
Subject: Noto's request for additional signage
Date: Saturday, November 9, 2024 12:09:48 PM

Brian and other members of the Planning Commission,

My address is 64 Poplar Ridge, Grand Haven, MI.
Our family has been spending summers in Grand Haven since @ 1897.
During those years we have enjoyed dining at the Bil-Mar and now Noto's restaurant on the beach.

My email today is in regard to Noto's Restaurant request to place a Neon Lit Sign on the South side of their building. I am opposed to this request.

Noto's is asking for additional lighting on the South side of the building to attract motorists traveling north on S. Harbor Dr. The applicant justifies the additional sign will improve safety, and there is no practical location for a ground sign.

Noto's is the only restaurant on the beach, and 1 of only 2 buildings.
Grand Haven residents and visitors should not have a problem finding them.

The building currently has lights on all 4 sides of the restaurant:

North side of the building has the parking lot, main entrance, walkway to the outdoor deck and Neon lit sign.
East side of the building has lighting along S. Harbor Dr.
West side of the building, has outdoor lighting for the deck and sand seating
South side of the building, has a light by garage and kitchen entry door

I do not believe adding a Neon Sign on the south side will provide additional safety to an already well lit building. Also, S. Harbor Dr. has bright street lights. As for attracting motorists, most everyone knows where the restaurant is, and visitors coming from the downtown area would mostly approach from the North side where parking and restaurant entrance are located.

I am in agreement with the other 2 emails sent to you from Dee Wagner and Nanaruth Carpenter regarding the neon sign and south side being an eyesore. Pictures have already been submitted so I will not duplicate.

Please leave south side of Noto's without a neon sign.

Please ask Noto's to remove / clean up the items stored on the South Side of the building.

The Used Cooking Oil Container on Harbor Drive along the public sidewalk has been there all summer, with grease spills by their mailbox and on the ground. The sign says do not park in front of this container, but cars do park there. This should be moved to the garage or out of sight.

Thank you for your time and consideration,

Marietta Bigelow

From: [Steve Burch](#)
To: [Brian Urquhart](#)
Subject: Case 24-36 Comment
Date: Sunday, November 10, 2024 7:23:56 PM

I oppose Noto's application for installation of a sign on the south side of the business.

There is no public access to Noto's on the south side. It serves no purpose- other than to possibly serve as a precursor to more auto parking to the south of Noto's (which is widely opposed in the neighborhood).

An illuminated sign already exists above the entrance on the north side, where the parking lot is located.

The south side should remain natural, and non-illuminated. An illuminated light will constitute light pollution. Any additional commercialization (thru additional signage) is an unwarranted intrusion on our quality of life in a long-established RESIDENTIAL neighborhood.

Lastly, there is no demonstrable public need nor benefit for additional signage; Noto's location is impossible to miss, day or night-just go west to the lake, and there it is, period.

For the foregoing reasons, Noto's application should be denied.

Steve Burch
Grand Haven Resident

[Sent from Yahoo Mail for iPad](#)

From: [Susan Smith](#)
To: [Brian Urquhart](#)
Cc: [Kate Martinez](#); [David Swain](#); [Susan Smith](#)
Subject: Public Hearing Notice - Planning Commission - November 12, 2024 -- resend
Date: Monday, November 11, 2024 9:13:43 PM

Mr Urquhart: I am resending my email because it appears that the photos did not come through in the original email.

Dear Mr. Urquhart and Planning Commission Members:

I am an owner of a summer residence in Highland Park (63 Poplar Ridge), along with my siblings (Kate Martinez and David Swain). We are submitting this email in opposition to the large illuminated sign requested by Noto's. Our opposition is due to the major adverse impact the illuminated sign will have on the beach and on our neighborhood, which sits just across the street and continues up the hill.

The sizable illuminated sign requested by Noto's would be in the direct line of sight of many Highland Park Association (HPA) residents, and it would substantially and detrimentally impact both the natural beauty of the shoreline, and those residents who live so close to the building. Regarding Noto's statement that the sign is needed so that people are alerted that there is a restaurant on the beach, it is worth noting that the large building footprint in and of itself is an advertisement to motorists. Also, people searching for a restaurant typically search online for restaurant selections rather than driving around.

Historical context is relevant here. Our family has owned our home in Highland Park since 1962, and we always enjoyed the Bil Mar restaurant presence and experience. Unfortunately, we cannot say the same for Noto's restaurant. Although a binding Consent Judgment was signed in 2018 by Tom Smith, HPA, the Bil Mar, and the City for a term of some 40 years, it has not been honored beginning with the original construction and continuing today. Notable examples include the following:

- changes were made to the original building design that did not comply with the Consent Judgment and were in violation of the 2018 building permit
- outdoor/on the sand service is contrary to the Judgment terms, which expressly state that outdoor service is allowed only on the existing deck.
- the recent enlargement of the building exceeds what is allowed by the Judgment terms

It is worth noting that each of these approvals has come with requirements by the City, such as cleaning up the surrounding area around the restaurant, storage only in the garage, no parking on the sand, etc. etc. At each step along the way, Noto's has ignored the City requirements, despite multiple complaints from many HPA residents. This has all adversely impacted our neighborhood and beach experience.

On countless occasions, Mr. Noto has stated that he wants to work with HPA residents and be a good neighbor, yet he has clearly done the opposite. Please see below for just a few examples of what we have had to contend with since the opening of the restaurant in early 2019 - cars parked on the beach, construction debris, and grease all over the sidewalk from the grease dumpster (which is required to be stored inside the garage). The list is long.





We hope that the Planning Commission can see that these ongoing practices, along with the ever-increasing footprint of Noto's on the beach, has had a very real negative impact on both our neighborhood and the public beach since 2018.

We respectfully request that the Planning Commission deny the request for a new sign, to avoid any further impact on the beach and our neighborhood.

Susan Swain Smith
Kate Swain Martinez
David Swain

From: [Julia Van Lopik](#)
To: [Brian Urquhart](#)
Subject: Proposal for lighted sign on Notos south wall
Date: Wednesday, November 13, 2024 11:09:07 AM

Dear Brian,

I am a homeowner in Highland Park, and am writing in regards to Noto`s proposal to place a lighted sign on the south end of the building.

I oppose the proposal.

I feel that the structure is very easy for anyone to find, and does not require more attention drawn to it. Out of respect for the beauty of the natural area the restaurant is placed on, no further illuminated signage should be allowed, as it would take away from the natural light and beauty of the lakeshore at dusk.

Thank you for your time.

Best Regards,

Julia Van Lopik
25 Crescent Hill
Grand Haven, Michigan
49417
USA

From: [Clara Isabel Van Lopik Ambjørn](#)
To: [Brian Urquhart](#)
Subject: Opposition to Signage Request for Noto's
Date: Friday, November 15, 2024 3:41:36 PM

Dear Brian Urquhart,

I understand that there was a public hearing on November 12th, regarding a request that Noto's be allowed to place a lighted sign on the exterior south wall of their building. I was unfortunately unable to attend - but I also understand that the motion was not passed. However, I still feel that it is important to me to express my strong opposition to the motion, for a multitude of reasons - some of which I have been intending to draw the City's attention to, which I will be doing in the following:

Since opening, Noto's has consistently neglected the area on the south side of their building, which has become an eyesore and a safety hazard. The grease dumpster, which the City has previously instructed them to move, is still regularly left out on the sidewalk. Additionally, glass shards frequently litter the area, posing a significant risk to pedestrians, many of whom walk barefoot or in flip-flops (often with their dogs), given the restaurant's proximity to the beach.

As one of our City's most treasured assets, the beach should be a place of beauty and pride, not one marred by trash, unsightly equipment, and leftover construction materials. Anyone approaching the city from the south along Harbor Drive, whether by foot or car, is confronted with this disheveled view. This is not the image we want to project to visitors or residents alike—it does not reflect well on our city.

If Noto's is willing to take the necessary steps to clean up their property and maintain it in a way that reflects the privilege they have in being the only restaurant located on our beach, I might choose to support them. However, until they demonstrate a commitment to keeping their property clean and in good condition, I frankly believe that granting them any approval for other developments would be counterproductive.

In short, I urge the city to hold Noto's accountable for their lack of upkeep and to delay any approval for further signage or developments until they take concrete action to demonstrate care for both their business and the surrounding environment.

Thank you for your attention to this matter.

Sincerely,
Clara Van Lopik
(616)-201-6708

From: [Susan Smith](#)
To: [Brian Urquhart](#)
Cc: [Kate Martinez](#); [David Swain](#); [Susan Smith](#)
Subject: Noto's south wall sign request
Date: Wednesday, November 27, 2024 12:00:03 PM

Dear Mr. Urquhart, Planning Commission members, and City Councilors:

I am an owner of a summer residence in Highland Park (63 Poplar Ridge), along with my siblings (Kate Martinez and David Swain). We are submitting this email in opposition to the large sign requested by Noto's. Our opposition is based on the adverse impact the sign would have on the beach and on our neighborhood, which sits just across the street and continues up the hill.

The sizable sign requested by Noto's would be in the direct line of sight of many Highland Park Association (HPA) residents, and it would detrimentally impact both the natural beauty of the shoreline, and those residents who live so close to the building. This would add to the list of detrimental impacts that HPA residents already endure due to Noto's refusal to comply with ongoing City requirements to clean up the area surrounding the restaurant, storage of trash and other items only in the garage, no parking on the sand, etc. etc. Since 2018, we have had to live with cars parked on the beach, broken glass in the sand on the south side of the restaurant, construction debris outside the building, and grease all over the sidewalk from the grease dumpster which is required to be stored inside the garage. These are just a few items; the list is long. Ongoing complaints by multiple HPA residents over the years have not changed the situation.

We hope that the City Council can see that these ongoing practices, along with the ever-increasing footprint of Noto's on the beach, has had a very real negative impact on both our neighborhood and the public beach since 2018. The erection of a new large sign on the south wall of the restaurant will add to that.

Regarding Mr. Noto's statement that the sign is needed so that people are alerted that there is a restaurant on the beach, it is worth noting that the large building footprint in and of itself is an advertisement to motorists. Also, people searching for a restaurant typically search online for restaurant selections rather than driving around.

Please note that we are not opposed to the presence of the restaurant. Our family has owned our home in Highland Park since 1962, and we always enjoyed the Bil Mar restaurant presence and experience. Unfortunately, for reasons outlined above, we cannot say the same for Noto's restaurant.

We respectfully request that the City Council deny the request for a new sign, to avoid any further impact on the beach and our neighborhood.

Susan Swain Smith
Kate Swain Martinez
David Swain

From: [Dee Wagner](#)
To: [Brian Urquhart](#)
Subject: For the planning commission meeting on 12/2/24
Date: Wednesday, November 27, 2024 2:09:45 PM

Brian,

I am unable to attend the meeting in person because of a previous commitment. I am emailing you today to oppose the request for Noto's to put a lighted sign on the south side of their building. They already have a lighted sign in the North side.

One reason is because of a concern about light pollution from the lighted sign.

The city of Grand Haven should keep the dark and quiet area south of Noto's as it is. It is a section of the beach where star gazing is wonderful and occasionally being able to view the northern lights.

Are you aware that Noto's haven't done their part of the city's request to clean up their trash bins to keep them out of site? They also store their seasonal equipment and building materials on the beach. It is becoming not attractive if you look around their property.

Noto's already have taken over enough of the beach by their outdoor seating for drinks. Also, their newly added addition of the wedding loft.

In conclusion, I oppose Noto's request for another lighted sign on the south side of their building. Noto's just keeps doing whatever they want and the city will not tell them no. Please consider residents of Grand Haven and guests and keep it dark on that section of the beach.

Kindly,
Dee Wagner

From: [Maria Boersma](#)
To: [Brian Urquhart](#)
Subject: FW: City of Grand Haven - General Inquiry
Date: Monday, December 2, 2024 4:29:22 PM

From: City of Grand Haven [mailto:NoReply@grandhaven.org]
Sent: Monday, December 2, 2024 12:38 PM
To: Maria Boersma <mariaboersma@grandhaven.org>
Subject: City of Grand Haven - General Inquiry

The following submission came through the general contact form at GrandHaven.org for your department.

Send my
message Clerk's Office
to::

First
Name: Pete

Last
Name: DeWitt

Email: pbdewitt2@gmail.com

Phone: (616) 848-9974

I live at 60 Poplar Ridge, closest cottage to Notos in Highland Park. I am not in favor of having a lighted sign across the road facing my bedrooms. I think the compromise the Planning Commission decided on is fair. Allow the sign but not the lights. It gets dark really late in the summer anyway. Notos has been given more than their share. Please vote no lights.

Message: Thank you,
Pete DeWitt

From: [Bob Monetza](#)
To: [Ashley Latsch](#); [Melissa Bos](#)
Subject: FW: Last night's City Council meeting
Date: Wednesday, January 15, 2025 9:46:50 AM

fyi

Bob Monetza
Mayor, City of Grand Haven
519 Washington Ave.
Grand Haven, MI, 49417
Cell 616-826-6816
Sent from [Mail](#) for Windows 10

From: [Dave Swain](#)
Sent: Tuesday, December 3, 2024 2:34 PM
To: [Bob Monetza](#); [Mike Fritz](#)
Subject: Last night's City Council meeting

Gentlemen: Please forgive me, I am sending you both a follow-up email; I'm not sure if the first went through okay.

I wanted to let you know that there was a communication mix-up on my part in regards to the Noto's Restaurant petition for a new illuminated sign. My name did end up on an email from my two sisters (and me) that you likely saw on Friday, or yesterday, opposing the request. I would like to set the record straight that my name should not have been on the email, and I am in favor of the Noto's request. My two sisters remain opposed to the request. Just wanted you to have this information as the Noto's request goes through your process....

Also, thank you for your consideration and discernment last night in regards to our family's request for financial assistance in redoing the retaining wall at 63 Poplar Ridge. It is very much appreciated.

Best Regards,
Dave Swain

CITY OF GRAND HAVEN

Planning Department

519 Washington Ave
Grand Haven, MI 49417
Phone: (616) 935-3276



TO: Ashley Latsch, City Manager

FROM: Brian Urquhart, City Planner

DATE: January 10, 2025

SUBJECT: Grand Landing Planned Development Amendment – 2nd Reading

Blake Becall of Elite Hospitality Group has submitted a request to develop vacant property east of Miller Dr. and north of Adams St. (parcels #70-03-21-100-013; 014; 015; 016) into a hotel. The Grand Landing PD has always included plans for a hotel since the original submittal in 2006.

On December 2nd, the City Council held a public hearing and read an introductory resolution. During the public hearing, there was one comment in favor of the development. Following the public hearing, Council expressed support for the hotel, citing the use as a much needed alternative to short term rentals for visitors coming to the City. Council did also express concern regarding the amount of parking, existing traffic challenges entering and exiting Grand Landing development, and how additional hotel traffic will likely contribute to the congestion.

The final design of the hotel can be refined during final development plan review. Utilities, lighting, landscaping, public benefit, and storm water management can be evaluated as part of the final development plan review by the Planning Commission.

Summary of proposed changes:

- 4-story hotel
- 332 total parking spaces
- Dumpster and enclosure near northwest corner of property

Enclosed is the PD ordinance, copy of staff memo from December 2nd City council meeting, October 8th Planning Commission meeting minutes, proposed preliminary development plan, elevation drawings

PLANNED DEVELOPMENT APPLICATION

Planning Department, City of Grand Haven
519 Washington Avenue, Grand Haven, MI 49417
Phone: (616) 935-3276 Website: www.grandhaven.org

1. Project Information

Address/location of property: V/L 0 Adams Avenue Grand Haven, MI 49417
Name of Development: Grand Landing Development
Parcel #: _____ Current Zoning District: Planned Development
Current Use: Vacant Land Proposed Use: Hospitality
Area in Acres: 4.7 acres Zoning of adjacent properties: _____

2. Applicant

Name: Blake Bacall
Company: Spartan Hospitality LLC
Address: 2129 Orchard Lake Rd
Sylvan Lake MI 48320
Phone #: 248-928-6968
Email: Blake@elitehospitalitymi.com

3. Property Owner

Name: Blake Bacall
Company: Spartan Hospitality LLC
Address: 2129 Orchard Lake Rd
Sylvan Lake MI 48320
Phone #: 248-928-6968
Email: Blake@elitehospitalitymi.com

4. Required Attachments

- Application (PDF + 5 copies)
- Preliminary Development Plan (PDF + 5 copies)
- Narrative (PDF + 5 copies)
- See Section 40-421.04.D of the City of Grand Haven Zoning Ordinance for additional details

5. Fees and Escrow Deposit:

Application Fee: \$750.00 (covers the Rezoning and Preliminary Development Plan review only)

A deposit of \$1,500 shall be collected for all Planning Commission and Zoning Board of Appeals cases where it is expected that costs above staff time and one public hearing publication will be incurred. These expenses include additional public hearing notifications, attorney fees, engineering or surveying fees, or other special studies. Should expenses total more than the deposit, the applicant will be billed by the City for the additional costs, or additional escrow payment shall be required to complete the Planning Commission or Zoning Board of Appeals process. Should expenses total less than the deposit received, excess amounts shall be returned to the applicant.

By signing below, permission is granted for city staff, including Planning Commissioners, to enter the subject property for purpose of gathering information to review this request. In addition, the applicant agrees to perform the described work in accordance with all applicable Sections of the City of Grand Haven Code of Ordinances. Signer will insure that all inspection requests are made a minimum of 24 hours prior to the requested time.

Signature of Applicant: [Signature] Date: 09/18/24

Print Name: Blake Bacall

Signature of Owner: [Signature] Date: 09/18/24

Print Name: Blake Bacall

<i>Office Use Only</i>		
Case #: _____	Date Received: _____	Fee(s): _____



**THE FOLLOWING PAGE IS FOR REFERENCE ONLY
AND SHOULD NOT BE SUBMITTED WITH YOUR APPLICATION**

The City of Grand Haven Planning Commission meets in a regular session on the second Tuesday of each month at 7:30 p.m. in the City Council Chambers, 519 Washington, Grand Haven, Michigan.

Materials related to requests for Board action, including any required fees, must be filed at the Community Development Department located at 519 Washington Avenue, Grand Haven, Michigan, 49417. Questions may be directed to Brian Urquhart, City Planner, at (616) 935-3276.

Filing requests which are not complete or which are not filed by the meeting deadline, as determined by the City Planner, will not be placed on the agenda of the respective Board meeting, nor will they be considered at the respective Board meeting.

Filing deadlines are established:

- To comply with various Ordinance requirements;
- To permit adequate time for staff to arrange the notice for publication as may be required;
- To permit adequate time for staff to arrange the mailing of notices as may be required;
- To permit adequate time for the Board and staff to review the filed materials.

Filing deadline	Tentative Meeting Date
December 6, 2023	January 9, 2024
January 10, 2024	February 13, 2024
February 7, 2024	March 12, 2024
March 16, 2024	April 9, 2024
April 10, 2024	May 14, 2024
May 8, 2024	June 11, 2024
June 5, 2024	July 9, 2024
July 10, 2024	August 13, 2024
August 7, 2024	September 10, 2024
September 4, 2024	October 8, 2024
October 9, 2024	November 12, 2024
November 6, 2024	December 10, 2024
December 11, 2024	January 14, 2025

Please note that a Pre-Application Conference is required prior to submission of an application for a Planned Development. See Section 40-421.04 of the City of Grand Haven Zoning Ordinance for the Planned Development application process, submittal requirements, and approval procedures.





Home 2 Suites by Hilton Grand Haven Development Project Narrative

Elite Hospitality Group plans to construct a 100-room extended stay hotel featuring one of Hilton's most prominent brands: Home2 Suites by Hilton. Home2 Suites by Hilton is a suite extended-stay concept offering stylish accommodations. Home2 Suites by Hilton offers many amenities, including complimentary breakfast, complimentary Wi-Fi, 24-hour business center pet-friendly suites, multiple outdoor spaces and an indoor pool / fitness center.

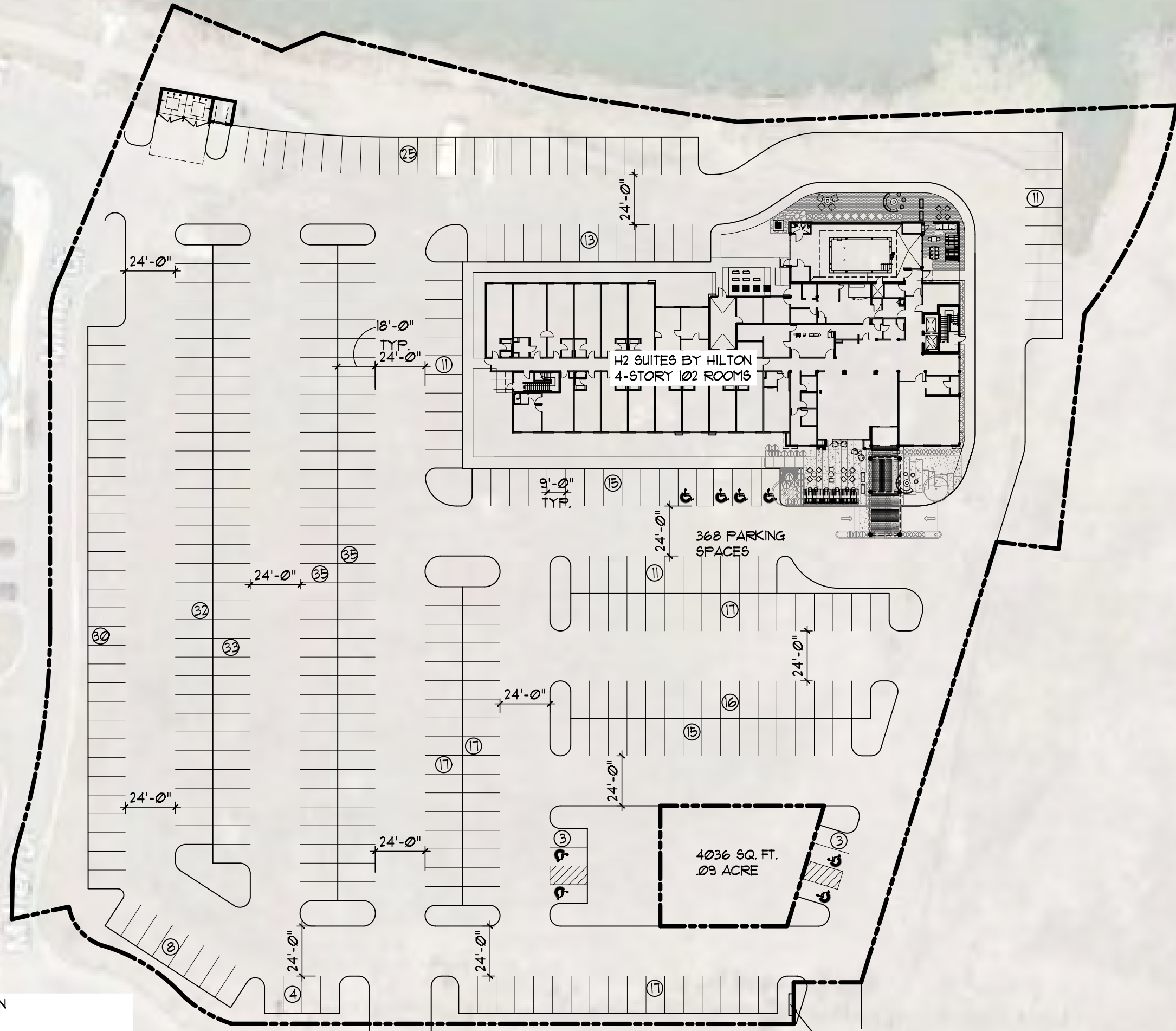
The hotel is strategically positioned to maximize the beautiful views of the Grand River. Elite Hospitality Group, which currently owns and manages the Holiday Inn Spring Lake/Grand Haven, recognizes the importance of providing guests with stunning waterfront views. This new development is a response to the high demand from visitors who truly enjoy visiting the beautiful city of Grand Haven Michigan! Elite believes in the growth of Grand Haven which has only increased year over year!

About Elite Hospitality Group:



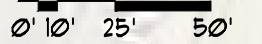
Elite Hospitality Group is a hotel development and management company committed to excellence, integrity, and loyalty to our guests, team members, and financial partners. EHG firmly believes in working collaboratively with owners, investors, and associates to create the best possible experience for our guests. Our expertise encompasses every aspect of hospitality, including acquisitions, dispositions, renovations, finance, construction, planning, development, design, accounting, cost control, and management. Our vision is to achieve maximum results through a unique, driven approach to hospitality management, which has earned EHG numerous industry awards. Since our inception in 1995, Elite has owned over 33 hotels and completed dozens of hotel real estate acquisitions and developments. Today, EHG's portfolio includes 26 hotels, featuring brands such as Hilton, Marriott, IHG, Choice, and Red Roof.

We specialize in operating award-winning limited, extended stay, select, and full-service properties, providing comprehensive management services including development, renovation, and re-positioning for both new and existing properties. Our company emphasizes the highest levels of cleanliness and exceptional property maintenance. To learn more about Elite Hospitality Group please visit our website at www.elitehospitalitymi.com

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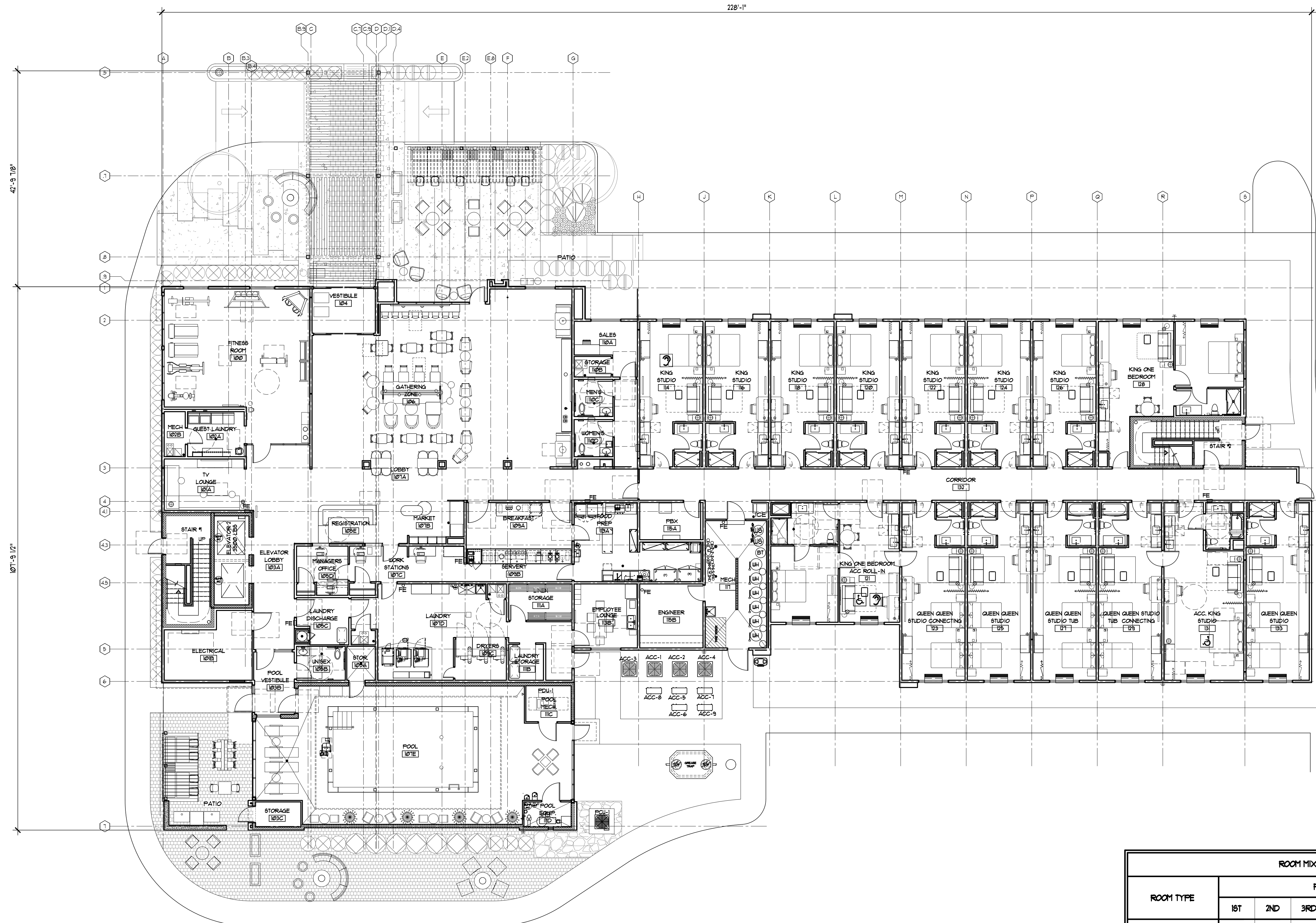


HOME 2 SUITES BY HILTON
GRAND HAVEN, MI
ELITE HOSPITALITY
#23101-06
12-2-24

 NORTH
 **1 SITE PLAN**
SCALE: 1" = 50'-0"

0' 10' 25' 50'

ARCHITECTURAL GROUP III
201 S. Nappanee St. Elkhart Indiana 46514-1953 • 574/293-0008
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FIRST FLOOR PLAN
 SCALE: 3/32" = 1'-0"
 NORTH

POOL DESIGN TO INCLUDE THE FOLLOWING:

- PROFESSIONALLY DESIGNED, COMMERCIAL GRADE, SLIP PROOF DEPTH MARKINGS (SHOWN IN BOTH FEET AND METERS) ON TOP SIDE OF THE POOL COPING AT THE WATER LINE.
- PROFESSIONALLY DESIGNED, COMMERCIAL GRADE, SLIP PROOF "NO DIVING" TILES AND THE INTERNATIONAL "NO DIVING" SYMBOL ADJACENT TO THE DEPTH MARKINGS. WORDS AND SYMBOLS MUST BE DISPLAYED IN CONTRASTING COLORS TO THE BACKGROUND.
- SHEPHERD'S HOOK, RING, ROPE, ETC. (SEE BRAND STANDARDS FOR COMPLETE LIST)
- "POOL RULES" & "HOURS OF OPERATION" SIGNAGE.
- SALINE DISINFECTING SYSTEM TO BE INSTALLED AT POOL.

ROOM TYPE	FLOOR					TOTAL	%	SHEET NUMBER
	1ST	2ND	3RD	4TH	TOTAL			
KING STUDIO	1	12	12	12	43		A31	
KING STUDIO CONNECTING	0	0	0	0	0	45%	A31	
KING STUDIO ACC	0	1	1	0	3		A32	
KING ONE BEDROOM	1	1	1	1	4		A33	
KING ONE BEDROOM ACC ROLL-IN	0	1	0	0	1	4%	A34	
KING ONE BEDROOM ALTERNATE	0	1	1	1	3			
QUEEN QUEEN STUDIO	2	7	7	7	23		A35	
QUEEN QUEEN STUDIO LONG	0	2	2	2	6		A35	
QUEEN QUEEN STUDIO WIDE CONNECTING	0	1	0	0	1		A35	
QUEEN QUEEN STUDIO CONNECTING	1	1	1	1	4	41%	A35	
QUEEN QUEEN STUDIO TUB (CONNECTING)	2	3	3	3	11			
QUEEN QUEEN STUDIO ACC	0	0	1	2	3		A36	
TOTAL	15	29	29	29	102	TOTAL ROOMS		
SQ. FT.	17,873	16,090	16,090	16,090	66,143	TOTAL SQ. FT.		

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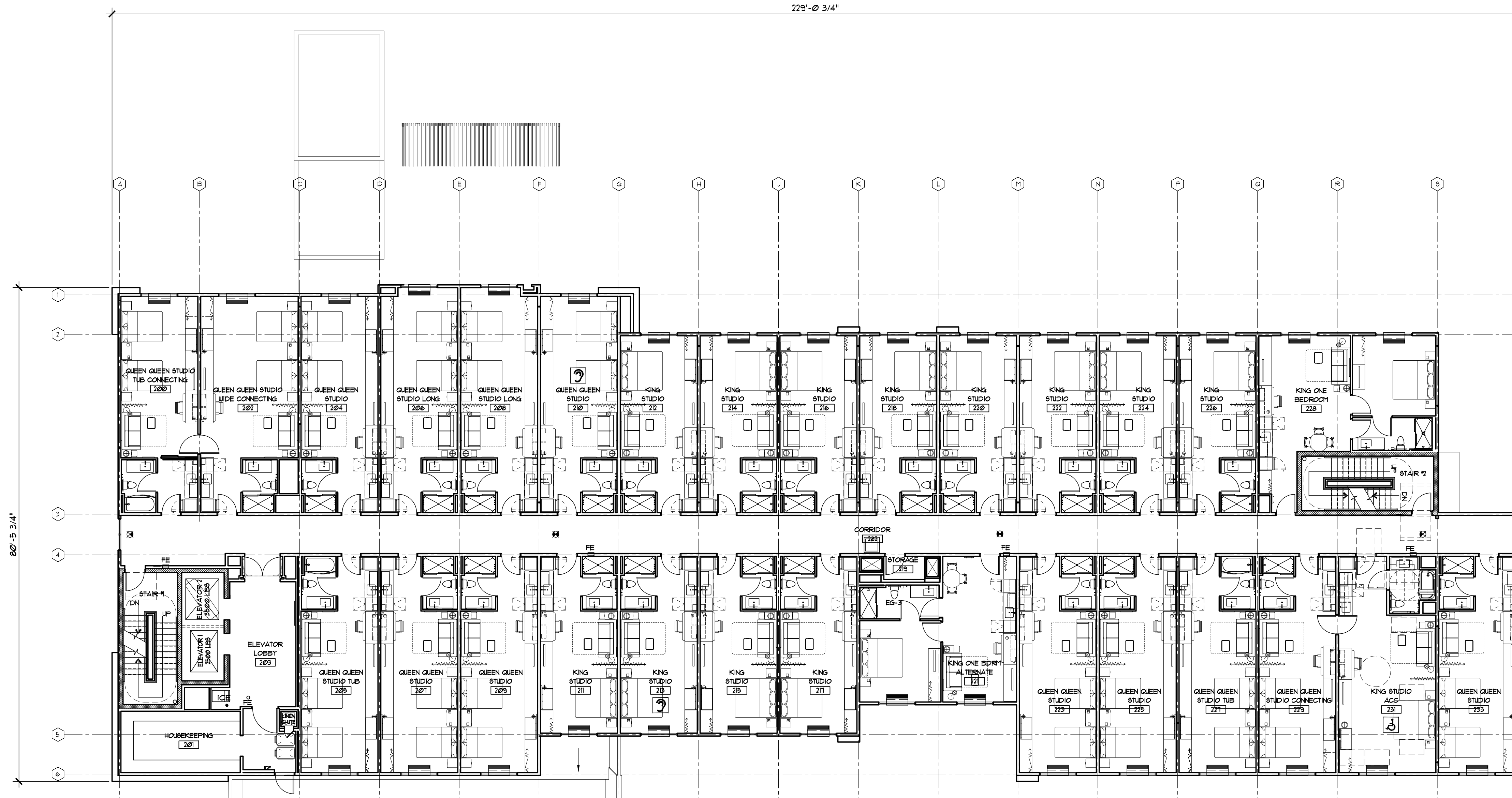


Home2 SUITES
 650 S. HIGHWAY DR
 GRAND HAVEN, MI
 A NEW 102 ROOM HOTEL

JOB NO.
24112
 DATE
12/20/24
 REVISIONS

SHEET NO.
A1.1
 FIRST FLOOR PLAN

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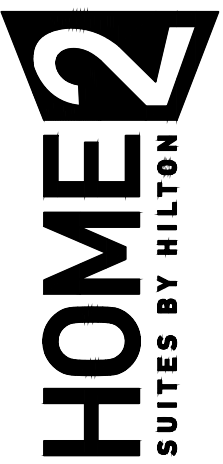


2 SECOND FLOOR PLAN
 SCALE: 3/32" = 1'-0"

ARCHITECTURAL GROUP III

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JOB TITLE

Home2 SUITES

650 S. HIGHWAY DR
 GRAND HAVEN, MI

A NEW 102 ROOM HOTEL

JOB NO.
 24112

DATE
 12/20/24

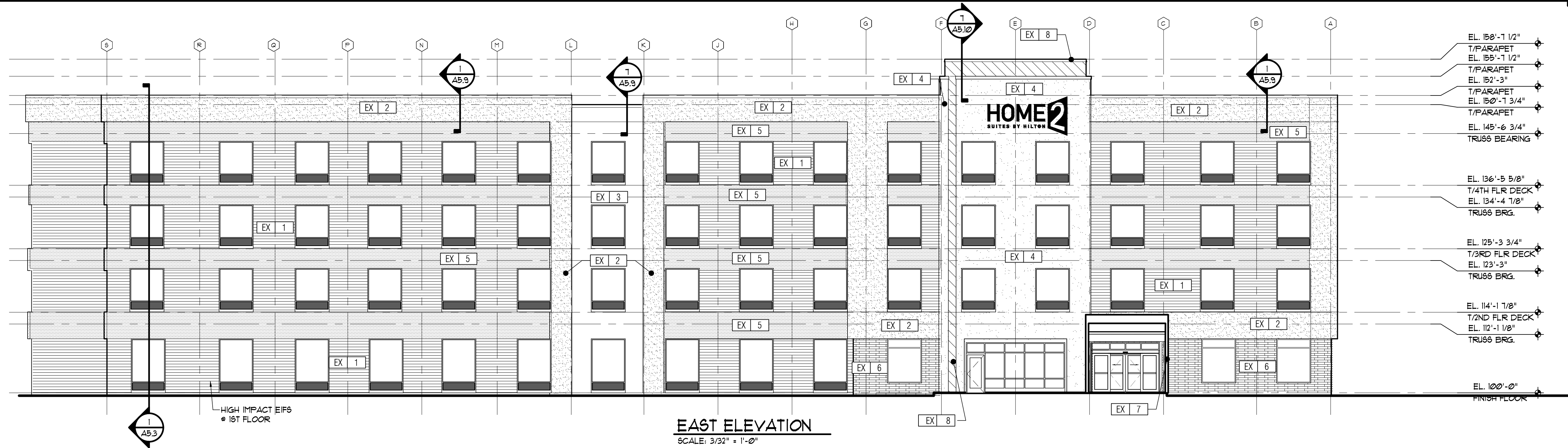
REVISIONS

SHEET NO.

A1.2

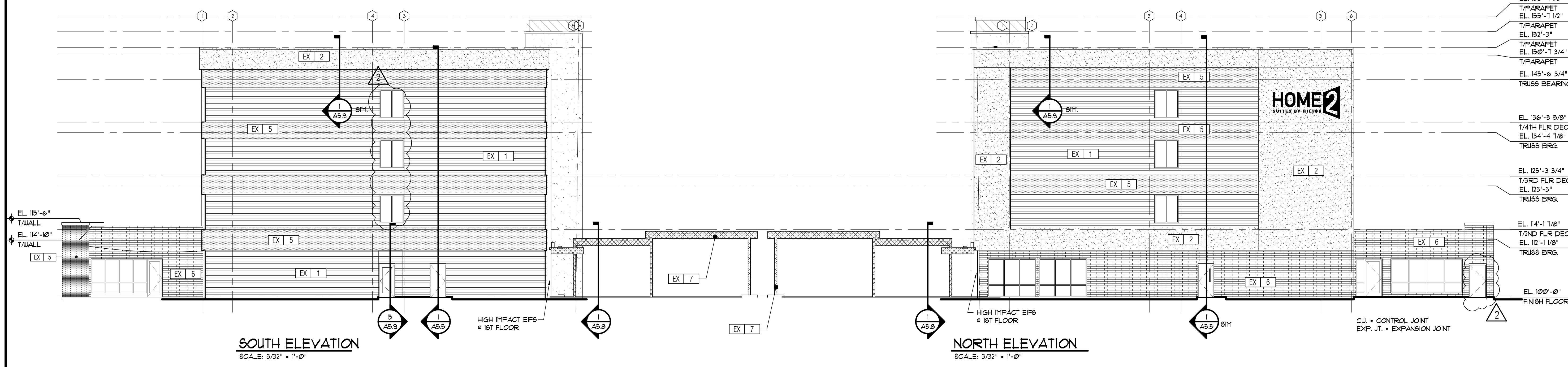
2ND & 3RD
 FLOOR PLANS

S:\ACAD DRAWINGS\HOTEL\SHOME2 Suites\Grand Haven, MI 24112\24112A1.2.dwg, 12/20/2024 12:48:28 PM, Aram, _AutoCAD PDF (General Documentation).pc3, 0.00375.12



- EL. 158'-1 1/2" T/PARAPET
- EL. 155'-1 1/2" T/PARAPET
- EL. 152'-3" T/PARAPET
- EL. 150'-1 3/4" T/PARAPET
- EL. 145'-6 3/4" TRUSS BEARING
- EL. 136'-5 5/8" T/4TH FLR DECK
- EL. 134'-4 1/8" TRUSS BRG.
- EL. 125'-3 3/4" T/3RD FLR DECK
- EL. 123'-3" TRUSS BRG.
- EL. 114'-1 1/8" T/2ND FLR DECK
- EL. 112'-1 1/8" TRUSS BRG.
- EL. 100'-0" FINISH FLOOR

EAST ELEVATION
SCALE: 3/32" = 1'-0"



- EL. 158'-1 1/2" T/PARAPET
- EL. 155'-1 1/2" T/PARAPET
- EL. 152'-3" T/PARAPET
- EL. 150'-1 3/4" T/PARAPET
- EL. 145'-6 3/4" TRUSS BEARING
- EL. 136'-5 5/8" T/4TH FLR DECK
- EL. 134'-4 1/8" TRUSS BRG.
- EL. 125'-3 3/4" T/3RD FLR DECK
- EL. 123'-3" TRUSS BRG.
- EL. 114'-1 1/8" T/2ND FLR DECK
- EL. 112'-1 1/8" TRUSS BRG.
- EL. 100'-0" FINISH FLOOR

SOUTH ELEVATION
SCALE: 3/32" = 1'-0"

NORTH ELEVATION
SCALE: 3/32" = 1'-0"

C.J. = CONTROL JOINT
EXP. JT. = EXPANSION JOINT

EX 1	CORE - NICHINA FIBER CEMENT ARCH WALL PANEL, COLOR: VINTAGEWOOD, REDWOOD, AWP 18-18	EX 5	ACCENT BAND - EIFS, COLOR: GULL WING GRAY (2134-50)
EX 2	WRAP - EIFS, COLOR: MATCH CREAM FROTH (OX-91)	EX 6	SUPPORT - ELDORADO STONE BY BORAL, STACKED STONE KORTAK RIDGE
EX 3	LINK - EIFS, SMOOTH FINISH, COLOR: SANDY BROWN (1046)	EX 7	CANOPY / PORTE COCHERE - PAINT, COLOR: MATCH FANTONE 383 M
EX 4	KEEP - EIFS, COLOR: SANDY BROWN (1046)	EX 8	BEACON STRIPE - EIFS, COLOR: MATCH FANTONE 383 M

C.J. = CONTROL JOINT
EXP. JT. = EXPANSION JOINT
WINDOWS, WINDOW FRAMES AND LOUVERS TO BE FACTORY FINISHED IN CLEAR ANODIZED
DOORS; DOOR FRAMES TO BE FACTORY FINISHED TO MATCH WINDOW FRAMES



- EL. 158'-1 1/2" T/PARAPET
- EL. 155'-1 1/2" T/PARAPET
- EL. 152'-3" T/PARAPET
- EL. 150'-1 3/4" T/PARAPET
- EL. 145'-6 3/4" TRUSS BEARING
- EL. 136'-5 5/8" T/4TH FLR DECK
- EL. 134'-4 1/8" TRUSS BRG.
- EL. 125'-3 3/4" T/3RD FLR DECK
- EL. 123'-3" TRUSS BRG.
- EL. 118'-5" T/PARAPET
- EL. 114'-1 1/8" T/2ND FLR DECK
- EL. 112'-1 1/8" TRUSS BRG.
- EL. 100'-0" FINISH FLOOR

WEST ELEVATION
SCALE: 3/32" = 1'-0"

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Home2 SUITES
650 S. HIGHWAY DR
GRAND HAVEN, MI
A NEW 102 ROOM HOTEL

JOB TITLE
JOB NO. 24112
DATE 12/20/24
REVISIONS

SHEET NO. **A2.1**
EXTERIOR ELEVATIONS & NOTES

**CITY COUNCIL
CITY OF GRAND HAVEN
Ottawa County, Michigan**

Council Member _____, supported by Council Member _____,
moved the adoption of the following ordinance:

ORDINANCE NO. 2025-____

AN ORDINANCE TO APPROVE THE AMENDMENT OF THE GRAND LANDING
PLANNED DEVELOPMENT. THE PROPOSED AMENDMENT IS TO CONSTRUCT
A 102 ROOM DUEL-BRAND HOTEL.

THE CITY OF GRAND HAVEN ORDAINS:

Section 1. Approval of Project. Pursuant to subsection 40-421.07 of the City of Grand Haven Zoning Ordinance, the amendment to the Grand Landing Planned Development is approved. The amendment includes the following documents, which are incorporated by reference and attached as **Exhibit A** (later received documents shall control over earlier received documents):

- A. Application dated September 18, 2024;
- B. Two-page narrative from Hampton Inn and Home2 Suites by Hampton;
- C. Site plan dated December 2, 2024, and including A1.1 dated December 20, 2024; A1.2 dated December 20, 2024; and A2.1 dated December 20, 2024.

Section 2. Findings.

On the basis of the discussion had by the Planning Commission as reflected in the minutes of October 8, 2024, and on the basis of the discussion had by the City Council, the City Council finds that the PD as amended meets the purposes of Section 40-421.01; meets the qualifying conditions of Section 40-421.02; meets the developments requirements of Section 40-421.03. A, is a permitted use per B, meets the guidance standards of C; meets the standards of Section 40-421.05; and meets the standards of Section 40-421.06.

Section 3. Conditions.

- 1. The project will be constructed in one phase.
- 2. Signage will match the requirements of the Commercial District.

Section 4. Effective Date. This Ordinance shall take effect 20 days after its adoption or upon such later date as required by Public Act 110 of 2005, as amended.

YEAS:

NAYS:

ABSTAIN:

ABSENT:

APPROVED: _____2025

I certify that this ordinance was adopted by the City Council of the City of Grand Haven at a meeting held on _____, 2025, and published in the Grand Haven Tribune, a newspaper of general circulation in the City.

Marie Boersma, City Clerk

Introduced: _____

Adopted: _____

Published: _____

Effective: _____

4917-2280-8067 v1 [57570-5]

**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
PLANNING COMMISSION MINUTES
October 8, 2024**

A regularly meeting of the Grand Haven Planning Commission was called to order by Chair Dora at 7:00 pm. Upon roll call, the following members were present:

Present: Magda Smolenska, Amy Kozeneki, Dan Borchers, David Skelly, Tamera Owens, Joe Pierce, Chair Mike Dora

Absent: Vice-Chair Ryan Galligan, Jennifer Smelker

Also Present: City Planner Brian Urquhart, City Manager Ashley Latsch, Mayor Monetza, and members of the public.

Approval of Minutes

Motion by **Skelly**, seconded by **Smolenska** to approve the minutes of the September 10th meeting as printed. All ayes. **Motion passes.**

Approval of Agenda

Motion by **Pierce**, seconded by **Kozeneki** to approve the agenda as printed. All ayes. **Motion passes.**

Call to the Audience; First Opportunity

None

Case 24-31: A public hearing to consider a Major amendment to the Grand Landing Planned Development for a hotel (parcels #70-03-21-100-013; 014; 015; 016)

Urquhart introduced the case. Blake Becall of Elite Hospitality Group has submitted a request to develop vacant property east of Miller Dr. and north of Adams St. (parcels #70-03-21-100-013; 014; 015; 016) into a hotel. Grand Landing has always included plans for a hotel, however, due to the relocation and size increase, the Planning Commission determined at the July 23rd special meeting the changes are considered major, and would require that same review process for a Planned Development as outlined in Sec. 40-421.11. The meeting on October 8, 2024 will include a public hearing to consider the PD amendment and preliminary development plan. The Planning Commission will make a recommendation to the City Council concerning the PD amendment and preliminary development plan. The City Council will then approve or deny the PD amendment and preliminary development plan. If the Council approves the PD, then the applicant will return to the Planning Commission for a final development plan approval and sensitive area overlay review.

The Planned Development requires approval of a preliminary development plan and final development plan.

Elite Hospitality Group is requesting to relocate the hotel towards the east on the parcel with a building orientation of east-west. The hotel will feature two patios and an outdoor lounge, and 332 total parking spaces. There will be a dumpster located near the southwest corner of the parking lot. The preliminary hotel plans call for mixture of exterior material color and type, with various architectural features and articulation. The final design of the hotel can be refined during final plan review.

Utilities, lighting, landscaping, public benefit, and storm water management can be evaluated as part of the final development plan review.

Staff received one public comment against the Planned Development amendment. In lieu of Commissioner Smelker's absence, she sent an email to the commissioners with her comments for review as well.

Blake Becall of Elite Hospitality Group was present.

Chair Dora opened the public hearing at 7:08 pm.

No public comment.

Motion made by **Owens**, seconded by **Smolenka** to close the public hearing. All ayes. **Motion passes.**

Chair Dora closed public hearing at 7:09 p.m.

Pierce began the conversation by stating he appreciated the research and was excited about this development. Any issues that he previously had were resolved. He did mention that he would like to consider the cosmetics of the east side of the building as it's the first impression as people come into town. He voiced he was in agreement with one of the ideas that Smelker brought up in her email recommendation about having a green space buffer between the parking lot and boardwalk.

Becall responded by stating that Eite wanted to provide enough greenery/landscaping buffer so that it would both complement the aesthetics as well as satisfy what the commissioners were looking for.

Borchers had no comments.

Skelly asked for examples of the new concept design. Becall stated he would work to find something comparable and send it to the commissioners.

Skelly also inquired if the water was accessible from the property. Becall stated there were no current plans for that. Skelly also voiced that he agreed with Smelker's email recommendation to add bicycle racks. Becall agreed with this recommendation,

Kozenecki also stated she previously had similar questions. She mentioned she felt the parking lot seemed to be large, and encouraged designers to make this look less like a parking lot. Kozenecki also asked for a footprint comparison of this project to the Holiday Inn. Becall felt as though this project would be smaller in comparison but would send the details of the square footage to commissioners for their review. Kozenecki also voiced concern about the flow of traffic on and off Jackson.

Smolenska echoed her concerns about the size of the parking lot. She inquired about implementing screening around the parking lot to help hide it. She also mentioned she appreciated the how building was rotated in the updated design.

Owen also commented stating she liked the updated design. She also inquired about the vacant lot to the east that was state owned and wondered if there were plans for development there. Urquhart stated the property was owned by MDOT and the City was not aware of their plans at this time.

Chairmen Dora mentioned he had nothing further to add to the previous comments. He did mention the only other thing that Smelker brought up in her email comments was about the lighting. Becall responded the brand takes those things seriously from a liability standpoint, and there will be sufficient lighting.

Urquhart inquired about the exterior colors, making sure that the brand would be in concert with what City was looking for. Becall mentioned common ground would need to be found between the Hilton Brand and the City, but did not see a problem with the collaboration.

Urquhart also inquired if the 100 square feet for signage would be enough. Becall mentioned he felt that it would be sufficient.

Motion made by **Smolenska**, seconded by **Owens**, to approve Case 24-31, a request for a major amendment to the Grand Landing Planned Development for a hotel and approval of the associated preliminary development plan located on vacant property East of Miller Drive and north of Adams Dr. (parcels #70-03-21-100-013; 014; 015; 016) subject to the following conditions:

- 1) *The project will be constructed in one (1) phase*
- 2) *Signage requirements shall match the requirements of the Commercial District.*

Roll call vote. All ayes. **Motion passed.**

Case 24-35: A public hearing for Special Land Use –187 Grand Retaining Wall (parcel #70-03-29-377-022).

Urquhart presented the case. Adrian Chevez, of *Chevez Concrete*, on behalf of property owner Doug Suchecki, submitted a special land use request for a retaining wall located at 187 Grand Ave. (parcel #70-03-29-377-022). The retaining wall measures greater than 48 inches in height, which shall require special land use permit review by the Planning Commission. Last month, the Building Official discovered a concrete retaining wall being poured by Chevez Concrete at 187 Grand Ave. and gave a warning the retaining wall shall require a retaining wall and building permit. Due to the fact the wall is greater than 48 inches in height, a special land use approval by the Planning Commission is also required. The contractor elected to complete the pour after receiving the warning. He subsequently filed for a building, retaining wall, and special land use permits. According to the property owner, the replacement of the retaining wall was to enhance and stabilize the small hill between their property and the neighbors at 191 Grand Ave. The retaining wall is taller and longer than the former wall. Section 40-327 of the Zoning Ordinance provides requirements for retaining walls and outlines provisions for administrative approvals and Planning Commission approvals. The applicant has provided responses to 40-116.03A. for special land uses.

Homeowner, Doug Suchecki was present.

Chair Dora opened public hearing at 7:29 p.m.

Anna Harms, 191 Grand, who lives adjacent to the property, stated she is in full support of the special land use permit. Feels like a retaining wall will be helpful with the erosion. Suchecki's have always communicated about any projects they are doing and have been amazing neighbors.

Motion made by **Skelly**, seconded by **Pierce** to close the public hearing. All ayes. **Motion passes.**

The public hearing was closed at 7:30 p.m.

Owens, Smolenska, and Kozencki had no additional comments.

Skelly inquired if the owner was notified before the contractor received the warning. Suchecki stated he arrived at the house when the building inspector was there talking to the contractor. He believed he was halfway through the pour when they were notified. The building inspector left Suchecki with specific instructions to contact a Structural Engineer to look at the wall. The Engineer determined that 24 inch rebar was needed for any area of the wall above 4 feet. The homeowner has made the corrections requested and has been in touch with the building inspector for updates and additional requirements.

Borchers, Pierce, and Chairman Dora had no additional questions.

Motion by **Kozencki**, seconded by **Smolenska**, to approve Case 24-35, a special land use permit for a retaining wall greater than 48 inches in height at 187 Grand Ave. (parcel #70-03-29-377-022) based on the information submitted for review.

Roll call vote. All ayes. **Motion passed.**

New Business

Case 24-34: Amendment to Noto's PD – additional sign

Urquhart introduced the case. In October 2023, the Planning Commission approved the final development plan for Noto's at 1223 S. Harbor Drive. The final development included a sign plan, which included one sign on the north wall facing the parking lot. Under the regulations for a Planned Development, any signage changes must be reviewed as specified in the Planned Development ordinance. In this case, the approved PD ordinance did not indicate any additional signs. Earlier this year, the applicant approached the city regarding an additional sign on the south wall. The primary reason to attract attention to motorists traveling north on S. Harbor Dr. Before review, staff ensured all conditions of the Planned Development approval were met. The guidance on how to determine what changes would be considered major or minor can be found in Section 40-421.11.B of the Zoning Ordinance. These examples are meant as a guide to aid the Planning Commission in deciding.

B. Modification of a final development plan. Minor changes to a PD final development plan may be approved by the planning commission, as follows.

- 1. The relocation of structures, the relocation and reconfiguration of roads, planting areas, parking areas, signs, lighting, and driveways provided that all such improvements remain in the same general location as approved by the planning commission and provided further*

that all such changes shall result in no significant additional impact on adjoining properties than would result from the original development.

Summary of Proposed Changes

- One illuminated 45 sq. ft. wall sign installed on the south wall

The Planning Commission could determine according to Sec. 40-421.11.B, an additional wall sign will not result in any significant impact on adjoining properties and classified as minor. However, nothing shall prevent the Planning Commission from determining any change as a major change.

The property Owner was not present.

Borchers asked for clarification if the original plan included a second sign. He also which portion of the sign would be illuminated.

Pierce stated that due to the fact the sign wasn't in the same general location, it would classify as a major change.

Skelly stated he felt this was a minor change.

Kozenecki stated because there was a change in the original plan, she felt that it would be a major change.

Smolenska felt as though this would be considered a major change due to the illumination of the sign.

Owens also felt as though it might be considered a major change due to illumination as well, but felt it might require further consideration. Owens stated she would like to see this go through a public hearing.

Chair Dora felt due to the language in the modification of a development plan, that it would be considered a major change.

Motion made by **Smolenska**, seconded by **Pierce** to approve Case 24-34, the additional wall sign is considered MAJOR and therefore will require re-consideration of the preliminary development plan, which will include public hearings at both the Planning Commission and City Council level.

Roll call vote. All ayes. **Motion passed.**

Old Business

Case 24-12: Site Plan Review – Village Green Storage Area Expansion

Urquhart presented the case. The Village Green submitted a Site Plan Review application for a proposed expanded outdoor storage area for Village Green residents. The proposed storage area is to the immediate south of an existing fenced in storage area. Section 40-318.02 of the Zoning Ordinance requires the Planning Commission approve outdoor storage areas in the Industrial District.

Residents' boats, trailers, and RVs will be stored in this expanded storage area. The area will be paved, sloped to the north into the existing Village Green development, and it will be fenced The proposal

conforms to the requirements of the Zoning Ordinance, including landscaping and screening. The applicant approached the City earlier this year, however, the City requested confirmation for construction approval from the Federal Aviation Administration (FAA). The applicant patiently waited and ultimately received approval from the FAA.

The Dept. of Public Works, the Airport Manager, and the Board of Light & Power did not have any concerns with the outdoor storage area.

Applicant representative, Lisa Hamm of 311 N. Terrill was present. She stated she had been working with the airport manager and the FAA to make sure she was following regulations.

Borchers and Pierce had no additional questions.

Skelly inquired if the City had any additional approval that the documentation would be provided to the city.

Kozenecki, Smolenska, Owens, and Chair Dora had no further questions.

Motion made by **Kozenecki**, seconded by **Skelly** to approve case 24-12, a request from The Village Green for a Site Plan Review for an expanded outdoor storage area for Village Green located at vacant Comstock Street (parcel #70-03-34-100-039), based on the information submitted for review with the following conditions:

- 1) All FAA confirmation documentation shall be provided to the city.

Roll call vote. All ayes. **Motion passed.**

Case 24-04a: Extension of the condition of lot split approval

Urquhart presented the case. Denny Dryer of *Dyer Architects* has submitted a written request to extend the deadline to grade the mound on parcel 1 at 924 Beechtree St. (parcel #70-03-27-315-011) to a later date. In February 2024, the Planning Commission approved PC Case 24-04, approving the lot split at 924 Beechtree into 5 lots (see attachment A) with conditions of approval (see attachment B). Condition 5 stated: "The existing mound on parcel 1 must be graded to acceptable means as determined by the City Planner within 90 days after approval".

On April 30, 2024, Mr. Dryer requested to extend the deadline to grade the mound of dirt to the end of September (see attachment C). In the request, Mr. Dryer stated he did not receive the lot split descriptions until the week prior, therefore not enough adequate time was available to grade the mound. Staff granted the extension as a minor amendment based on Sec. 40-115.09.A. This determination was confirmed as an appropriate minor amendment by the City Attorney.

However, after conversations with Mr. Dryer, it is evident the mound will not be graded by the end of September and he is requesting additional time. Staff will not grant another extension and refer the request to the Planning Commission for a determination in accordance with Sec. 40-115.09.B. In his email dated October 3, 2024, Mr. Dryer implies he will submit applications and combine parcels A, B, D, and E

and rezone to Transitional Industrial. He noted part of the reason for the delay is that PolyPly located at 1540 Marion Ave. will need 2,300 cubic yards of the mound to fill for what is currently parcel B. Mr. Dryer estimates the total mound is approximately 3,400 cubic yards. He does not specify what the remaining 1,100 cubic yards will be used for.

Based on the information submitted, the Planning Commission retains full discretion to approve or deny the extension request.

Applicant Denny Dryer, 220 ½ Washington was present.

Borchers had no questions. Pierce would like to see a plan set in place so that it does not go back in front of the PC again. Skelly would also like to set parameters and move forward with this. Dryer responded stating June should be plenty of time for the mound to be shifted.

Kozenecki stated she was fine with the extension, but asked for a copy of the purchase agreement once obtained.

Smolenska and Owens also agreed with Kozenecki and stated they would be ok with an extension of six to seven months.

Chair Dora stated he was tired of seeing through a mound in the setback and would like to see it moved out of it. Would also agree to the extension as long as it does not exceed the time.

Motion made by **Skelly**, seconded by **Kozenecki** to approve case 24-04a, a request to extend the condition of approval to grade the mound on parcel 1 at 924 Beechtree St. (parcel#70-03-27-315-011) to a later date, based on the following reasons:

- 1) *The applicant has provided evidence of a proven hardship to complete the removal of the existing mound on parcel 1.*
- 2) *Extension not to exceed April 30th, 2025.*
- 3) *Confirmation of purchase agreement.*

Roll call vote. **Yeas: Pierce, Smolenski, Skelly, Owens, Borchers, Kozenecki Nays: Chair Dora**
Motion passed

Zoning Board of Appeals Liaison Report

Kozenecki reported there wasn't a meeting to report, but will be reviewing 3 cases at the next meeting.

City Planner Report

Attended Michigan Association of Planning Conference.

Call to the Audience; Second Opportunity

Lisa Hamm. 311 Terrill, spoke stating they will make sure all FAA documents are provided.

Motion made by **Kozenecki**, seconded by **Pierce** to Adjourn.

Roll call vote. All ayes. **Motion passed.**

Adjournment: Chair Dora adjourned the meeting at 8:37 pm.

Melissa Bos, Executive Assistant to City Manager

CITY OF GRAND HAVEN

Planning Department

519 Washington Ave
Grand Haven, MI 49417
Phone: (616) 935-3276



TO: Ashley Latsch, City Manager

FROM: Brian Urquhart, City Planner

DATE: January 10, 2025

SUBJECT: 700 Washington Rezone to CT Centertown District – 1st reading

John Groothuis of Washington Place, LLC submitted a Zoning Change Application to rezone 700 Washington Ave. (parcel #70-03-21-358-019) into the Centertown Overlay District. The property is currently zoned Neighborhood Mixed-Use, which the underlying zoning district would not change. 700 Washington is a two-story brick condominium retail and commercial structure, currently home to Health Hutt, Grand Haven Tribune, and other businesses. The current zoning permits a building height up to 35 ft. By including the parcel into the Centertown Overlay District, the building height may be increased to 40 ft. or 3 stories, whichever is less.



Google Street View

Comparison of Site Placement Building Form Standards for Mixed-Use Development

	NMU	NMU (CT Overlay)
FY Setback	70% within build to zone	0 feet
RY Setback	15 feet	0 feet
SY Setback	0 feet	0 feet
Max. Lot Coverage	70%	100%
Building Height	35 feet	Lesser of 40 feet or 3 stories
Mixed-Use	Permitted by Right	Permitted by Right

On December 10th, the Planning Commission held a public hearing regarding the request to include 700 Washington Ave. into the Centertown Overlay District. The public comments received during the public hearing were in favor of the request.

The Planning Commission agreed the rezoning request would create consistency for parcels fronting Washington Ave. between 7th and 8th Streets. It is unknown why the Centertown Overlay District was drawn to its current boundary, but including 700 Washington Ave. was determined as a logical addition into the overlay district.

CURRENT ZONING MAP



Neighborhood Mixed-Use (NMU) is light purple

Centertown Overlay is represented in the blue dashed line

By including 700 Washington into the Centertown Overlay District, the 7th and Washington Ave. intersection could serve as a central node of activity for Centertown. The Planning Commission

determined the rezoning into the Overlay District which would allow for compact, dense, mixed-use development, which would align with the intent of the zoning ordinance, and with the vision outlined in the Master Plan and the Centertown Sub Area Plan. Following the public hearing, the Planning Commission unanimously recommended approval.

City Council Action

At the January 6th meeting, Council agreed to move forward with the rezoning. January 21st in the final reading, which can be adopted.

Once the rezoning is approval, the applicant can submit a site plan to the Planning Commission

Attachments:

Zoning ordinance amendment, rezoning application, December 10th PC meeting minutes



REQUEST FOR ZONING CHANGE APPLICATION
Community Development Department, City of Grand Haven
519 Washington Avenue, Grand Haven, MI 49417
Phone: (616) 935-3276 Website: www.grandhaven.org

1. General Information (if the proposed amendment is a map amendment, aka rezoning)

Address/location of property: 700 Washington Grand Haven, Mi. 49417
Parcel #: 70-03-21-358-019 Master Plan designation: _____
Current Use: retail office service Proposed Use: mixed use
Existing Zoning: Neighborhood mixed use Area in Acres: .84 acres 38,000 +/- SF
Proposed Zoning: Center Town Overlay Area in Acres: above

2. Owner

Name: Washington Place, LLC
Address: 18 N. 5th Street Grand Haven, Mi. 49417
Phone #: 616-847-1031
Email: John@capstonecompanies.net

3. Applicant

Name: Same as #2
Address: _____
Phone #: 616-283-0757 (John)
Email: _____

4. Required Attachments

- PDF + 5 copies of application
- Property deed (rezoning)
- Plat or sketch (rezoning)
- Justification for request (see sec. 40-121 on page 2)
- Power of attorney (if applicable)
- Existing and proposed section language from Zoning Ordinance (if the proposed amendment is a text amendment)

5. Fees and Escrow Deposit

Application Fee: \$400

A deposit of \$1,500 shall be collected for all Planning Commission and Zoning Board of Appeals cases where it is expected that costs above staff time and one public hearing publication will be incurred. These expenses include additional public hearing notifications, attorney fees, engineering or surveying fees, or other special studies. Should expenses total more than the deposit, the applicant will be billed by the City for the additional costs, or additional escrow payment shall be required to complete the Planning Commission or Zoning Board of Appeals process. Should expenses total less than the deposit received, excess amounts shall be returned to the applicant.

Petition will not be accepted without signature of legal owner or official agent (attach power of attorney).

Signature of Proposed Owner: [Signature] Date: 10-16-24

Print Name: John D. Groothuis, member Washington Place, LLC

Signature of Applicant: [Signature] Date: 10-16-24

Print Name: John D. Groothuis, member Washington Place, LLC

<i>Office Use Only</i>		
Case #: _____	Date Received: _____	Fee: _____
Date of City Council Approval: _____		



ZONING CHANGE APPLICATION PROCESS

Application for rezoning is filed: An application is deemed complete upon submission and acceptance of the completed application form and all required documentation. Once an application is deemed complete, a petitioner will be scheduled for a public hearing on the next available slot on the Planning Commission's agenda, which will be at least 34 days after submission of the application, but within forty-five (45) days of the submission of a complete application prepared in accordance with this Zoning Ordinance.

Notice of Public Hearing: The City shall, not less than 15 days before the date of the public hearing, serve written notice, either in person or by regular mail, to the owners and occupants of the property within 300 feet in each direction of the lot line of the subject property, pursuant to section 40-122 of the Zoning Ordinance.

Attendance: It is requested that the petitioner or a representative be present at the hearing to answer any questions the commissioners may have on the request or on the property involved.

Recommendation: Following the public hearing and review of the proposed zoning change and supporting data, the Planning Commission shall recommend approval, modification, or disapproval and the reasons therefore, to the City Council.

Approval: The Council, after receipt of the recommendation, shall approve, disapprove or modify the request. In case of approval, the Council shall pass an amendatory ordinance granting the zoning change. This ordinance must be read by the City Council two times prior to its approval and final adoption.

FACTORS FOR THE PLANNING COMMISSION TO CONSIDER

Excerpt from section 40-121 of the Zoning Ordinance:

Prior to making a recommendation on the proposed amendment to the city council, the planning commission shall consider the factors specified as follows:

- A. If the proposed amendment is a map amendment (rezoning), the planning commission shall consider the following:
 1. If the proposed zoning amendment is consistent with the city's adopted master plan.
 2. If the proposed zoning amendment is consistent with recent development trends in the area.
 3. If the zoning amendment is compatible with existing or future land uses in the vicinity of the subject site or throughout the zoning district(s) affected by the proposed amendment.
 4. If existing or planned public infrastructure, including streets, sanitary sewers, storm water, water, sidewalks, and street lighting are capable of accommodating potential changes in land use resulting from the proposed amendment.
 5. If the proposed amendment is consistent with the intent and purpose of this ordinance and whether the proposed amendment would protect the health, safety, and welfare of the city.
- B. If the proposed amendment is a text amendment, the planning commission shall consider the following factors:
 1. If the proposed text amendment would clarify the intent of the ordinance or correct an error.
 2. If the proposed text amendment would address changes to state legislation, recent case law, or opinions from the Attorney General, or promote compliance with changes in other county, state or federal regulations.



3. In the event the amendment will add a use to a district, if the proposed use is fully consistent with the character of the range of uses provided for within the district, and that the amendment will not create incompatible land uses within a zoning district, or between adjacent districts.
4. If the proposed amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements, and similar technical items.
5. If the proposed amendment is consistent with the city's ability to provide adequate public facilities and services, and is consistent with the city's desire to protect the public health, safety, and welfare of the community.



The Centertown Vision Plan is an outgrowth of the Downtown Master Plan that encourages a range of additional housing options and revitalization and rehabilitation of existing buildings/properties. Centertown is considered the gateway into downtown and has received fewer public and private resources over the past decade and is overdue for revitalization. The proposed residential development mirrors the trend of successful investment in the downtown.

The Centertown overlay district building height allowance also mirrors downtown parameters and will not adversely affect neighboring properties as this request involves a corner parcel with the only adjacent property being a city parking lot. The rezone change will allow for significant private investment in the district and will encourage public streetscape funding which has been desired for years.

The 700 Washington site is part of a multi-phase redevelopment effort in Centertown and will help revitalize an area that has been talked about, but largely overlooked, for 20+ years. Capstone Companies is excited to be part of reshaping our Grand Haven community and respectfully requests this zoning change.



Legend

- Parcels

Notes

275.4 0 137.68 275.4 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

ZONING CHANGE APPLICATION NARRATIVE

Washington Place, LLC
700 Washington Avenue

Washington Place, LLC (“WPLLC”) owns the property commonly known as 700 Washington, which property is the subject of this re-zoning request (the “Subject Property”). The Subject Property is currently zoned Neighborhood Mixed Use (“NMU”) and the Contiguous Property is zoned Centertown Overlay.

WPLLC requests that the zoning classification of the Subject Property be included in the Centertown Overlay District to facilitate the planned 700 Washington development. WPLLC will be a mixed-use community located at the corner of 7th and Washington, and will revitalize a neighborhood long targeted for redevelopment by both the City and its DDA. WPLLC contemplates an energetic addition to the Subject Property and the office/service will include covered parking and both residential and retail spaces. WPLLC will not only bring new neighbors and business to this vital intersection, but will also spur growth and economic development on other parcels along the Washington Avenue and 7th Street corridors as well as throughout the greater *CenterTown* neighborhood.

The requested re-zoning satisfies each of the factors which the Planning Commission must consider under Zoning Ordinance §40-121(A):

1. *Consistent with the City’s Master Plan.* WPLLC’s revitalization and development plans for this mixed-use corner will provide additional housing and of a different type than presently exists in the neighborhood, and increased density of the parcel, bringing new residents to the neighborhood, and providing a larger consumer base for local businesses, all of which supports Goal One of the City’s Master Plan.
2. *Consistent with Recent Development Trends.* While little new development has occurred in the immediate area, urban development in general has moved toward smaller and more efficient dwelling spaces, almost always located above and/or adjacent to fresh, new and exciting commercial spaces. WPLLC will provide small and mid-sized residential units in conjunction with existing office, service and retail spaces.
3. *Compatible with Existing or Future Land Uses in the Vicinity.* Several of the parcels contiguous to the Subject Property are already zoned CenterTown Overlay. Moreover, the WPLLC development contemplates uses that are not only permitted, but already occurring in certain buildings within, the CenterTown Overlay district.
4. *Capable Infrastructure.* All necessary municipal infrastructure and utilities are already in place and (subject of course to routine maintenance and/or scheduled replacement) more than adequate to service the additional density

and the new residents that WPLLC will bring to the CenterTown Overlay district.

5. *Consistent with Intent and Purpose of Ordinance and Protect Health, Safety and Welfare of City.* The requested re-zoning is consistent with the intent of, and will have no adverse impact on the purposes or results of the zoning ordinance. In particular, the requested change will move an existing zoning-district boundary line less than 200 feet to the Southwest, and change the zoning classification of just one (less than 38,000 square foot and oddly-shaped) lot, access to which is restricted by the railroad right-of-way, to match the classification of the immediately-adjointing Contiguous Property. Nor would the re-zoning have any adverse effect on the health, safety and welfare of the City or any of its residents.

The irregular size of the Subject Property, constrained by the railroad right-of-way, presents significant challenges for any practical improvement. The flexibility permitted by a change to CenterTown Overlay zoning will allow for the creation of small and mid-size residential dwellings. WPLLC will provide a range of housing opportunities and choices in a distinct, walkable community.

If well-received by the consumer, WPLLC will be part of a multi-phase *CenterTown* rehabilitation. Smart growth is a key tool in shaping our Grand Haven community. In furtherance of that goal, WPLLC respectfully requests this zoning change to facilitate the commencement of the revitalization of *CenterTown*, including WPLLC at the intersection of 7th and Washington.

**CITY COUNCIL
CITY OF GRAND HAVEN
Ottawa County, Michigan**

Councilmember _____, supported by Council member _____, moved the adoption of the following ordinance:

ORDINANCE NO. 25-__
AN ORDINANCE TO APPROVE AN AMENDMENT TO THE ZONING MAP FOR THE CITY OF GRAND HAVEN TO REZONE CERTAIN PROPERTY TO THE CENTERTOWN OVERLAY DISTRICT.

THE CITY OF GRAND HAVEN ORDAINS:

Section 1. Approval of Zoning Map Amendment. Pursuant to subsection 40-121.A of the City of Grand Haven Zoning Ordinance, the property described in Section 2 of this Ordinance is added to the Centertown Overlay District.

Section 2. Property. This Ordinance pertains to the following property, which property is added to the Centertown Overlay District (the "Property"):

All of Lots 1 and 2 and the West ½ of Lot 3, also the West ½ of Lot 10 and all of Lots 11 and 12, Block 20, Monroe and Harris Addition, lying Easterly of the C & O Railroad right of way, Section 21, Town 8 North, Range 16 West

PIN 70-03-21-358-019
commonly known as 700 Washington Avenue, Grand Haven, MI 49417

Section 3. Findings. The Property and its development as proposed would be compatible with the surrounding area; the rezoning of the Property would be compatible with the City's master plan; the rezoning of the Property would be compatible with the intent of the Centertown Overlay District; and therefore the rezoning of the Property meets the standards of Section 40-121.A of the Zoning Ordinance.

Section 4. Effective Date. This Ordinance shall take effect 20 days after adoption or such later date as is required by Public Act 110 of 2006, as amended.

YEAS:
NAYS:
ABSTAIN:
ABSENT:
APPROVED: _____, 2025

I certify that this ordinance was adopted by the City Council of the City of Grand Haven at a regular meeting held on _____, and published in *The Grand Haven Tribune*, a newspaper of general circulation in the City, on _____.

_____, 2025

Maria Boersma, City Clerk

Introduced: _____

Adopted: _____

Published: _____

Effective: _____

**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
PLANNING COMMISSION MINUTES
December 10, 2024**

A regularly meeting of the Grand Haven Planning Commission was called to order by Chair Dora at 7:00 pm. Upon roll call, the following members were present:

Present: Magda Smolenska, Dan Borchers, David Skelly, Tamera Owens, Joe Pierce, Jennifer Smelker, Vice-Chair Ryan Galligan, Chair Mike Dora

Absent: Amy Kozeneki

Also Present: City Planner Brian Urquhart, Councilman Kevin McLaughlin, and members of the public.

Approval of Minutes

Motion by **Skelly**, seconded by **Vice Chair Galligan**, to approve the minutes of the November 12th meeting as printed. All ayes. **Motion passes.**

Approval of Agenda

Chair Dora moved that item D, Case 24-41: An application to amend the zoning map to remove the Sensitive Area Overlay designation on parcel #70-03-21-328-031, be moved to item A on this agenda. Add PC case 24-28 to revisit special land use conditions for 22 Franklin to Old Business.

Motion by **Skelly**, seconded by **Smelker**, to approve the agenda as printed. All ayes. **Motion passes.**

Call to the Audience: First Opportunity

None

Case 24-41: An application to amend the zoning map to remove the Sensitive Area Overlay designation on parcel #70-03-21-328-031

Urquhart introduced the case. In June 2024, the development team from the Salvation Army presented the preliminary plan for a housing development at the undeveloped 2.08-acre parcel south of their main facility at 310 Despeldar. The development team stated the site is presently overgrown brush and not a wetland. In addition, they assert the sensitive area overlay district precludes development of the site for housing. The underlying zoning district is NMU - Neighborhood Mixed-Use, which multiple-family dwellings are permitted by right in this district. At the November PC meeting, the Planning Commission determined there was enough information in the Wetland Delineation Report to schedule a public hearing, and reconsider the locally regulated wetland within the sensitive area.

The applicant is requesting the Planning Commission make a recommendation to remove the sensitive area overlay zoning designation on parcel #70-03-21-328-031. This process is outlined in Sec. 40-422.06 of the zoning ordinance. According to Sec. 40-422.02.B. a wetland is determined to be sensitive because it provides flood and storm control, wildlife habitat, pollution treatment, water recharge and storage area, benefits to water quality, and erosion control. Historical records and institutional knowledge have described the site as a former celery field.

According to the wetland report, an onsite assessment was conducted in August 2024. TriTerra identified a combination of forested wetland and emergent wetland on the property, identified as Wetland A in Figure A. TriTerra staff assessed vegetation by approximating the percent coverage of dominant plant species. Soil cores were collected, and the colors were determined using the Munsell Soil Color Chart. TriTerra determined whether each plant community satisfied the requirements to be a wetland, in which, under normal circumstances, the vegetative communities must be dominated by hydrophilic vegetation and hydric soil.

During the November meeting, members of the Planning Commission brought up a concern about whether the sensitive area overlay would be removed, but the project did not happen, and what would then be permitted on the property. Due to this concern, staff recommends the applicant provide context of the proposed housing project, should City Council approve the zoning change. Please note the application includes a conceptual design of a multiple-family housing development with a public road, but we are not conducting any site plan review.

The city received one correspondence opposed to this case.

Applicant Jacob Horner, head of real estate for Dwelling Place, was present.

Chair Dora opened the public hearing at 7:11 pm.

Mike O'Hara, 1015 Fulton, spoke in favor of preserving the wetland and feels it needs to be protected.

David Tenkate, 18. N.5th Street, said he favored removing local regulations to allow the development of affordable homes in the area.

Roger Skorupski, 11769 Lakeshore Dr, spoke on behalf of his daughter Meredith, 1040 Fulton, who also opposed removing the Sensitive Overlay Area.

Gerald Andre, 902 Elliot, also said he highly opposed the development.

Tom Reinsma, 1428 Woodlawn Commons, has served on the Salvation Army Boards for 50 years. He stated the property was purchased in 2000.

A motion was made by **Vice Chair Galligan** and seconded by **Smolenksa** to close the public hearing. All ayes. **Motion passes.**

Chair Dora closed public hearing at 7:26 p.m.

Borchers, Smelker, Pierce, Skelly, Owens, Smolenska, and Vice-Chair Galligan concurred that, based on today's standards, this property would not meet the requirements to be qualified as a sensitive overlay Area. They were all in agreement with this being removed from the property.

Char Dora was also in favor of moving the sensitive overlay area.

Motion made by **Vice-Chair Galligan**, seconded by **Owens**, to approve Case 24-41, a request to rezone parcel #70-03-21-328-031 by removing the Sensitive Area Overlay to City Council for the following reason(s):

- 1) Based on the Environmental Report, the area would no longer qualify as a Sensitive Overlay Area.

Roll call vote.

Yeas: Vice Chair Galligan, Skelly, Owens, Chair Dora, Smelker, Pierce, Smolenska, Borchers.

Motion passes.

Case 24-38: A public hearing for Zoning Change Request – 700 Washington Ave (parcel #70-03-19-426-002).

Urquhart presented the case. John Groothuis of Washington Place, LLC submitted a Zoning Change Application to rezone 700 Washington Ave. (parcel #70-03-21-358-019) into the Centertown Overlay District. 700 Washington is a two-story brick condominium retail and commercial structure, currently home to Health Hutt, Grand Haven Tribune, and other businesses. The current zoning permits a building height up to 35 ft. By including the parcel into the Centertown Overlay District, the building may be increased to 40 ft. in height or three stories, whichever is less. The applicant stated in their narrative, "The rezoning change would allow for significant private investment in the district." No formal plans have been submitted, but the intent is to construct an additional story for residential use.

Sec. 40-121 of the Zoning Ordinance provides the following for the Planning Commission to consider:

1. If the proposed zoning amendment is consistent with the city's adopted master plan. Comment: The City just adopted the Master Plan in May 2023, and the future land use classification for this parcel is Traditional Neighborhood Mixed-Use. NMU is identified as a potential compatible zoning district in the Zoning Plan on page 125 of the Master Plan.
2. If the proposed zoning amendment is consistent with recent development trends in the area. Comment: The rezoning would allow for a compact, dense, mixed-use development that aligns with the intent of the NMU and Centertown Overlay District. The Centertown Overlay district was established to increase density within this commercial node due to its proximity to the downtown core and its importance within the MSDDA district. Furthermore, the Centertown Overlay has access to publicly available (owned) parking and the proximity to public parks and other public amenities. Adjacent to 700 Washington is a city-owned public parking lot in the Centertown overlay district. All parcels south of Washington Ave. from 7th St. to 8th St. would hold the same development opportunities concerning building form, height, and size.
3. If the zoning amendment is compatible with existing or future land uses near the subject site or throughout the zoning district(s) affected by the proposed amendment. Comment: The future

land use for 700 Washington Ave. is Traditional Neighborhood Mixed-Use, primarily located within the OT, NMU, C, and E zoning districts. The FLU classification promotes the densely developed portion of the city's urban core and is within walking distance of key nodes. If new construction is proposed, it should follow the building placement and form standards of existing structures and renew and extend the traditional patterns of the area.

4. If existing or planned public infrastructure, including streets, sanitary sewers, stormwater, water, sidewalks, and street lighting, can accommodate potential changes in land use resulting from the proposed amendment. Comment: 700 Washington Ave. is currently served by existing public infrastructure, and land use changes will not negatively impact infrastructure. There are sidewalks and street lighting on Washington Ave.

5. Is the proposed amendment consistent with the intent and purpose of this ordinance, and would the proposed amendment protect the health, safety, and welfare of the city? Comment: As mentioned in item 2, the intent of the NMU and Centertown Overlay is met with this proposal. NMU and Centertown Overlay allows for nonresidential buildings to have a zero setback and 100% lot coverage, complementing the compact urban form of Centertown Overlay.

3.0 Comparison of Site Placement Building Form Standards for Mixed-Use Development NMU NMU (CT Overlay)

	NMU	NMU (CT Overlay)
FY Setback	70% within build to zone	0 feet
RY Setback	15 feet	0 feet
SY Setback	0 feet	0 feet
Max. Lot Coverage	70%	100%
Building Height	35 feet	Lesser than 40 feet or three stories
Mixed-Use	Permitted by Right	Permitted by Right

As of today, the city has not received any correspondence.

The applicant, David Tenkate, was present.

Chair Dora opened public hearing at 7:46 p.m.

Joyce Workman, 7 N. Seventh St, spoke, stating she appreciated Capstone’s transparency and that it has been a great example of working together to make progress.

Motion made by Owens, seconded by Skelly to close the public hearing. All ayes. Motion passes.

The public hearing was closed at 7:48 p.m.

No concerns or questions from the Commissioners.

Motion by **Pierce**, seconded by **Smolenska**, to approve Case 24-38 to rezone 700 Washington Ave (parcel #70-03-21-358-019) into the Centertown Overlay District to City Council for the following reason(s):

- 1) Property fits adjacent development plans, the master plan and the intent of the centertown overlay and meets all section 40-121 A standards.

Roll call vote. All ayes. **Motion passed.**

Case 24-39: A public hearing for a special land use permit for a retaining wall over 48 inches in height at 1116 S. Harbor Dr. (parcel #70-03-29-154-036)

Urquhart presented the case. On behalf of property owner Megan Hines, Zach Vandenberg of Peterson and Vandenberg Environmental submitted a special land use request for a retaining wall located in the property's front yard at 1116 S. Harbor Dr. (parcel #70-03-29-154-036). The retaining wall is greater than 48 inches in height, which requires review and approval by the Planning Commission per Sec. 40-327.A.2.b.

Peterson Environmental has been contracted to assist in permitting the replacement of the wooden retaining wall located in the front yard at 1116 S. Harbor. The retaining wall is failing and is causing significant erosion and safety issues in the front yard. The applicant will replace the wooden fence with a steel sheet pile retaining wall, approximately 13 ft. in height (5 ft. above grade, eight ft. below grade). The plan also depicts a 15 ft. x 25 ft. deck in the front yard, extending six ft. out over the retaining wall. Megan Hines has received approval from EGLE (see attachment C) for this work.

Section 40-327 of the Zoning Ordinance provides requirements for retaining walls and outlines provisions for administrative approvals and Planning Commission approvals. The applicant has provided a narrative describing the scope of work.

As of the date of this memo, the city has received one email in favor of this request.

Zach Vandenberg of Peterson and Vandenberg Environmental was present and stated that a new retaining wall was needed because the material was decomposing and causing it to fail.

Chair Dora opened public hearing at 7:56 p.m.

Megan Hines, 1116 S Harbor Dr., spoke concerning the effects of the erosion.

Motion made by **Pierce**, seconded by **Smelker** to close the public hearing. All ayes. **Motion passes.**

Chair Dora opened public hearing at 7:58 p.m.

Borchers, Smelker, Pierce, Skelly, Owens, Smolenska, Vice-Chair Galligan, and Chair Dora were all in support and did not have any questions.

Motion by **Smolenska**, seconded by **Owens**, to approve Case 24-39, a special land use permit and sensitive area overlay for a retaining wall that exceeds 48 inches in height at 1116 S. Harbor Dr. (parcel #70-03-29-154-036) subject to the condition(s) below:

1. A building permit shall be submitted

Roll call vote. All ayes. **Motion passed.**

Case 24-40: A public hearing for a special land use permit for short term rental at 208 Fulton Ave. (parcel #70-03-20-429-003).

Urquhart presented the case. Property owner Mark Bultje-Brown submitted applications for a Special Land Use Permit for Short-Term Rental located at 208 Fulton Ave. (parcel #70-03-20-429-003). The Old Town District also allows short-term rentals if the property is on a key street. In this case, the key street is Fulton Ave. between 1st and 2nd Streets.

208 Franklin was recently a single-family dwelling. Mr. Bultje-Brown purchased the property with the intention of renovating it and renting it as a short-term rental. Currently, there is only enough room for one vehicle to park in the driveway. The site plan provides for a driveway extension to maintain two vehicles.

Section 40-513 provides a list of ten (10) regulations and conditions for a Short-Term Rental. The review of the Special Land Use Permit application is also subject to the standard regulations and conditions of all Special Land Uses outlined in Section 40-116.03. The applicant has provided a narrative responding to the review standards and a scaled drawing depicting the floor plan.

**Adjacent
 Uses**

Address	Use	Short Term Rental?
206 Fulton Ave.	Single-family	No
200 Fulton Ave.	Parking lot	No
112 N. 2 nd St.	Parking lot	No
106 N. 2 nd St.	Single Family	Yes, via SLU
100 N. 2 nd St.	Former bank drive-thru	No
211 Columbus Ave.	Parking lot	No
101 N. 3 rd	Tribune Lofts PD	No
111 N. 3 rd	Two-family condo	No
222 Fulton Ave.	Single-family	No
218 Fulton Ave.	Single-family	Yes
216 Fulton Ave.	Storage Building	No

As of Today, the City received one correspondence regarding the case.

Smolenska asked to be recused from the case.

Applicants Mark and Crystal Bultje, 208 Fulton, were present.

Chair Dora opened public hearing at 8:06 p.m.

No comments.

Motion made by **Skelly**, seconded by **Vice-Chair Galligan** to close the public hearing. All ayes. **Motion passes.**

Borchers, Smelker, Pierce, Owens, Skelly, Vice-Chair Galligan, and Chair Dora, voiced concerns that this property is non-conforming, and for consistency's sake, they would not favor approving the special use land permit.

Motion by **Vice-Chair Galligan**, seconded by **Pierce**, to deny Case 24-40, a request for a Special Use Permit for a short term rental located at 208 Fulton Ave. (parcel #70-03-20-429-003) based on the following condition not being met:

- 1.) Does not meet district lot area minimum or width.

Roll call vote. All ayes. **Motion denied.**

New Business: None

Old Business

Case 24-28: A Special Land Use Permit for a Two-family dwelling and Short-Term Rental located at 222 Franklin Ave. (parcel #70-03-20-453-004).

Urquhart presented the case. In August, Property owner Katie Broekhoff submitted applications for a Special Land Use Permit for a Two-family dwelling and Short-Term Rental located at 222 Franklin Ave. (parcel #70-03-20-453-004). Two-family dwellings are permitted by special land use in the Old Town District per Sec. 40-410.02.B. The Old Town Zoning District also allows short-term rentals if the property fronts and has a driveway off Franklin Ave. between 5th and Harbor Dr. This was previously approved by the Planning Commission with conditions. Most notable was the property boundary survey, which was provided. In the survey, it was found that the dumpster was on the owner's property, the dumpster needed to be removed or screened.

According to title research, while the dumpster is on the owner's property, another property owner has a perpetual easement to keep it in that particular location.

Due to the dumpster not being removed or screened, staff cannot approve the condition; therefore, the special land use cannot be approved and is being brought back before the Planning Commission for reconsideration.

Applicant Katie Broekhoff was present. She explained that she was not giving the easement document before closing on the property. The applicant tried to reach out to the dumpster owner to abide by the conditions, but she was met with opposition. The applicant is asking Commissioners to remove the condition from the Special Land Use Permit.

Borchers said he would wait to hear what fellow commissioners said before commenting.

Smelker stated she would like to determine when the ordinance was composed for the screening to see if it is grandfathered. If so, it would then become a code enforcement issue.

Pierce also agreed that the grandfathered issue needs to be addressed, and code enforcement should help solve the issue.

Broekhoff also mentioned that the dumpster, which is as large as the easement, currently could not accommodate a screen.

Skelly suggested that the City Attorney get involved to investigate the matter.

Commissioners continued to discuss ways to navigate the situation, and it would be up to the easement owner to adhere to the ordinance. Ultimately, the commissioners concluded that a motion could be made to remove the condition from the property and turn the easement agreement over to Code Enforcement. This would allow the property to function as a short-term rental.

Owens made a motion, seconded by Vice-Chair Galligan, regarding case 24-28, for a Special Land Use Permit for a Two-family dwelling and Short-Term Rental located at 222 Franklin Ave. (parcel #70-03-20-453-004). The condition of approval would be amended to state that the third condition regarding the dumpster enclosure would be eliminated, as the findings showed there was a perpetual easement agreement placed upon previous owners.

Roll call vote. All ayes. **Motion passed.**

Zoning Board of Appeals Liaison Report

Last month, ZBA approved a sign variance at Earth's Edge.
There will not be a meeting in January.
All vacancies are filled on the board, which also includes an alternate.

City Planner Report

Completing Annual Report.
A law was passed that required housing requirements to be included in the Master Plan.
Encouraged Commissioner to participate in the Community Engagement Survey.

Call to the Audience: Second Opportunity

None.

Motion made to Adjourn.

Roll call vote. All ayes. **Motion passed.**

Adjournment: Chair Dora adjourned the meeting at 8:57 pm.


Melissa Bos, Executive Assistant to City Manager

DRAFT

Attachment E

**City of Grand Haven
Department of Public Works
616-847-3493**



MEMORANDUM

TO: Ashley Latsch – City Manager

CC: Derek Gajdos – Director of Public Works
Emily Greene – Finance Director
Michael England – Street and Utilities Manager

FROM: Dana Kollewehr – Assistant City Manager *DK*

DATE: January 8, 2025

SUBJECT: Revitalization and Placemaking Grant Application Submission

The 7th Street reconstruction project, from Clinton to Beacon Boulevard, has been an ongoing priority for the City of Grand Haven, given the unique opportunity to transform and improve the mixed-use area of the City and Downtown Development Authority. This area of the City is a gateway into the City from the highway, houses a variety of vibrant and growing small, locally owned businesses, and is poised for future investment.

The underground utilities currently need replacement if they are to meet the needs of the vision established by the City’s Master Plan and Centertown Vision. The Streetscape and street surfaces are also reaching or past their useful life expectancies. To address these concerns and prepare for the costs associated with infrastructure replacement, the City engaged Abonmarche Engineering to develop a plan, utilizing community input and cost estimates for future replacement.

The proposed project will include a full reconstruction with pedestrian safety enhancements, improved parking, updated streetscape, and new street surfaces. The rehabilitation of 7th Street is coming forward as an opportunity due to the availability of grant funding from the Michigan Economic Development Corporation through the Revitalization and Placemaking (RAP) Grant and available Federal funding through the Transportation Improvement Program (TIP). The RAP grant program seeks to partner with local communities to proactively address the negative economic impacts of the pandemic and community revitalization needs by investing in infrastructure projects that promote population and tax revenue growth.

The total cost of project activities is estimated at \$7,300,000, of which \$1,000,000 would be funded through the RAP Grant Program and \$1,015,000 coming from the TIP. The remaining \$5,375,000 project budget is anticipated to come through local match funds, water, sewer, and infrastructure bond funds in the fiscal year 2027-2028. Additional outside funding will also continue to be pursued.

As a result, City staff is requesting that the City Council approve the attached resolution authorizing the submission of a Revitalization and Placemaking Grant application in the amount of \$1,000,000 and commit the local match shall be provided if the project is funded for

improvements to 7th Street from Clinton to Beacon Boulevard, and authorize the Mayor and City Clerk to execute the necessary documents.



**CITY OF GRAND HAVEN
COUNTY OF OTTAWA, STATE OF MICHIGAN
A RESOLUTION TO APPROVE THE REVITALIZATION AND PLACEMAKING (RAP) GRANT APPLICATION
FOR THE 7TH STREET RECONSTRUCTION PROCESS
RESOLUTION ##**

WHEREAS, the City of Grand Haven supports the submission of an application titled “7th Street Reconstruction Project” to the Revitalization and Placemaking (RAP) program through the Michigan Economic Development Corporation (MEDC) for infrastructure and streetscape improvements to the 7th Street corridor located in Grand Haven, MI; and,

WHEREAS, the proposed application is supported by the community’s Centertown Vision and Master Plan; and,

WHEREAS, the City of Grand Haven is hereby making a financial commitment to the project to provide matching funds amounting to a minimum of 50% of the total project cost; and,

WHEREAS, the City of Grand Haven Department of Public Works will maintain the project area through a combination of water, sewer, infrastructure bond funds, and general funds as applicable; and,

NOW THEREFORE, BE IT RESOLVED that the City of Grand Haven hereby authorizes the submission of a Revitalization and Placemaking (RAP) Application and further resolves to make available its financial obligation amount of at least 50% of the total project cost through water, sewer, and infrastructure bond funds.

AYES:

NAYES:

ABSENT:

MOTION APPROVED.

I HEREBY CERTIFY, that the foregoing is a Resolution duly made and passed by _____ of the City of Grand Haven at their Council Meeting held on January 21, 2025, at 7:30 p.m. in 519 Washington Avenue, Grand Haven, Michigan 49417, with a quorum present.

Maria Boersma, City Clerk

Date

CITY OF GRAND HAVEN

519 Washington Ave
Grand Haven, MI 49417
Phone: (616) 847-4888



TO: Mayor, and City Council

FROM: Ashley Latsch, City Manager

DATE: January 16, 2025

SUBJECT: Republic Services Contract

We are seeking an extension with Republic Services for residential solid waste, recycling and composting services.

The renewal will present a slight increase to residents, raising rates to \$19.82 per month; this increase is anticipated after unprecedented economic changes since the previous renewal five years ago, which did not contain built in CPI increases. We took a look at various other recent bid tabulations from neighboring communities that went out to bid for these services and feel very comfortable and confident that maintaining our partnership with Republic will be in the best interest of our residents.

As an example, the bids for the Village of Spring Lake (for trash/recycle/YW/One Bulk cleanup) recently came back with:

- Republic \$24.50
- Arrow \$34.75
- Kuerth \$31.58

Republic's fees for our neighbors are:

- Grand Haven Township-\$23.24 Trash/Recycle
- Village of Spring Lake-\$23.71 Trash/Recycle (Spring bulk for customers only)
- Spring Lake Township 1/1/2025- \$21.13 Trash/Recycle/YW

Again, the comparable rates listed above are for lesser service than what is afforded by way of this contract to our residents. All other terms of our contract would remain; including the benefit of event containers, yard waste sites, and so forth.

I recommend moving forward with the contract extension with Republic Services through December 31, 2029.

**Extension to the Residential Solid Waste Removal,
Recycling and Composting
Service Agreement and License**

The January 1, 2020 Residential Solid Waste Removal, Recycling, and Composting Agreement between the City of Grand Haven (hereafter, "City") and Allied Waste Systems Inc, DBA Republic Services of Muskegon (hereafter, "Contractor") is hereby amended as agreed upon by the parties as follows:

Section: Services Provided

D: Yard Waste Services

2. Convenience Centers shall be operated up to 6 weeks in the Spring and 6 weeks in the Fall each year.

E: Donations will be limited to a maximum of 4 containers per year for non-profit events.

Section: Rates

B: Rates for Service

1. Standard Residential Service (per month per customer): \$19.82

b. Standard Residential Service (per month per customer with cart): \$19.82

2. Bag Service (up to 4 bags per pickup) \$19.82 per month per customer

3. Carts:

a. 95-gallon yard waste cart \$4.00 per month

b. Additional recycling, solid waste, yard waste carts \$4.00 per month

C: Modification of Rates:

1. Rates will be subject to a 5% annual increase after first year

A: Performance Bond shall not be required under extension agreement.

13: It is expressly understood between the parties that this agreement and the contract and license to collect for recycling, or disposal of residential refuse and bulky waste and composting of yard waste within the corporate limits of the City is an exclusive agreement. Contractor shall at all times have the right to refuse to collect dead animals and hazardous waste from residential units.

17. Term

1. Contract is extended for an additional sixty months (60) months, with an expiration date of December 31, 2029.

2. Effective January 1, 2025 the current rate charged to the City will be increased to \$19.82 per home per month to be billed.

All other terms and conditions of the City of Grand Haven Residential Solid Waste Removal, Recycling, and Composting Agreement with Republic Services of Muskegon to remain in full force and effect.

This contract amendment is executed this day of _____, 2024.

By: City of Grand Haven

By: Republic Services of Muskegon

By: _____

Robert Monteza

Its: Mayor

By: _____

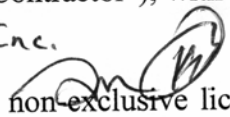
Tom Mahoney

Its: General Manager

**RESIDENTIAL SOLID WASTE REMOVAL,
RECYCLING AND COMPOSTING**

SERVICE AGREEMENT AND LICENSE

This Agreement, effective January 1, 2020 by and between the City of Grand Haven, a Michigan Municipal Corporation, of 519 Washington Avenue, Grand Haven, Michigan 49417, Attn: City Manager ("City"), and Allied Waste ~~Services~~ d/b/a Republic Services of Muskegon, of 2611 Olthoff Drive, Muskegon, Michigan, 49444 ("Contractor"), with reference to the following facts and circumstances:

Systems, Inc.
 6-10-20

WHEREAS, the City desires to contract with and grant a non-exclusive license to a business concern which will provide residential solid waste removal, hauling, disposal, recycling and composting (the "Service") to begin operations January 1, 2020; and

WHEREAS, the Contractor is a business concern in the business of providing residential solid waste removal, hauling, disposal and recycling services and has prepared plans and made arrangements to provide a composting program in conjunction with providing such other services; and

WHEREAS, the City desires to contract with the Contractor and the Contractor desires to contract with the City regarding the provision of residential solid waste, recycling and composting services herein;

NOW, THEREFORE, in consideration of the mutual covenants and considerations set forth herein, the parties agree as follows:

1. DEFINITIONS

- A. **Bag Service:** Use of specially marked and priced bags to hold all refuse of that residential unit, in lieu of standard residential refuse service at the regular monthly charge (generally by residential units which generate a relatively small amount of refuse). The specifically marked bags shall be available for purchase directly from the Contractor and at such other locations in the City as determined by the City. The cost of such bags shall include the cost of their collection, removal, hauling and disposal. Bag service shall also include curbside recycling and composting.
- B. **Bags:** Plastic sacks designed to store refuse with sufficient wall strength (at least 2.5 ml.) to maintain physical integrity when lifted by top. Size of bags shall be at least 30 gallons and total weight of a bag and its contents shall not exceed 40 pounds.
- C. **Bulky Waste:** Stoves, refrigerators, water tanks, washing machines, furniture and other waste materials other than construction debris, dead animals, hazardous waste or stable material with weights or volumes greater than those allowed for containers.
- D. **Bundle:** Tree, shrub and brush trimmings or newspapers securely tied together forming an easily handled package not exceeding four feet in length or 40 pounds in weight.

- E. City: City of Grand Haven, Michigan.
- F. Composting: The process by which biological decomposing of organic solid matter is carried out under controlled aerobic conditions and which stabilizes the organic fraction into a material that can easily and safely be stored, handled, and used in an environmentally acceptable manner. Composting may include the presence of limited anaerobic zones within the material.
- G. Compost Facility: A yard clipping management area that has on location or is processing 1,500 cubic yards or more annually of yard clippings where the yard clippings are processed using aerobic composting technology that may include physical turning, windrowing, aeration, static piles, or other mechanical handling of organic matter.
- H. Construction Debris: Waste building materials resulting from construction, remodeling, repair, or demolition operations.
- I. Container: A receptacle with a capacity of greater than 20 gallons but less than 40 gallons constructed of plastic, metal or fiberglass having handles of adequate strength for lifting and having a tight-fitting lid capable of preventing entrance into the container by vectors. The mouth of the container shall have a diameter greater than or equal to that of the base. The weight of a container and its contents shall not exceed 40 pounds. Containers provided will
- be of consistent design (color/size/material)
 - be easily serviced by operator
 - be easily moved by residents
 - be in good working condition at all times
 - be consistently replaced to the side of the street and upright, after pick up
- J. Contractor: The person, corporation or partnership performing the Service for residents of the City under this Agreement.
- K. Dead Animals: Animals or portions thereof equal to or greater than 10 pounds in weight that have expired from any cause except those slaughtered or killed for human use.
- L. Disposal Site: A refuse depository including, but not limited to, sanitary landfills, transfer stations, incinerators and waste processing/separation centers licensed, permitted or approved to receive for processing or final disposal of refuse and dead animals by all governmental bodies and agency having jurisdiction and requiring such licenses, permits or approvals.

- M. Garbage: Any and all dead animals of less than 10 pounds in weight except those slaughtered for human consumption; every accumulation of waste (animal, vegetable and/or other matter) that results from preparation, processing, consumption, dealing in, handling, packing, canning, storage, transportation, decay or decomposition of meats, fish, fowl, birds, fruits, grains or other animal or vegetable matter (including, but not by way of limitation, used tinned cans and other food containers; and all other easily decomposable waste matter or vegetable matter which is likely to attract flies or rodents); except (in all cases) any matter included in the definition of bulky waste, construction debris, dead animals, hazardous waste or rubbish.
- N. Hazardous Waste: Any chemical, compound, mixture, substance or article which is designated by the United States Environmental Protection Agency or appropriate agency of the state to be "hazardous" as that term is defined by or pursuant to federal and state law.
- O. Liquidated Damages: Amounts paid by City to satisfy performance of duties by contractor under this agreement, including but not limited to costs associated with the collection of all types of residential waste as evidenced by actual timesheets, invoices and other such documentation of costs so incurred.
- P. Yard Waste: Leaves, grass clippings, vegetable or other garden debris, shrubbery, brush or tree trimmings less than four feet in length and two inches in diameter, or woodchips that can be converted to compost humus. Yard clippings do not include stumps, agricultural wastes, animal waste, roots, sewage sludge, or garbage.
- Q. Producer: An occupant of a residential unit who generated refuse.
- R. Recyclables: All newspapers, magazines, catalogs, glass, metal cans, plastics, and such other materials as may be agreed to by the parties in writing from time to time. As the technology becomes available, new materials may be included in this definition. Contractor may remove an item this list, upon written notice to the City, if a Recyclable is no longer accepted by the processing facility or if market conditions so require. Should markets shift to an extent that recycling efforts become immaterial due to reduced materials being accepted, Contractor and City agree to open contract to renegotiate rates as to recycling component.
- S. Refuse: This term shall refer to residential garbage and bulky waste, construction debris, and stable matter generated at a residential unit unless the context otherwise requires.
- T. Residential Refuse: All garbage, yard waste and rubbish generated by a producer at the residential unit.
- U. Residential Unit: A dwelling within the corporate limits of the City occupied by a person or group of persons comprising not more than four families. A residential unit shall be deemed occupied when either water or domestic power services are being supplied thereto. A condominium dwelling, whether of single or multiple level construction consisting of four or less contiguous or separate single family units, shall be treated as a residential unit,

except that each single-family dwelling within any such residential unit shall be billed separately as a residential unit.

- V. Rubbish: All waste, wood, wood products, chips, shavings, sawdust, printed matter, paper, paste board, rags, straw, used and discarded mattresses, used and discarded clothing, used and discarded shoes and boots, combustible waste pulp and other products such as are used for packaging or wrapping crockery and glass, ashes, cinders, floor sweepings, glass, mineral or metallic substances and any and all other waste materials not included in the definition of bulky waste, construction debris, dead animals, garbage, hazardous waste or stable matter.
- W. Standard Residential Service: Weekly service including pick-up, removal, hauling, recycling, composting or disposal (as appropriate) of residential refuse, yard waste, and bulky waste pursuant to the terms set forth herein (other than bag service).
- X. Unacceptable Waste: Unacceptable Waste consists of special waste, Hazardous Waste, and any other material not expressly included within the scope of this Agreement including, but not limited to, any material that is hazardous, radioactive, volatile, corrosive, highly flammable, explosive, biomedical, infectious, biohazardous, toxic or listed or characteristic hazardous waste as defined by applicable law or any otherwise regulated waste.

2. SCOPE OF WORK

The work under this Agreement shall consist of the items contained in this agreement, including all of the supervision, materials, equipment, labor, and all other items necessary to complete said work throughout this this Agreement.

It is expressly understood and agreed between the parties that any and all employees, agents, officers and/or subcontractors of the Contractor are not, and shall not be construed as employees, agents, officers and/or subcontractors of the City. It is further understood and agreed between the parties that the Contractor shall be solely responsible for providing all wages, salaries, payments or benefits required by law for its employees, agents, officers and/or subcontractors and for withholding those sums required by law relative to such payments.

3. SERVICES PROVIDED

- A. Weekly Service: The Contractor shall collect from each customer in the City all residential refuse as herein defined which is placed at the curbside. Handicapped or senior citizens may place bags and containers a maximum of 50 feet from the curb if their health and physical condition does not allow them to bring it to the curb. In the event of any material disputes as to the location of residential refuse, bulky waste, bags or containers for collection, the City Manager or his designee shall determine the appropriate location and so indicate to the Contractor. The Contractor shall collect from each customer in the City all bulky waste as defined herein which is placed at the curbside, except that the Contractor shall not be obligated to collect bulky waste which contains hazardous waste (e.g. the Contractor shall not be obligated to pick up appliances with motors which contain hazardous waste materials such as polychlorinated biphenyl's [PCB's]). The Contractor has

the ability to identify, report, and cooperate with authorities in the event of hazardous waste release.

Bag service will be offered for senior citizens and other households that generate small amounts of residential refuse; however, households may not switch from one month on bag service to the next month on standard residential service more than once per year.

Contractors will pick up residential refuse, yard waste, and bulky waste once each week on two days per week. Recyclables shall be collected during the first full week of January 2020 and every other week for the remainder of this contract. Residential refuse, recyclables, yard waste and bulky waste will not be collected on holidays, as defined herein. If a scheduled collection date falls on or after a holiday, the very next day will become the collection day for that collection route and the other collection days will be put forward by one day. Except under unusual circumstances or as necessitated by a holiday, collection days will be Monday through Friday.

B. Bulk Items: will be picked up on regular service day, but residents must call 24 hours in advance to notify Contractor that bulk items will be at the curb.

C. Recycling Service:

1. The Contractor shall maintain and provide a comprehensive curbside recycling program (the "Recycling Program") for the City.
2. A 95-gallon container will be provided to customers upon request for commingled recyclable items.
3. Items to be recycled must at least include newspapers, magazines, catalogues, clear glass, plastic bottles and containers with the #2 symbol, tin, and aluminum cans.
4. Promotion, education, and public awareness is acknowledged as an important part of the Recycling Program. The Contractor shall budget and expend funds to adequately support promotional efforts for maintenance of the Recycling Program. The amount of such funds shall be mutually agreed by the Contractor and the City (or its designated representative). Emphasis shall focus on education through the schools, promotional contests, feedback such as progress reports, and up-to-date information on the recycling industry. Should accepted materials change, Contractor shall notify customers.
5. Prior to the execution of this Agreement, Contractor shall deliver to the City a letter evidencing the ability to collect, handle and market recyclable material. The Contractor shall have the capacity to handle the volume of recyclable materials collected in the City.
6. To accommodate customers who do not have space for a 95 gallon recycling cart, Contractor shall provide up to eight 95 gallon carts in the same location as the Convenience Centers referenced in letter D below. Such carts shall be emptied on same

date as regular curbside pickup.

D. Yard Waste Service:

1. The Contractor shall develop, implement, maintain, and provide a comprehensive curbside yard waste program (the "Yard Waste Program") for the City.
2. Yard waste shall be collected both at curbside from April 1 through December 31 and at "convenience centers". Convenience centers shall be operated up to eight weeks in the spring and up to eight weeks in the fall each year. Location and operating hours of convenience centers shall be approved by the City.
3. Promotion, education and public awareness is acknowledged as an important part of the Yard Waste Program. The Contractor shall budget and expend funds to adequately support promotional efforts for development, implementation, and maintenance of the Yard Waste Program. The amount of such funds shall be mutually agreed upon by the Contractor and the City (or its designated representative). Should materials collected change, Contractor shall notify customers.
4. After implementation of the Yard Waste Program, educational and promotional efforts will continue. Emphasis shall focus on education through the schools, promotional contests and feedback, such as progress reports and up-to-date information on the Yard Waste Program and composting industry.
5. The Contractor shall operate or have access to a compost facility, which will handle the compostable material collected through the Yard Waste Program. The Contractor shall have the capacity to handle the volume of yard waste materials collected by the Contractor in the City.
6. Customers may place yard waste in biodegradable kraft paper bags purchased from any number of commercial outlets in and around Grand Haven.
7. Yard waste collected by the Contractor pursuant to this Agreement shall be composted at a site to be determined by Contractor.

E. Donations of Services: The Contractor agrees to donate its services to remove and dispose of up to forty (40) cubic yards of garbage and refuse for each special event sponsored by the City or special event held or occurring within the City which is sponsored by a local non-profit organization. The Contractor may bill the City or the other nonprofit sponsor (as applicable) for refuse in excess of forty (40) cubic yards per event at a rate agreed to by the parties. It shall be the responsibility of the special event organizer or sponsor to initiate contact (upon reasonable advance notice) with the Contractor and to arrange the details of the services to be donated by the Contractor.

F. Subscriber Compliance: A Producer must be a "subscriber," whether on bag service or standard residential service or must contract with the Contractor before being able to participate in curbside recycling or curbside and drop station yard waste program. Non-

subscribing Producers who attempt to participate in the waste and recycling services will not receive service until they have contracted with the Contractor.

- G. Reporting Procedure: The Contractor shall provide to the City Manager, at the request of the City Manager but not less than annually, a summary report of the volume of all material collected and delivered by the Contractor to the landfill, recycling processing site, compost facility and any other site where collected materials are delivered and how these totals compare to previous years. These reports shall provide a quantitative measure of materials delivered, such as tons, cubic yards, or other units, whichever may apply. The Contractor shall also supply annual reports including the number of customers and participation rate of services provided.
- H. Additional considerations from original 2009 Request for proposals made part of this agreement:
- o Contractor has ability to identify, report and cooperate with authorities in the event of hazardous waste release

I. 1. TECHNICAL SPECIFICATIONS OF TRASH COLLECTION AND REMOVAL

1. The services to be furnished by the vendor may be revised at any time by written execution of a change order acceptable to the City.
2. Work schedule shall have minimal interference with regular commerce and the quiet enjoyment of residents, visitors and merchants.
3. Vendor shall provide upon request by the City incidental or special work on a piece rate or lump sum basis as mutually agreed upon in writing by the parties.
4. If any scheduled or non-routine work is omitted or found to be unacceptable by the City, the vendor will be advised of such omission or unacceptable work and will make prompt corrections within 24 hours.
5. Any overflow or spillage resulting from a service collection must be corrected immediately by the vendor.

4. OPERATION

- A. Hours of Operation: Collection operations shall not start before 6:30 a.m. or continue after 3:30 p.m. on the same day. Exceptions to collection hours shall be effected only upon the mutual agreement of the City and the Contractor in writing or when the Contractor reasonably determines that an exception is necessary in order to complete collection on an existing collection route due to weather or other circumstances that are beyond the control of the Contractor. Work schedule shall have minimal interference with regular commerce and the quiet enjoyment of residents, visitors, and merchants. In all cases, such exceptions shall be reported to the office of the City Manager.
- B. Routes of Collection: Collection routes shall be established by the Contractor, and the Contractor shall submit a map designating the collection routes to the City for its approval, which approval shall not be unreasonably withheld. The Contractor may from time to time

propose to the City changes in the routes or days of collection, which approval shall not be unreasonably withheld, and upon the City's approval of such changes, the Contractor shall promptly give written or published notice to the affected residential units.

- C. Holidays: The following shall be holidays for purposes of this Agreement: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. The Contractor may decide to observe any or all of the above-mentioned holidays by suspension of collection service on the holiday, but such decision in no manner relieves Contractor of its obligation to provide collection service at least once per week. If a scheduled collection day falls on or after a holiday, the very next day will become a resident's collection day and the other days will be put forward by one day. All collection days will be on the days from Monday through Friday unless a holiday falls during the week and requires a collection day to be held on a Saturday.
- D. Complaints: All complaints made directly to the Contractor shall be given prompt and courteous attention. In the case of alleged missed scheduled collections, the Contractor shall investigate; and if such allegations are verified, shall arrange for the collection of the uncollected refuse immediately, but no more than 24 hours after the complaint is received (weekends excluded). Failure to do so will result in a credit to the resident. The Contractor shall furnish a toll-free number and an email address for the use of residents served under the contract. In the event of a billing dispute, Contractor shall respond fully to customer within one week of receiving complaint. Failure to respond in a timely manner as provided herein shall result in a \$5 billing credit to the customer lodging the complaint.
- E. Collection Equipment: The Contractor shall provide an adequate number of vehicles for regular collection services. All vehicles and other equipment shall be kept in good repair, appearance and in a sanitary condition at all times. The Contractor shall employ its own vehicle maintenance personnel to perform normal maintenance and mechanical repairs. Each vehicle shall have clearly visible, on each side, the identity and either a telephone number of the Contractor or the Contractor's website url. The City reserves the right to approve all materials used.
- F. Communication Equipment: The Contractor's collection vehicles shall be equipped with radios or cell phones which enable them to communicate with the Contractor's home office, and any other office at which calls to the Contractor's "consumer complaint" number or the City are received.
- G. Office: The Contractor shall maintain an office or such other facilities at which contact can be made by the general public. It shall be equipped with sufficient telephones and shall have a responsible person in charge from 8:00 a.m. until 4:30 p.m. on regular collection days. In addition, if possible, the Contractor shall provide a location within the City limits whereby a resident can make payment for services rendered.
- H. Hauling: All refuse hauled by the Contractor shall be so contained, tied or enclosed that leading, spilling or blowing is prevented. Any overflow or spillage resulting from a service

collection must be corrected immediately by the Contractor.

- I. Disposal: All refuse collected for disposal by the Contractor shall be hauled to a disposal site, and the charge for disposal shall be included in the rates set forth in this Agreement.
- J. Point of Contact: All dealings, contacts, etc., between the Contractor and the City shall be directed by the Contractor to the City Manager's Office. A supervisor will stop in or call the City Manager's office weekly to check for and resolve service issues.

5. RATES

A. Rates:

- 1. For special collections provided by the Contractor, charges are to be negotiated between the Contractor and the Producer prior to collection. If agreement cannot be reached, the matter may be submitted to the City for determination of a reasonable fee. The City's determination relative to the fee shall be binding.
- 2. The charges provided shall include all disposal and related costs.
- 3. The Contractor may, at its option, elect to acquire bags from a supplier of its choice and attempt to market said bags to residential units; however, this option shall in no way interfere with or impinge upon the right of each owner or occupant of a residential unit to obtain bags from another source. This provision does not apply to specially marked bags used for the bag service.

B. Rates for Services: Subject to the terms and conditions of a Service Agreement and License, the rates for the Services provided by the Contractor from January 1, 2020 to December 31, 2024 shall be, as follows:

- 1. a. Standard Residential Service (per month per customer): \$ 15.25
b. Standard Residential Service (per month per customer with cart): \$15.25
- 2. Bag Service (per bag): \$1.50 plus \$10.91 per month service fee
- 3. Carts:
 - a. 95 gallon yard waste cart \$2.35 per month
 - b. Additional recycling or garbage carts \$2.35 per month
- 4. Extra dumpster and special collections (i.e. unbundled yard waste, construction debris, etc.): To be agreed by the parties.
- 5. Bulk pick up for Bag service customers: \$15.00 during the first week of April each year of this agreement. Service to include unlimited bulk pick up of residential items, with bundled material combined in lengths no longer than 4' and weight no greater than 40 pounds. The customer must schedule this special pick up with the Contractor.

C. Modification of Rates:

1. The fees which may be charged by the Contractor for any subsequent years, after the years mentioned in paragraph 5. B. 1, of the term of a Service Agreement and License may be adjusted upward or downward to reflect changes in the cost of operations, as reflected by fluctuations in the Consumer Price Index for Water, Sewer and Garbage.
2. In the event that a substantial percentage of City households (other than senior citizen households) change from standard residential service to bag service during the term of this Agreement, the Contractor may petition the City to reevaluate the bag service per bag charge.
3. Any rate change shall be subject to approval by the City Council by resolution. The Contractor may not assess any rates or fees not so approved.
4. Notice of approved rate increases must be provided to customers no less than 60 days before increase takes effect with the exception of 10¢ fuel surcharges for diesel in excess of \$4.00 per gallon with additional 10¢ increases for each 50¢ increase in per gallon fuel cost.
5. In the event of changes in the costs of processing recyclables at the Kent County Material Recycling Facility (\$70.00 per ton as of 1/1/20), costs may be passed thru on the Contractor's monthly invoice. This processing cost is subject to change with official documentation from the Material Recycling Facility to be secured and provided by the Contractor to validate any increase. Likewise, Contractor must decrease processing costs if they are reduced by the processing facility. Changes will be reflected in the following month's invoice (example: May increase/decrease reflected in June's invoice).

D. Compost Site: City currently contracts with Verplank Trucking to deposit yard waste and Contractor delivers seasonal yard waste to the Verplank Docks. In the event this site is no longer available, or if the City discontinues agreement with Verplank, Contractor may pass along cost of new compost site in the form of a proportional monthly increase to rates as mutually agreed by the parties.

E. Rates in Other Areas: The Contractor agrees that it shall not in any case charge to City consumers or the City itself, a rate which is more than that charged for comparable service to consumers in any municipal jurisdiction adjacent to the City (including the City of Ferrysburg, the Village of Spring Lake, Spring Lake Township and the Charter Township of Grand Haven).

6. COMPLIANCE WITH LAWS

The Contractor shall conduct operations as provided for by this Agreement in compliance with all applicable laws; provided, however, that this Agreement shall govern the obligations of the Contractor where there exist conflicting ordinances of the City on the subject.

6. NONDISCRIMINATION

The Contractor shall not discriminate against any person because of race, sex, age, creed, color, religion, disability, national origin, height, weight, or marital status.

7. INDEMNITY

The Contractor shall hold the City (including, for purpose of this paragraph, its officers and employees) harmless from, indemnify it for, and defend it (with legal counsel reasonably acceptable to the City) against any and all claims, demands, administrative or criminal proceedings, legal actions in law or equity, damages, awards, judgments, expenses and fees, and other losses of any kind to the extent resulting from the negligence or willful misconduct in the collection, handling, transportation or disposal of Residential Refuse and Recyclables by the Contractor within the City or any other actions of the Contractor pursuant to this Agreement. However, the Contractor shall not be liable to the City for any such losses arising out of the City's actions in awarding this contract or any other affirmative actions of the City or its officers, agents, employees or representatives.

8. LICENSES AND TAXES

The Contractor shall obtain and maintain all licenses, permits or other approvals required by law to perform its services pursuant to this Agreement. If the Contractor fails to obtain or maintain any such licenses, permits or other approvals, the City may, upon notice to the Contractor, immediately terminate this Agreement. Provided, however, the City shall not unreasonably withhold or terminate any City license, permit or other approval, nor shall it unreasonably withhold or delay any action or information necessary for the Contractor to obtain from any other entity of competent jurisdiction a required license, permit or other approval.

9. INSURANCE

The Contractor shall at all times maintain in full force and effect the insurance coverage required by this section and by section 8 of this Agreement. The insurance required by this section shall be the types of coverage listed with the minimum limits of liability listed below. Any insurance policy or policies obtained and maintained to satisfy this requirement shall be placed with insurance carriers fully licensed and authorized to do business in the state of Michigan and which are in good standing with the state of Michigan. The Contractor shall provide the City with certificates evidencing the required insurance. The City shall be named as an additional insured on all such applicable insurance policies maintained by the Contractor and the certificates shall state that the policy may not be cancelled or materially changed except upon 30 days' prior written notice to the City, excluding workers' compensation.

The Contractor shall carry the following types of insurance in at least the limits specified below:

COVERAGES

*Workman's Compensation

LIMITS OF LIABILITY

Statutory

*Employer's Liability	\$1 million
*Bodily Injury Liability	\$1 million each occurrence
Except Automobiles	\$1 million aggregate
*Property Damage Liability	\$1 million each occurrence
Except Automobiles	\$1 million aggregate
*Automobile Bodily Injury Liability	\$1 million each occurrence
*Automobile Property Damage Liability	\$1 million each occurrence
*Excess Umbrella Liability	\$5 million each occurrence

As an alternative to this insurance coverage, the Contractor may provide the public liability and property coverages under a plan of self-insurance. However, the Contractor shall then provide a self-insured retention of no less than \$600,000 and shall provide evidence of re-insurance above that amount. The coverages may also be provided by the Contractor's parent corporation.

11. BOND

A. Performance Bond:

1. The Contractor will be required to furnish a corporate surety bond prior to execution of the contract as security for the performance of this contract. Said surety bond must be in the amount of \$400,000 and may provide for a prorated reduction therein annually over the term of a Service Agreement and License.
2. Premium for the bonds described above shall be paid by the Contractor. A certificate from the surety showing that the bond premiums are paid in full shall accompany the bond.
3. The surety on the bond shall be a duly authorized corporate surety company authorized to do business in the state.

B. Power of Attorney:

Attorneys in fact who sign performance bonds or contract bonds must file with each bond a certified and effectively dated copy of their power of attorney.

12. TRANSFERABILITY OF CONTRACT

Any attempt to assign this Agreement without the prior written consent shall render the Agreement null and void. This Agreement shall inure to the benefit of and is binding upon the parties and their successors.

13. NON-EXCLUSIVE CONTRACT AND LICENSE

It is expressly understood between the parties that this Agreement and the contract and license to collect for recycling or disposal of residential refuse and bulky waste and composting of yard waste within the corporate limits of the City is non-exclusive. The Contractor shall at all

times have the right to refuse to collect dead animals and hazardous waste from residential units.

14. OWNERSHIP

Title to Residential Refuse and Recyclables collected shall pass to the Contractor when placed in the Contractor's collection vehicle, removed by the Contractor from a container or removed by the Contractor from the residential unit's premises, whichever last occurs. Title to and liability for Unacceptable Waste shall at no time pass to Contractor.

15. MISCELLANEOUS

- A. Notice: Any notice, request, instruction or other document to be given hereunder by any party hereto to any other party hereto shall be in writing and shall be delivered personally or sent by first class mail, postage prepaid, to the City, at the address set forth on page one hereof, or to such other address as either party may designate by written notice to the other.
- B. Remedies: Any material breach (i.e. unauthorized rate increase, deviation from contractual service levels, terms of payment, etc.) of this Agreement and failure to cure within ten (10) days of receipt of written notice of such breach shall be grounds for its termination, and each party shall be entitled to such relief as available in law or equity, in addition to any other remedy provided herein. Should material breach be caused by circumstance not in the control of the Contractor, ten day clock shall be delayed accordingly. The parties may, by written agreement, extend the time for the performance of any of the obligations or other acts of the parties hereto, or waive compliance with performance of any of the obligations of any of the parties hereto. Any such extension of waiver shall not constitute a waiver of future acts or omissions of noncompliance. The City reserves the right to collect liquidated damages and pursue specific performance regarding the administration of this Agreement. In addition to any other remedies available under this contract or at law or equity, the prevailing party in any lawsuit brought pursuant to or to enforce any provision of this Agreement may recover its actual reasonable costs, including without limitation, its actual reasonable expert or other witness costs, discovery costs, costs of investigation, attorney's fees and other legal expenses incurred to investigate, bring, maintain, or defend any action from its first accrual or first notice thereof through any and all appellate and collection proceedings. To the extent not otherwise prohibited by law, the parties agree that the jurisdiction and venue for any action brought pursuant to or to enforce any provision of this Agreement shall be exclusively in the state courts in Ottawa County, Michigan.
- C. Agreement: As a condition of entering into this Agreement, the City has relied upon all representations or warranties made by the Contractor in the course of the bidding procedure, the Contract documents, or the discussions and negotiations between the Contractor and the City prior to the effective date of this Agreement, unless specifically superseded by this Agreement. However, this Agreement shall control with respect to any conflict between it and the representations or warranties of the Contractor, and the terms of this Agreement shall supersede all prior conflicting agreements or understandings between the parties hereto relating to the subject matter hereof. The Contractor acknowledges that the terms of this Agreement supersede any and all prior representations or warranties of the

City, and that the City is not bound by any terms not contained herein.

- D. Governing Law: This Agreement and the legal relations between the parties shall be governed by the laws of the State of Michigan. In performing this Agreement, the parties shall comply with all federal, state and local laws, regulations, ordinances or legal requirements.
- E. Amendment: This Agreement may not be altered or amended except pursuant to an instrument in writing signed by the parties hereto, except that any amendments thereto must be approved by resolution of the City Council in order to bind the City.
- F. Headings: Headings in this Agreement shall be for reference purposes only, and shall not alter or be used to interpret any provision hereof.
- G. Counterpart Agreements: This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.
- H. Severability: In the event any provisions of this Agreement are determined to be illegal or unenforceable, the remaining provisions hereof shall nevertheless be binding with the same force and effect as if the legal or unenforceable parts were deleted.
- I. Additional Acts: Each party agrees to perform any further acts and to execute and deliver any additional documents which may be reasonably necessary to carry out the provisions of this Agreement.

16. EFFECTIVE DATE

This Agreement shall be effective January 1, 2020 and performance of the service shall begin on that date.

17. TERM

This Agreement shall be for a five-year period, beginning January 1, 2020 and ending December 31, 2024.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and the year first above written.

Witnessed by

THE CITY OF GRAND HAVEN

William Wideman

By: Robert Monetza
Robert Monetza
Its: Mayor

William Wideman

By: Linda L. Broward
Linda L. Broward
Its: Clerk

By: Tom Matthews
Tom Matthews
General Manager

By: Kerry Rattiner
KERRY RATTINER
MUNICIPAL MANAGER

Attachment F

Grand Haven Airport Board Meeting Minutes October 22, 2024

Chairperson Ben Ennenga called the meeting to order at 5:30 pm

Roll Call: Richard Clapp

Members present: Denny Swartout, Dale Hagenbuch, Ben Ennenga, Richard Clapp, Tricia Harrell

Others Present: Earle Bares- Airport Manager, Tom Mandersheid- Airport Liaison

Guests: Jennifer Bares, Tom Howard, Doug Furton, Roland Ashby

First Call to the audience

Jennifer Bares discussed the upcoming Trunk or Treat event and the need for volunteers. October 26th 2-4p. Arrive at noon, if volunteering. GHAA is a 501c3 so save your receipts for tax purposes as donations. 616-842-4430, ask for Jennifer.

Doug Furton, will the airport remain open on Saturday during trunk or treat. Are the airport board minutes posted online for the past few months?

Minutes:

Motion to approve 09/24/24 minutes, no approval pending amendment.

Amendment requested to 9/24/24 Minutes to reflect correction to erroneous fuel sales:

Fuel sales, Operations, Activity

- *Fuel sales, 2nd highest fuel sales, for any month ever.*
- *Fuel prices 100LL & Jet A are leveling off.*

Two noise complaints

605 log entries

Fuel Sales were 1931 Gal. 100LL, 3163 Gal. Jet A, slightly ahead of last year.

58 Aircraft home based on the field.

Worked on 4 aircraft.

Hangars are fully occupied and adding more people. 6 very interested parties.

Mechanic and part time flight instructor on call and available.

New business: (none)

Old Business:

Hangars update: Discussion of editing of slide presentation to not include T-hangars. Dale and Tricia to email an updated presentation to the board for our input.

Camping: Question by Denny Swartout regarding update of camping.

Tricia is requesting information from the health department and MDOT, regarding camping. Tom M. explained how to proceed with moving forward with airport camping. Hoping for better update next meeting.

Airport manager report:

Earle discussed tree clearing, part 77 surface, and the capital improvement plan.

- Tree clearing, “We always try to clear trees to the FAA Part 77 requirements.” Tom mentioned adding \$30k to the budget for tree clearing for next year.
- Taxiway rehabilitation

Projects

- Fuel farm upkeep maintenance just completed.
- Blue fuel barrels disposed of by Crystal Clean Co.
- N/S runway rehabilitation project: expecting to bid out soon, with returned bids in December 2024.
- Six-unit t-hangar to be constructed on C row. Fully nested.
- Winter maintenance items underway

Safety & Security

- No noise complaints, no wildlife complaints
- Three orange balls missing on high voltage power lines at 160th avenue. BLP has been advised, they say “we will get to it”
- 2 Notams

Airport Operations & Activity

- Winter airport maintenance items underway, putting up snow fence.
- 460 log entries
- Fuel sales average for this time of year
- Fuel Sales were 1976 Gal. 100LL, 2200 Gal. Jet A
- 59 Aircraft home based on the field.
- Worked on 2 aircraft, no flight instruction
- Hangars are fully occupied

Airport Facilities

(n/a)

Airport Liaison Report:

Accounts receivable over 30 days is: \$5406

Airport Cash balance: \$358,391.38

Second call to the audience:

Doug Furton- "Unusual that the door is always locked to the terminal, no signs directing to a bathroom, no public Wi-Fi, thinking of things that would make the airport more pilot friendly."
"Coffee available".

Adjournment: 6:57 pm

Motion to adjourn: Clapp, seconded by Ennenga

Minutes submitted by board secretary, Richard Clapp

Grand Haven Airport Board Meeting Minutes November 26, 2024

Chairperson Ben Ennenga called the meeting to order at 5:30 pm

Roll Call: Ben Ennenga

Members present: Denny Swartout, Ben Ennenga, Tricia Harrell

Excused-(Dale Hagenbuch, Richard Clapp)

Others Present: Earle Bares- Airport Manager, Tom Mandersheid- Airport Liaison

Guests: Jennifer Bares, Derek Gajdos, Roland Ashby, Doug Furton, (unknown)

First Call to the audience

(None)

Minutes:

Motion to approve 09/24/24 and 10/22/24 minutes. Motion by Swartout and seconded by Harrell.

New business:

Metronet Easement: Perpetual easement by Metronet fiber network in the NE corner of the airport presented by Gaydos from public works. 5 ft. tall equipment cabin structure. Recommendation to Grand Haven city council to approve a 12 ft. by 30 ft. perpetual easement to Metronet to place a fiber-optic utility cabin on the NE corner of the airport property. Motion to accept -Swartout, seconded by Ennenga. Board approved. Motion accepted unanimously.

Dawn Patrol: Recommendation to Grand Haven City Council to approve June 7, 2025 Dawn Patrol open house from 8am-2pm. Motion by Swartout, seconded by Harrell. Unanimously approved.

2024 Trunk or treat discussion by Jennifer Bares: Thanking those that participated. The most people they have ever had. Estimated we handed out 80-90k pieces of candy. Tom Mandersheid mentioned that Public Safety could have had more than one officer.

Recommendation to Grand Haven City Council to approve October 25, 2025 Grand Haven Airport Association airport trunk or treat event. Motion by Swartout, seconded by Harrell.

Annual safety and security report, Earl Bares: Nothing changed over the last year. No new requirements. Nothing to report regarding runway incursions. We have an airport watch program at the airport. We adhere to flight training requirements for identification and certification. Airport access mentioned. Discussed how to secure the airport by proper signage. Approaches, airspace, construction and landing mentioned. Other items include cranes, drones, electrical interference, and seller disclosures. Manager is reviewing this on a continuous basis. Local factories are very aware of airport notification of cranes. The airport has an emergency plan. Construction and zoning under review regarding construction near the airport. Safety concerns are reviewed and programs are in place to address the issues.

Tom Mandersheid: Added, "Please follow through with city to be sure form 7460 gets filled out regarding construction."

Noise abatement report: Reviewed every year. There has been a year over year increase in airport activity. Grant assurances state the airport is for public use. All aircraft are certified to the FAA noise standard. We have a voluntary noise abatement program. This year we have only received 6 complaints. Each person was talked to. Aircraft noise levels are included in the report.

Board-member Harrell departs.

Meeting adjourned due to the lack of a quorum per the Open Meetings Act.

Next meeting December 17, at 5:30.

Adjournment: 6:02 pm due to lack of a quorum

Minutes submitted by board secretary, Richard Clapp

GRAND HAVEN BOARD OF LIGHT AND POWER
MINUTES
NOVEMBER 14, 2024

A regular meeting of the Grand Haven Board of Light and Power was held on Thursday, November 14, 2024, at 6:00 PM at the Board's office located at 1700 Eaton Drive in Grand Haven, Michigan and electronically via live Zoom Webinar.

The meeting was called to order at 6:00 PM by Chairperson Westbrook.

Present: Directors Crum, Polyak, Welling and Westbrook.

Absent: Director Knoth.

Others Present: General Manager Rob Shelley, Secretary to the Board Danielle Martin, Finance Manager Lynn Diffell, Distribution and Engineering Manager Austin Gagnon and Information Technology Specialist Dan Deller.

24-16A Director Welling, supported by Director Polyak, moved to excuse Director Knoth from the meeting due to a scheduling conflict.

Roll Call Vote:

In favor: Directors Crum, Polyak, Welling and Westbrook; Opposed: None.
Motion carried.

24-16B Director Polyak, supported by Director Welling, moved to approve the meeting agenda.

Roll Call Vote:

In favor: Directors Crum, Polyak, Welling and Westbrook; Opposed: None.
Motion carried.

Pledge of Allegiance

Public Comment Period

Ryan Cotton, 515 Park Avenue, provided an update on the Sustainability and Energy Commission. The Commission would like to be placed on the Board's December meeting agenda to give a presentation.

24-16C Director Welling, supported by Director Polyak, moved to approve the consent agenda. The consent agenda includes:

- Approve the minutes of the October 17, 2024 Regular Board Meeting
- Receive and file the October Financial Statements, Power Supply and Retail Sales Dashboards
- Receive and File the October Key Performance Indicator (KPI) Dashboard
- Receive and File the MPPA Energy Services Project Resource Position Report dated 10/31/2024

GRAND HAVEN BOARD OF LIGHT AND POWER
MINUTES
NOVEMBER 14, 2024

- Approve payment of bills in the amount of \$2,296,364.73 from the Operation & Maintenance Fund
- Approve payment of bills in the amount of \$137,725.42 from the Renewal & Replacement Fund
- Approve Purchase Order #23232 to CRC in the amount of \$12,000 for the fiscal year 2025 call center subscription
- Approve Purchase Order #23236 to Charter Spectrum Internet in the amount of \$8,750 for fiscal year 2025 fiber internet services

Staff investigated the trend in lower than expected industrial sales mentioned at the Board's October meeting. Contributing factors include the way West Michigan Molding sales were allocated and a lower cost of power overall. Staff expects sales to come back in line with the budget as the year progresses.

Roll Call Vote:

In favor: Directors Crum, Polyak, Welling and Westbrook; Opposed: None.

Motion carried.

24-16D Director Welling, supported by Director Polyak, moved to approve the Purchase Orders. The Purchase Orders include:

- Purchase Order #23230 to Rehmann Technology in the amount of \$12,886 for network firewalls
- Purchase Order #23234 to Power Line Supply in the amount of \$51,079 for Harbor Drive underground materials
- Purchase Order #23237 to Rehmann Technology in the amount of \$14,685 for Barracuda cloud backup for three years
- Purchase Order #23239 to Irby in the amount of \$44,544 for nine pole mount transformers for stock

Roll Call Vote:

In favor: Directors Crum, Polyak, Welling and Westbrook; Opposed: None.

Motion carried.

24-16E Director Welling, supported by Director Crum, moved to adopt the Annual Exemption Option as set forth in Public Act 152 (Attachment A).

Public Act 152 limits the amount public employers can contribute to employee health care. A hard cap limit is set each year. If the employer is contributing below the hard cap amount, no further action is required. If the employer is contributing more than the hard cap amount, the

GRAND HAVEN BOARD OF LIGHT AND POWER
MINUTES
NOVEMBER 14, 2024

employer can comply by either requiring the employee to contribute 20% of the monthly healthcare premium or by opting out of the Act.

In 2025, BLP employees will pay 7% of the monthly premium for healthcare coverage while the employer will pay the remaining 93%. The employer contribution will be more than the hard cap limit. Staff recommends the Board adopt the exemption option to provide this benefit to our employees.

Roll Call Vote:

In favor: Directors Crum, Polyak, Welling and Westbrook; Opposed: None.

Motion carried.

24-16F 2025 Customer Satisfaction surveys were discussed. A purchase order to conduct the surveys will be on the Board's December meeting agenda. The General Manager asked the Board if there were any topics they would like to include ahead of strategic planning in 2026. By consensus, the Board asked for questions regarding Board accessibility and transparency, internal generation, and types of generation desired to be included in the survey.

No formal action taken.

24-16G The General Manager announced the BLP received a silver level Customer Satisfaction Award from APPA. The BLP also received a three-year designation as a Smart Energy Provider from APPA.

No formal action taken.

24-16H The Board discussed Governance Training Lessons 11 "The Board Meeting" and 12 "Board Conflict"

No formal action taken.

24-15I The Board will watch Governance Training Lesson 13 for discussion at December's meeting.

No formal action taken.

Other Business

The General Manager provided the following updates:

- The BLP partnered with the Community Action Agency to host an event tonight at River Haven. Erik Booth and his team are passing out home weatherization and energy saving kits aimed at helping customers reduce energy waste.
- The General Manager recently presented the utility energy plan to the Ferrysburg and Grand Haven City Councils. A copy of the slides were provided to the Board.

GRAND HAVEN BOARD OF LIGHT AND POWER
MINUTES
NOVEMBER 14, 2024

- The Grand Haven City Council approved the Harbor Island Approval Procedures. The DPW Director will be at the Board's meetings in December and January to present upcoming task orders and contracts to the Board. There are outstanding legal bills that will need approval. The General Manager will meet with the City Manager and DPW Director to determine which portion of the bills the Board will be asked to pay.

Public Comment Period

No comments.

Adjournment

At 6:38 PM by motion of Director Welling, supported by Director Crum, the November 14, 2024 Board meeting was unanimously adjourned.

Respectfully submitted,



Danielle Martin
Secretary to the Board

DM

GRAND HAVEN BOARD OF LIGHT AND POWER
MINUTES
NOVEMBER 14, 2024

Attachment A

RESOLUTION TO ADOPT THE ANNUAL EXEMPTION OPTION AS SET FORTH IN 2011 PUBLIC ACT 152 THE PUBLICLY FUNDED HEALTH INSURANCE CONTRIBUTION ACT

WHEREAS, 2011 Public Act 152 (the "Act") was passed by the State Legislature and signed by the Governor on September 24, 2011; and

WHEREAS, the Act contains three options for complying with the requirements of the Act; and

WHEREAS, the three options are as follows:

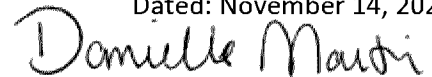
- 1) Section 3 - "Hard Caps" Option - limits a public employer's total annual health care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 - "80%/20%" Option - limits a public employer's share of total annual health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 - "Exemption" Option - a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body; and

WHEREAS, the Grand Haven Board of Light and Power has decided to adopt the annual Exemption option as its choice of compliance under the Act.

NOW THEREFORE, BE IT RESOLVED, the Grand Haven Board of Light and Power elects to comply with the requirements of 2011 Public Act 152, the Publicly Funded Health Insurance Contribution Act, by adopting the annual Exemption option for the medical benefit plan coverage year January 1, 2025 through December 31, 2025.

RESOLUTION DECLARED ADOPTED

Dated: November 14, 2024




Danielle Martin, Board Secretary
Grand Haven Board of Light & Power

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Grand Haven Board of Light & Power, at a meeting held on October 17, 2024, and that public notice of said meeting was given pursuant to, and in compliance with, Act 267 of the Public Acts of Michigan of 1976, as amended.

November 14, 2024



Robert Shelley, General Manager
Grand Haven Board of Light & Power

**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
ECONOMIC DEVELOPMENT CORPORATION/
BROWNFIELD REDEVELOPMENT AUTHORITY**

NOTICE OF CANCELLATION

PLEASE TAKE NOTICE that the regular meeting of the EDC/BRA Board of the City of Grand Haven scheduled for Monday, October 7, 2024, at 4:00 pm has been cancelled due to the lack of agenda items. The next regularly scheduled meeting of the EDC/BRA Board is on Monday, November 4, 2024, at 4:00 pm.

Please notify Emily Greene at 616-847-4893 or egreene@grandhaven.org if you have questions regarding this notice.

This notice is posted pursuant to the Open Meetings Act.

DATED: October 3, 2024

POSTED: October 3, 2024

City of Grand Haven Human Relations Commission

Thursday August 22, 2024, called to order at 5:34 p.m.

City Hall [519 Washington Grand Haven, MI 49417]

The Highlights:

The regular meeting of the Grand Haven Human Relations Commission was called to order by Keith Colson at 5:34 p.m. in the council chamber of Grand Haven City Hall [519 Washington Ave. Grand Haven, MI 49417]

Commission Members present: Greta Fuller, Amber Mendiola-Suarez, Andrew Villanueva, Emmett Brown, Keith Colson, Benard Stone.

Commission Members absent: Jessica Cole Robinson

Community Members present: Tim Price, Assistance City Manager

Others Present: No others present

1. Upon the presentation of the Agenda, Comm. Villanueva motioned to approve said agenda with Comm, Brown seconding the motion.
2. Upon the presentation of the April meeting Minutes, Comm. Brown motioned to approve said March meeting minutes with Comm. Villanueva seconding the motion.
3. A welcome call to the audience is made by Comm. Colson.
4. Liaison Report: The Holland HRC is hosting an International Festival on September 14th, there will be a rededication ceremony of the Immigrant statue in Kollen Park on September 14th, there will be an expungement Fair on October 5th in Grand Rapids, A Naturalization Ceremony will occur in Holland during the month of September. Big Read Lakeshore read theme for September is: The American Dream. This theme depicts how that dream has changed throughout the years for different ethnic communities. The Loutit Library is having a banned book challenge from September 20th-October 31st.
5. Old Business:
 - a. Upon the presentation of the Proclamation for the 2024 Hispanic Heritage Month (to be read at the next Grand Haven City Council meeting), Comm. Brown motioned to approve with Comm. Villanueva seconding the motion.
 - b. Discussed a collaboration for Black History month with Grand Armory and Odd Side Ales for trivia nights as well as activities at the Loutit Library and Grand Haven Museum.
6. New Business:
 - a. Will ask TCPI if an individual from their board would volunteer to read the Proclamation for the 2024 Hispanic Heritage Month in Spanish at the next Grand Haven City Council meeting.
 - b. Discussed creating the HCR 2025 calendar for review.
 - c. Discussed having a space at City Hall for the HRC supplies.

- d. Discussed creating an HRC rotation of attendees at the Grand Haven City Council meetings.
 - e. Comm. Brown to attend the September 3rd Grand Haven City Council Meeting and Comm. Villanueva to attend the September 16th Grand Haven City Council Meeting.
 - f. Discussed Comm. Fuller creating a flyer for the LAUP/Voyage Bowl Snack and Backpack Drive. Comm. Brown offered to have Trinity Church be a drop off location for the drive's donations.
7. A second call is made to the audience by Comm. Colson.
 8. Comm. Villanueva motions to adjourn the meeting with Comm. Stone seconding the adjourn motion.
 - a. Meeting Adjourned at 6:56 p.m.
 9. The next Human Relations Commission meeting is scheduled for Thursday September 26, 2024, at 5:30p.m.

Meeting Minutes submitted by Comm. Amber Mendiola-Suarez 9/24/2024

City of Grand Haven Human Relations Commission

Thursday October 24, 2024, called to order at 5:33 p.m.

City Hall [519 Washington Grand Haven, MI 49417]

The Highlights:

The regular meeting of the Grand Haven Human Relations Commission was called to order by Keith Colson at 5:33 p.m. in the council chamber of Grand Haven City Hall [519 Washington Ave. Grand Haven, MI 49417]

Commission Members present: Amber Mendiola-Suarez, Emmett Brown, Keith Colson, Benard Stone, and Steve Termolen.

Commission Members absent: Greta Fuller

Community Members present: Honorable Bob Monetza, City Mayor and Ashley Latsch City Manager

Others Present: No others present

1. Upon the presentation of the Agenda, Comm. Mendiola-Suarez motioned to approve said agenda with Comm. Brown seconding the motion.
2. There were no September minutes to approve due to lack of a quorum for a September meeting.
3. A welcome call to the audience is made by Comm. Colson.
4. Liaison Report: There is no liaison report to give currently.
5. Old Business:
 - a. Discussed Comm. Brown attending the remaining 2024 Grand Haven City Council meetings.
 - b. Discussed the idea of diversifying the HRC's social media presence.
 - c. Discussed the HRC booth at the 2024 Hispanic Heritage fiesta. The booth went well. There was some community engagement but, not as much as last year. There was no "swag" at the booth this year. Discussed talking to community partners about the donation of "swag" for future booths.
 - d. Comm. Colson gave a report on his experience with the Over the Bridge Project. Comm. Colson stated the activities throughout the experience were very meaningful.
 - e. Discussed ideas for Black History Month and Juneteenth events. Discussed the possibility of speaks at the Grand Haven Community Center. Discussed the idea of looking at what events Holland and Grand Rapids have during these times. Discussed the idea of using Muskegon Community College resources when creating events.
6. New Business:
 - a. Discussed the idea of each commission member finding projects which they are passionate about and proposing those projects to the commission.

- b. Discussed collaborating with the City of Grand Haven on an MLK Day of Service event.
 - c. Discussed 2025 Grand Haven City Council Meeting attendance by commission members
 - d. Discussed the need for support from all commission members when HRC representation is need at community events.
 - e. Discussed the need to fill three open voting seats, including one seat for a student representative, currently on the commission.
7. A second call is made to the audience by Comm. Colson.
8. Comm. Brown motions to adjourn the meeting with Comm. Mendiola-Suarez seconding the adjourn motion.
- a. Meeting Adjourned at 6:42 p.m.
9. The next Human Relations Commission meeting is scheduled for Thursday November 21 2024, at 5:30p.m.

Meeting Minutes submitted by Comm. Amber Mendiola-Suarez 11/18/2024

Meetings Minutes
Board of Directors - Grand Haven Main Street
Thursday, October 10, 2024
Grand Haven City Hall - Council Chambers

1. Meeting called to order at 7:30am, Recording Secretary: Laura Girard, Members Present: Joyce Workman, Todd Anthes, Chris Weavers, Laura Girard, Robert Monetza, Todd Hancock, Lynn Negen, Nathan Patterson, Melita Ewbank
Absent: Kelly Larson, John Steinbach,
Kelly Larson arrives at 7:31am
2. Mission and Vision statement read by Joyce Workman and Nathan Patterson.
3. Motion to Review and approve of the Consent and Regular Agenda by Robert Monetza and 2nd by Kelly Larson.
Motion to amend Consent agenda add line item 5d. to approve JW Greenhouse to install Holiday Lighting and greenery to light poles and add to Regular Agenda new line item #7 New Business to discuss Holiday Commercial Motion by Joyce Workman, 2nd by Robert Monteza All members present approved All present to accept the amended Consent and regular agenda. All present approved.
4. Call to audience: Brian Jarosz with City of Grand Haven wanted introduce himself and explain he is now Waterfront and Event Manager for the city.
5. Motion to approve Consent Agenda: Motion by Robert Monetza and 2nd Kelly Larson. Nathan Patterson discussed Minutes from R & R are old minutes, it was an error in the title of email, To be care Chandi will remove and review and will resubmit R & R minutes next month to be sure. Holiday lights and greenery approved by P & P for \$4450.00 Holiday Lighting and greenery every comes down right after Wine About winter.
Vote to approve Consent Agenda all in favor: Joyce Workman, Todd Anthes, Chris Weavers, Laura Girard, Robert Monetza, Todd Hancock, Kelly Larson, Nathan Patterson, Melita Ewbank
All Opposed: Lynn Negen
6. Treasury Report: Chris Weavers went over itemized items, Melita will check on cost of signs for Taste of Grand Haven. Motion to approve by Kelly Larson and 2nd by Chris Weavers. All present approved.

7. New Business: Holiday Commercial no discussion at Org., but came up at marketing. Does it benefit overall? It was \$8000.00 last year and \$10,000.00 year before. 3 weeks till deadline. Did it only benefit stores that were highlighted in ad? Lynn Negen suggested that Shyle Lyons could help with social Media during Holidays, Chandi has been handling social media and suggested Digital advertising through magazines, Media websites, radio, for Holidays. What is data of the best bang for your buck. Nathan Peterson discussed a Holiday Shopping Guide. Marketing is a new committee. We need to try a get ahead on Marketing. No motion was made on a Holiday Commercial

8. Committee update:

A. P & P Chris Weavers discussed holiday lighting, Spheres, poles, trying upright in garden boxes, Corn stalks up for Fall, Central High School Students helped put up, and lakeside eats fed them, maybe perennials flowers and fun grass for flower boxes.

Org. new members, bring rules set up for out of district business, also how would sponsorship work with the rules, website is working great.

Promotions are also working on rules for out of district. Chandi have given this to all committees. Will be a few months to get a rules together.

Marketing committee will meeting two months in a row and then hopefully once a quarter.

R & R discussed out of business participation, Nathan will look at a older marketing plan

Promotions: Fall Fest Lynn has Friend taking pictures all skeletons, dance team, City Trucks, WAWL Music, dance team, awards, trick or treat 10:30 to noon, wagon ride, Light Night all Ads are all sold for Bags, Wine about Winter

Director reports: Chandi, Nov 6, 2024 accredited at 8:30 am Michigan Main Street.

Poll survey: discussed overview of results. It has been posted online Chandi went over Transformation Strategy topics in general to get started on process. Boards roles and responsibility.

Bob Monetza leaves at 8:16am

She wanted to give board an idea of how the process works.

Chose two services in Dec and they will come at the beginning of the year.

How are we going to pick these topics. Need a action plan. A Strategy and priority.

Chairs report: informational game about the DDA

Adjourn: 8:29am.

NORTHWEST OTTAWA WATER SYSTEM

Administrative Committee Minutes

August 21, 2024

A regular administrative committee meeting of the Northwest Ottawa Water System was called to order by Derek Gajdos at 8:46 a.m. Wednesday, May 21, 2024, in the Council Chambers at Grand Haven City Hall.

Present: Craig Bessinger (City of Ferrysburg); Bill Cargo (Grand Haven Charter Township); Gordon Gallagher (Spring Lake Township); Derek Gajdos (City of Grand Haven); Brady Selner (Village of Spring Lake); Pat Staskiewicz (Ottawa County); Matt Wade (Grand Haven Charter Township)

Absent:

Also present: Joe Walsh (Ottawa County)

A motion by Gallagher, supported by Staskiewicz to accept the minutes for the August 15th, 2024 NOWS Committee Meeting. The motion was unanimously approved.

Manager's Report, May, June, July '24– By Law

Comparable pumpage to LY for May, June and July. May started the summer pumping season by showing a 1% gain over last year followed by a significant dip in June. June's weather was in stark contrast to the previous year's drought like June, coming in and staying wet and cool, posting a -13% comp. Precipitation remained consistent through July which finished just off pace from the previous year at -2%. June 30th marked the end of the 23/24 FY and even with the slowing of pumpage to start the summer season NOWS total pumpage increased 2.5% year of year and coming just shy of the 2.615 billion gallon projections with just over 2.549 billion gallons pumped. The Unit breakout to finish the year sees the Northside with 38% of the allocation at a -4.57% comp, GHCT with 32% of allocation and a 1.74% increase, and the COGH with 30% of allocation and a 6% increase in demand. Law provided a historical distribution allocation chart that showed a notable inverse correlation for usage between the Northside and the COGH communities. GHCT had no correlation to either community. Gallagher asked how the magnitude of summer demand was impacting operations. Law explained, the summer has been consistently wet and cool and that has helped temper demand. Law recognizes the past two summer seasons have been moderate with consistent precipitation and cautions that the next drought cycle could provide significant challenges to supply. He anticipates the annual challenge to meet the GHCT demand should be made much easier with the new third transition main and meter station into the GHCT system and is looking forward to operating this new line next summer.

After audit has been completed, the EOY financial audit will be finalized within the next couple of months. The final report will be available for the November NOWS meeting. Law provided the following as approximations.

Expenditures are reporting at 87.9% with revenue at 102% to projection. Cash at the time of reporting was \$113,195 and the replacement / money market fund is at \$548,817. Law provided a FY capital improvement projects tracking chart and will be including this in the quarterly reporting going forward. Production cost ended the year with bulk chemical expenses flat to LY. This was in large part because of the drop in chlorine costs. Chemical cost per lb of chemical comped to LY with chlorine costs down 43%, fluoride up 43% and alum up 32%. Chlorine by volume is the highest consumed of the three. Power cost increases over last year are primarily driven by the continuous flex in the PSCA. All other units for power costs remained the same. Law provided a chart showing consumer price index to the combined chemical and power costs for the NOWS plant over a ten-year period. Since 2014 chemical /power costs per million gallons have decreased 1.5% while the consumer price index during that same period has increased by 34.2%.

Source water quality in the summer is always outstanding. The trend continues to provide stable if not receding TOC results. Turbidity results for each month remain consistently low and removal efficiencies for turbidity remain good with May at 63.7%, June at 69.5%, and July at 67.1%. All very good numbers for direct filtration. Disinfection byproduct quarterly testing results show all communities remaining well below the regulatory limits and in compliance. Monthly PFAS sampling is more of the same with mostly no-detections and few low level detections. The PFAS results are consistent and nothing unusual. Regulatory annual averaging shows constituents either non-detect or well below regulatory limit. Law mentioned increased public concern with algae and that those have been the only calls of concern he has received recently. Law explained the calls are due to the intensely green organic mat washing ashore. He explained that this was a form of algae called Cladophora, a form of green algae that is not toxic like the blue green variant the produces cyanotoxin. Law pointed out the ongoing NOWS participation with the state run cyanobacteria sampling program. This is the third summer in a row NOWS has been an active participant in the study and highlighted that there have been no detections ever for NOWS.

Agenda Item 1: *Water Rate Discussion Delayed until November – By Law*

Personnel changes at Baker Tilly had the principal working on the project leave the organization. We have been assured that the project will be completed in time for the November meeting.

Agenda Item 2: *Sanitary Survey – By Law*

A sanitary survey was completed by EGLE district engineers in June. Law provided the survey letter from the State with his responses to each of the items brought forward in the letter. Board members found the letter and Laws responses appropriate. When asked about the states concern with capacity, Law explained the state is looking at both the max day and the peak hourly as a barometer and sees 2030 as a significant year for projecting potential capacity issues. Law explained how appreciative the state is that NOWS is taking a proactive approach by conducting feasibility study's now and is asking for those studies to be included in the response to the sanitary survey letter when they are completed.

Agenda Item 3: *Prein & Newhof Raw Water Intake No.3 Feasibility Final Review – By Law*

A motion by Cargo and supported by Gajdos to accept the Prein & Newhof Water Intake No.3 Feasibility Final Review with an amendment of not approving the optional wave study passed with a unanimous vote.

It was requested by the board that after both feasibility studies have been completed, that an attempt to summarize with an emphasis placed on a simplified chronological order.

Other:

Aqueous Film-Forming Foam (AFFF) Products Liability Litigation: *By Gajdos*

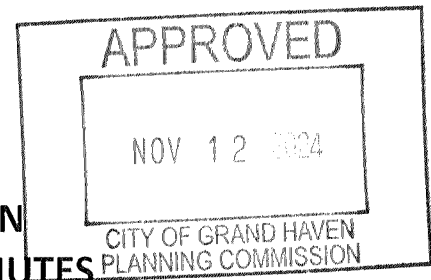
Gajdos discussed the Aqueous Film-Forming Foam (AFFF) Products Liability Litigation filing was completed for the entirety of the NOWS system by the NOWS filtration plant. Gajdos explained the complexity of how division with the filing units would have caused unnecessary complexity. Cargo agreed that the source is the filtration plant and supported the approach. Award amounts are undetermined and difficult to project.

New Grand Rapids Supplemental Water Agreement: *By Joe Walsh*

Negotiations are in progress and slow moving. The current contract doesn't expire for a couple of years.

Adjournment: 09:36 a.m. – Submitted by Eric Law

**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
PLANNING COMMISSION MINUTES
October 8, 2024**



A regularly meeting of the Grand Haven Planning Commission was called to order by Chair Dora at 7:00 pm. Upon roll call, the following members were present:

Present: Magda Smolenska, Amy Kozeneki, Dan Borchers, David Skelly, Tamera Owens, Joe Pierce, Chair Mike Dora

Absent: Vice-Chair Ryan Galligan, Jennifer Smelker

Also Present: City Planner Brian Urquhart, City Manager Ashley Latsch, Mayor Monetza, and members of the public.

Approval of Minutes

Motion by **Skelly**, seconded by **Smolenska** to approve the minutes of the September 10th meeting as printed. All ayes. **Motion passes.**

Approval of Agenda

Motion by **Pierce**, seconded by **Kozeneki** to approve the agenda as printed. All ayes. **Motion passes.**

Call to the Audience; First Opportunity

None

Case 24-31: A public hearing to consider a Major amendment to the Grand Landing Planned Development for a hotel (parcels #70-03-21-100-013; 014; 015; 016)

Urquhart introduced the case. Blake BeCALL of Elite Hospitality Group has submitted a request to develop vacant property east of Miller Dr. and north of Adams St. (parcels #70-03-21-100-013; 014; 015; 016) into a hotel. Grand Landing has always included plans for a hotel, however, due to the relocation and size increase, the Planning Commission determined at the July 23rd special meeting the changes are considered major, and would require that same review process for a Planned Development as outlined in Sec. 40-421.11. The meeting on October 8, 2024 will include a public hearing to consider the PD amendment and preliminary development plan. The Planning Commission will make a recommendation to the City Council concerning the PD amendment and preliminary development plan. The City Council will then approve or deny the PD amendment and preliminary development plan. If the Council approves the PD, then the applicant will return to the Planning Commission for a final development plan approval and sensitive area overlay review.

The Planned Development requires approval of a preliminary development plan and final development plan.

Elite Hospitality Group is requesting to relocate the hotel towards the east on the parcel with a building orientation of east-west. The hotel will feature two patios and an outdoor lounge, and 332 total parking spaces. There will be a dumpster located near the southwest corner of the parking lot. The preliminary hotel plans call for mixture of exterior material color and type, with various architectural features and articulation. The final design of the hotel can be refined during final plan review.

Utilities, lighting, landscaping, public benefit, and storm water management can be evaluated as part of the final development plan review.

Staff received one public comment against the Planned Development amendment. In lieu of Commissioner Smelker's absence, she sent an email to the commissioners with her comments for review as well.

Blake Becall of Elite Hospitality Group was present.

Chair Dora opened the public hearing at 7:08 pm.

No public comment.

Motion made by **Owens**, seconded by **Smolenka** to close the public hearing. All ayes. **Motion passes.**

Chair Dora closed public hearing at 7:09 p.m.

Pierce began the conversation by stating he appreciated the research and was excited about this development. Any issues that he previously had were resolved. He did mention that he would like to consider the cosmetics of the east side of the building as it's the first impression as people come into town. He voiced he was in agreement with one of the ideas that Smelker brought up in her email recommendation about having a green space buffer between the parking lot and boardwalk.

Becall responded by stating that Eite wanted to provide enough greenery/landscaping buffer so that it would both complement the aesthetics as well as satisfy what the commissioners were looking for.

Borchers had no comments.

Skelly asked for examples of the new concept design. Becall stated he would work to find something comparable and send it to the commissioners.

Skelly also inquired if the water was accessible from the property. Becall stated there were no current plans for that. Skelly also voiced that he agreed with Smelker's email recommendation to add bicycle racks. Becall agreed with this recommendation,

Kozenecki also stated she previously had similar questions. She mentioned she felt the parking lot seemed to be large, and encouraged designers to make this look less like a parking lot. Kozenecki also asked for a footprint comparison of this project to the Holiday Inn. Becall felt as though this project would be smaller in comparison but would send the details of the square footage to commissioners for their review. Kozenecki also voiced concern about the flow of traffic on and off Jackson.

Smolenska echoed her concerns about the size of the parking lot. She inquired about implementing screening around the parking lot to help hide it. She also mentioned she appreciated the how building was rotated in the updated design.

Owen also commented stating she liked the updated design. She also inquired about the vacant lot to the east that was state owned and wondered if there were plans for development there. Urquhart stated the property was owned by MDOT and the City was not aware of their plans at this time.

Chairmen Dora mentioned he had nothing further to add to the previous comments. He did mention the only other thing that Smelker brought up in her email comments was about the lighting. Becall responded the brand takes those things seriously from a liability standpoint, and there will be sufficient lighting.

Urquhart inquired about the exterior colors, making sure that the brand would be in concert with what City was looking for. Becall mentioned common ground would need to be found between the Hilton Brand and the City, but did not see a problem with the collaboration.

Urquhart also inquired if the 100 square feet for signage would be enough. Becall mentioned he felt that it would be sufficient.

Motion made by **Smolenska**, seconded by **Owens**, to approve Case 24-31, a request for a major amendment to the Grand Landing Planned Development for a hotel and approval of the associated preliminary development plan located on vacant property East of Miller Drive and north of Adams Dr. (parcels #70-03-21-100-013; 014; 015; 016) subject to the following conditions:

- 1) *The project will be constructed in one (1) phase*
- 2) *Signage requirements shall match the requirements of the Commercial District.*

Roll call vote. All ayes. **Motion passed.**

Case 24-35: A public hearing for Special Land Use –187 Grand Retaining Wall (parcel #70-03-29-377-022).

Urquhart presented the case. Adrian Chevez, of *Chevez Concrete*, on behalf of property owner Doug Suchecki, submitted a special land use request for a retaining wall located at 187 Grand Ave. (parcel #70-03-29-377-022). The retaining wall measures greater than 48 inches in height, which shall require special land use permit review by the Planning Commission. Last month, the Building Official discovered a concrete retaining wall being poured by Chevez Concrete at 187 Grand Ave. and gave a warning the retaining wall shall require a retaining wall and building permit. Due to the fact the wall is greater than 48 inches in height, a special land use approval by the Planning Commission is also required. The contractor elected to complete the pour after receiving the warning. He subsequently filed for a building, retaining wall, and special land use permits. According to the property owner, the replacement of the retaining wall was to enhance and stabilize the small hill between their property and the neighbors at 191 Grand Ave. The retaining wall is taller and longer than the former wall. Section 40-327 of the Zoning Ordinance provides requirements for retaining walls and outlines provisions for administrative approvals and Planning Commission approvals. The applicant has provided responses to 40-116.03A. for special land uses.

Homeowner, Doug Suchecki was present.

Chair Dora opened public hearing at 7:29 p.m.

Anna Harms, 191 Grand, who lives adjacent to the property, stated she is in full support of the special land use permit. Feels like a retaining wall will be helpful with the erosion. Suchecki's have always communicated about any projects they are doing and have been amazing neighbors.

Motion made by **Skelly**, seconded by **Pierce** to close the public hearing. All ayes. **Motion passes.**

The public hearing was closed at 7:30 p.m.

Owens, Smolenska, and Kozenecki had no additional comments.

Skelly inquired if the owner was notified before the contractor received the warning. Suchecki stated he arrived at the house when the building inspector was there talking to the contractor. He believed he was halfway through the pour when they were notified. The building inspector left Suchecki with specific instructions to contact a Structural Engineer to look at the wall. The Engineer determined that 24 inch rebar was needed for any area of the wall above 4 feet. The homeowner has made the corrections requested and has been in touch with the building inspector for updates and additional requirements.

Borchers, Pierce, and Chairman Dora had no additional questions.

Motion by **Kozenecki**, seconded by **Smolenska**, to approve Case 24-35, a special land use permit for a retaining wall greater than 48 inches in height at 187 Grand Ave. (parcel #70-03-29-377-022) based on the information submitted for review.

Roll call vote. All ayes. **Motion passed.**

New Business

Case 24-34: Amendment to Noto's PD – additional sign

Urquhart introduced the case. In October 2023, the Planning Commission approved the final development plan for Noto's at 1223 S. Harbor Drive. The final development included a sign plan, which included one sign on the north wall facing the parking lot. Under the regulations for a Planned Development, any signage changes must be reviewed as specified in the Planned Development ordinance. In this case, the approved PD ordinance did not indicate any additional signs. Earlier this year, the applicant approached the city regarding an additional sign on the south wall. The primary reason to attract attention to motorists traveling north on S. Harbor Dr. Before review, staff ensured all conditions of the Planned Development approval were met. The guidance on how to determine what changes would be considered major or minor can be found in Section 40-421.11.B of the Zoning Ordinance. These examples are meant as a guide to aid the Planning Commission in deciding.

B. Modification of a final development plan. Minor changes to a PD final development plan may be approved by the planning commission, as follows.

- 1. The relocation of structures, the relocation and reconfiguration of roads, planting areas, parking areas, signs, lighting, and driveways provided that all such improvements remain in the same general location as approved by the planning commission and provided further*

that all such changes shall result in no significant additional impact on adjoining properties than would result from the original development.

Summary of Proposed Changes

- One illuminated 45 sq. ft. wall sign installed on the south wall
- The Planning Commission could determine according to Sec. 40-421.11.B, an additional wall sign will not result in any significant impact on adjoining properties and classified as minor. However, nothing shall prevent the Planning Commission from determining any change as a major change.

The property Owner was not present.

Borchers asked for clarification if the original plan included a second sign. He also which portion of the sign would be illuminated.

Pierce stated that due to the fact the sign wasn't in the same general location, it would classify as a major change.

Skelly stated he felt this was a minor change.

Kozenecki stated because there was a change in the original plan, she felt that it would be a major change.

Smolenska felt as though this would be considered a major change due to the illumination of the sign.

Owens also felt as though it might be considered a major change due to illumination as well, but felt it might require further consideration. Owens stated she would like to see this go through a public hearing.

Chair Dora felt due to the language in the modification of a development plan, that it would be considered a major change.

Motion made by **Smolenska**, seconded by **Pierce** to approve Case 24-34, the additional wall sign is considered MAJOR and therefore will require re-consideration of the preliminary development plan, which will include public hearings at both the Planning Commission and City Council level.

Roll call vote. All ayes. **Motion passed.**

Old Business

Case 24-12: Site Plan Review – Village Green Storage Area Expansion

Urquhart presented the case. The Village Green submitted a Site Plan Review application for a proposed expanded outdoor storage area for Village Green residents. The proposed storage area is to the immediate south of an existing fenced in storage area. Section 40-318.02 of the Zoning Ordinance requires the Planning Commission approve outdoor storage areas in the Industrial District.

Residents' boats, trailers, and RVs will be stored in this expanded storage area. The area will be paved, sloped to the north into the existing Village Green development, and it will be fenced The proposal

conforms to the requirements of the Zoning Ordinance, including landscaping and screening. The applicant approached the City earlier this year, however, the City requested confirmation for construction approval from the Federal Aviation Administration (FAA). The applicant patiently waited and ultimately received approval from the FAA.

The Dept. of Public Works, the Airport Manager, and the Board of Light & Power did not have any concerns with the outdoor storage area.

Applicant representative, Lisa Hamm of 311 N. Terrill was present. She stated she had been working with the airport manager and the FAA to make sure she was following regulations.

Borchers and Pierce had no additional questions.

Skelly inquired if the City had any additional approval that the documentation would be provided to the city.

Kozenecki, Smolenska, Owens, and Chair Dora had no further questions.

Motion made by **Kozenecki**, seconded by **Skelly** to approve case 24-12, a request from The Village Green for a Site Plan Review for an expanded outdoor storage area for Village Green located at vacant Comstock Street (parcel #70-03-34-100-039), based on the information submitted for review with the following conditions:

- 1) All FAA confirmation documentation shall be provided to the city.

Roll call vote. All ayes. **Motion passed.**

Case 24-04a: Extension of the condition of lot split approval

Urquhart presented the case. Denny Dryer of *Dyer Architects* has submitted a written request to extend the deadline to grade the mound on parcel 1 at 924 Beechtree St. (parcel #70-03-27-315-011) to a later date. In February 2024, the Planning Commission approved PC Case 24-04, approving the lot split at 924 Beechtree into 5 lots (see attachment A) with conditions of approval (see attachment B). Condition 5 stated: "The existing mound on parcel 1 must be graded to acceptable means as determined by the City Planner within 90 days after approval".

On April 30, 2024, Mr. Dryer requested to extend the deadline to grade the mound of dirt to the end of September (see attachment C). In the request, Mr. Dryer stated he did not receive the lot split descriptions until the week prior, therefore not enough adequate time was available to grade the mound. Staff granted the extension as a minor amendment based on Sec. 40-115.09.A. This determination was confirmed as an appropriate minor amendment by the City Attorney.

However, after conversations with Mr. Dryer, it is evident the mound will not be graded by the end of September and he is requesting additional time. Staff will not grant another extension and refer the request to the Planning Commission for a determination in accordance with Sec. 40-115.09.B. In his email dated October 3, 2024, Mr. Dryer implies he will submit applications and combine parcels A, B, D, and E

and rezone to Transitional Industrial. He noted part of the reason for the delay is that PolyPly located at 1540 Marion Ave. will need 2,300 cubic yards of the mound to fill for what is currently parcel B. Mr. Dryer estimates the total mound is approximately 3,400 cubic yards. He does not specify what the remaining 1,100 cubic yards will be used for.

Based on the information submitted, the Planning Commission retains full discretion to approve or deny the extension request.

Applicant Denny Dryer, 220 ½ Washington was present.

Borchers had no questions. Pierce would like to see a plan set in place so that it does not go back in front of the PC again. Skelly would also like to set parameters and move forward with this. Dryer responded stating June should be plenty of time for the mound to be shifted.

Kozenecki stated she was fine with the extension, but asked for a copy of the purchase agreement once obtained.

Smolenska and Owens also agreed with Kozenecki and stated they would be ok with an extension of six to seven months.

Chair Dora stated he was tired of seeing through a mound in the setback and would like to see it moved out of it. Would also agree to the extension as long as it does not exceed the time.

Motion made by **Skelly**, seconded by **Kozenecki** to approve case 24-04a, a request to extend the condition of approval to grade the mound on parcel 1 at 924 Beechtree St. (parcel#70-03-27-315-011) to a later date, based on the following reasons:

- 1) *The applicant has provided evidence of a proven hardship to complete the removal of the existing mound on parcel 1.*
- 2) *Extension not to exceed April 30th, 2025.*
- 3) *Confirmation of purchase agreement.*

Roll call vote. **Yeas: Pierce, Smolenski, Skelly, Owens, Borchers, Kozenecki Nays: Chair Dora**
Motion passed

Zoning Board of Appeals Liaison Report

Kozenecki reported there wasn't a meeting to report, but will be reviewing 3 cases at the next meeting.

City Planner Report

Attended Michigan Association of Planning Conference.

Call to the Audience; Second Opportunity

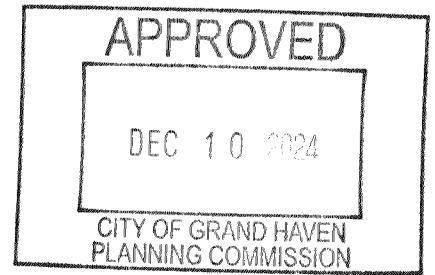
Lisa Hamm. 311 Terrill, spoke stating they will make sure all FAA documents are provided.

Motion made by **Kozenecki**, seconded by **Pierce** to Adjourn.

Roll call vote. All ayes. **Motion passed.**

Adjournment: Chair Dora adjourned the meeting at 8:37 pm.

Melissa Bos, Executive Assistant to City Manager



**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
PLANNING COMMISSION MINUTES
November 12, 2024**

A regularly meeting of the Grand Haven Planning Commission was called to order by Chair Dora at 7:00 pm. Upon roll call, the following members were present:

Present: Magda Smolenska, Amy Kozenecki, Dan Borchers, David Skelly, Tamera Owens, Joe Pierce, Jennifer Smelker, Vice-Chair Ryan Galligan, Chair Mike Dora

Absent: None

Also Present: City Planner Brian Urquhart, City Manager Ashley Latsch, Mayor Monetza, and members of the public.

Approval of Minutes

Motion by **Skelly**, seconded by **Kozenecki**, to approve the minutes of the October 8th meeting as printed. All ayes. **Motion passes.**

Approval of Agenda

Motion by **Pierce**, seconded by **Smelker**, to approve the agenda as printed. All ayes. **Motion passes.**

Call to the Audience: First Opportunity

None

Case 24-36: A public hearing to consider a Major amendment to Noto's Planned Development for an additional sign. (parcels # 70-03-29-312-004))

Urquhart introduced the case. In October 2023, the Planning Commission approved the final development plan for Noto's at 1223 S. Harbor Drive. The final development included a sign plan, which included one sign on the north wall facing the parking lot. Under the regulations for a Planned Development, any signage changes must be reviewed as specified in the Planned Development ordinance. At the October 8th, 2024, meeting, the Planning Commission determined the sign was a major change.

Greg Gurney of Bear Sign Company, on behalf of property owners Tom Noto of *Noto's at the Bil Mar*, submitted a Planned Development application for the major amendment to the PD.

Earlier this year, Mr. Gurney approached the city regarding an additional sign on the south wall. The primary reason to attract attention to motorists traveling north on S. Harbor Dr. The applicant justifies the additional sign will improve safety, and there is no practical location for a ground sign. The Planning Commission determined the additional sign did meet the requirements for a major amendment, largely because the original development plan only depicted one wall sign. The Planning Commission also determined the sign may have an additional impact on adjoining properties, due to the

illumination of the sign.

Summary of Proposed Changes

- One illuminated 45 sq. ft. wall sign installed on south wall hotel plans call for mixture of exterior material color and type, with various architectural features and articulation. The final design of the hotel can be refined during final plan review.

As of the date of this memo, the city has received six emails against the proposed amendment. Reasons include nuisance from the lighting of the sign, and failure of the property owner to upkeep the property in terms of appearance. Photographs have been included in the packet.

Applicant was present.

Chair Dora opened the public hearing at 7:10 pm.

Mark Makower, 132 Crescent Drive, said the lighting impact would be minimal and that he would be in favor of the additional sign.

Bob Sullivan from Scholten Fant, 100 N. 3rd Street, was present as a representative of Thomas and Nichole Frache and their daughter Rosa, who recently purchased and would be directly impacted by the decision made. Property owners feel as though the illumination would change the ambiance. They are also concerned with how the sight has not been appropriately managed. Property owners are requesting that if the sign is granted, it will not be lit. If it is lit, then have parameters on the times.

Shirley Poulton, 1856 Far Hills Court, feels a lite sign would detract from the prime portion of the view of the lake. She also commented on the size of the sign.

Peter DeWitt, 60 Poplar Ridge, said the light from the sign would be facing their bedrooms. He also voiced concerns about what additional things might be asked if the sign was approved.

Amy Rothman, 11570 Oak Grove, said she didn't mind the sign. She feels it would be helpful for those coming from the south to find the restaurant. She also liked that the sign was backlit.

Tony Noto, 1223 S. Harbor, spoke, stating they had met the obligations set forth by the City and wanted to present something positive to the community. The sign is also part of their branding. Noto also mentioned this would be the final request.

Steve Rothman, 11570 Oak Grove, spoke, stating that Noto's is a gift to the community and that starting a small business is hard. He also stated that he felt it was dangerous not to have a sign on the south side indicating the business.

A motion was made by Owens and seconded by Skelly to close the public hearing. All ayes. **Motion passes.**

Chair Dora closed public hearing at 7:25 p.m.

Pierce mentioned that he was not thrilled about the sign being lit. However, he was not opposed to a sign but would prefer it not to be lit. He does not feel any safety concerns or questions about what the building is used for.

Smelker also mentioned she would be okay with a sign for delivery purposes but would not favor having it illuminated.

Kozenecki spoke, stating that she echoed much of what's already been said. She also mentioned that she could see some of the benefits of a sign; however, she felt the beachfront needed protection. Kozenecki stated she was okay with the sign; she was just not OK with it being lit.

Owens stated she was ok with the sign being lit during business hours.

Borchers said it would be best to stay with the original agreement.

Smolenska stated she did not favor any sign but could be convinced to support a not-lit sign.

Skelly mentioned that he understood the branding. If the owners were okay with the sign being lit during regular business hours, he would be OK with voting to approve this change.

Vice-Chair Galligan stated how it would be ok with lights that are times for during business hours as well.

Chair Dora also stated that while no ordinances were being broken, if the owners were okay with complying with the sign being lit during operating hours only, he would support it.

Pierce voiced his concern, stating that allowing the lit sign during evening business hours would still prevent people from enjoying the beachfront view, and he does not feel the sign is necessary.

Greg Gurney of Bear Sign Company stated that they could potentially build a sign on the ground, although it would not look as aesthetic.

Motion made by **Owens**, seconded by **Vice-Chair Galligan**, to approve Case 24-36, a request for a major amendment to Noto's Planned Development for an illuminated sign which is to be turned off during non-business hours on the south wall, and the associated preliminary development plan located at 1223 S. Harbor Dr. (parcel #70-03-29-312-003).

Roll call vote.

Yeas: Vice Chair Galligan, Skelly, Owens, Chair Dora **Nays:** Smelker, Pierce, Smolenska, Borchers, Kozanecki
Motion fails.

Commissioners asked if the property owner would consider having a sign that is not illuminated.

Jim Noto said a sign would be useless if it were inconsistent with the branding and messaging.

Further discussion was had regarding the specifications of the sign.

Motion made by **Kozanecki**, seconded by **Smelker**, to approve Case 24-36, a request for a major amendment to Noto's Planned Development for a nonilluminated sign on the south wall and the associated preliminary development plan located at 1223 S. Harbor Dr. (parcel #70-03-29-312-003).

Roll call vote.

Yeas: Smelker, Pierce, Smolenska, Borchers, Kozanecki, Owens **Nays:** Skelly, Vice chair Galligan, Chair Dora
Motion passes

Case 24-37: A public hearing for Special Land Use –for a retaining wall greater than 48 inches at 19705 NorthShore (parcel #70-03-19-426-002).

Urquhart presented the case. Scott Colby of *Bespoke Homes*, on behalf of property owner Glenn and Kathryn McMillian, submitted a special land use request for a retaining wall located in the front yard of the property at 19705 N. Shore Dr. The retaining wall is greater than 48 inches in height, which requires review and approval by the Planning Commission per Sec. 40-327.A.2.b.

Bespoke Homes has been contracted to install an addition to the home at 19705 N. Shore, which required an updated septic system. According to the project narrative, the home is located in the critical dune and high risk erosion area. Due to those conditions, they are required to adhere to the 60-year setback for the septic system. The contractor was able to install two septic tanks, one dose tank in the waterfront yard. Unfortunately, they were unable to fit the drain field in the waterfront yard. After review with Ottawa County Health Department, EGLE, and the Public Works Dept., they determined drain field could be installed in the bluff area in front of the home. The bluff area contains steep slopes and requires the addition of retaining wall to properly contain the drain field system.

A retaining wall height is measured from the top of the wall at its highest point, to the top of the footing. According to the site plan, with a frost free footing, the height of the wall ranges from 90 inches to 108 inches. A retaining wall greater than 48 inches in height will require a building permit. The applicant provided a landscape plan with vegetation assurance. The disturbed area will be replanted with native trees, shrubs, and dune grass.

Section 40-327 of the Zoning Ordinance provides requirements for retaining walls and outlines provisions for administrative approvals and Planning Commission approvals. The applicant has provided a narrative describing the scope of work.

As of the date of this memo, the city has not received any correspondence.

Scott Colby, 5865 Egypt Valley, was present to answer any questions.

Chair Dora opened public hearing at 7:59 p.m.

No Public comment

Motion made by **Skelly**, seconded by **Vice Chair-Galligan** to close the public hearing. All ayes. **Motion passes.**

The public hearing was closed at 8:00 p.m.

No concerns or questions from the Commissioners

Motion by **Smolenska**, seconded by **Pierce**, to approve Case 24-37, PC Case 24-37, a special land use permit and sensitive area overlay for a retaining wall that exceeds 48 inches in height at 19705 N. Shore Dr. (parcel #70-03-19-426-002) subject to the condition(s) below:

1. A building permit shall be submitted.

Roll call vote. All ayes. **Motion passed.**

New Business: None

Old Business

Case 24-23: Reconsideration and designation of Sensitive Area – Salvation Army attainable housing project.

Urquhart presented the case. Denny Dryer, Tom Reinsma, and Bill Holman approached the city for a possible attainable housing development of 27 townhomes on the Salvation Army's property off Fulton St. (parcel #70-03-21-328-031). Last month, they provided public comment to the Planning Commission to consider removing the sensitive area overlay designation of the 2.09-acre parcel. The zoning map (attachment B) denotes the majority of the parcel is within the sensitive area overlay.

The applicant's memo indicates the property is not necessary for Salvation Army operations and is presently overgrown brush. In addition, they assert the sensitive area overlay district precludes development of the site for housing. The underlying zoning district is NMU - Neighborhood Mixed-Use, which a multiplefamily dwelling is permitted by right in this district.

The applicant is requesting a determination from the Planning Commission of what content would be necessary in an environmental survey. This process is outlined in Sec. 40-422.06 of the zoning ordinance. The applicant noted the wetland is not regulated by the State of Michigan, nor does it appear to be a connected to other wetland/streams or sensitive ecosystems. According to Sec. 40-442.02.B. a wetland is determined to be sensitive because it provides flood and storm control, wildlife habitat, pollution treatment, water recharge and storage area, benefits to water quality, and erosion control.

Removing a sensitive area overlay is a two-step process. The first step is obtaining the necessary information to make an informed decision on whether to remove the sensitive area overlay. The environmental survey is imperative to the applicant's request. The second step is to amend the zoning map, and is treated as a rezoning, with final approval by City Council.

Items for the Planning Commission to consider:

- Is there justification of removing the sensitive overlay for the proposed use?
- What is the compatibility of the proposed use and the future land use and Master Plan?
- What environmental qualities does this site contain, or not contain, to continue the sensitive area designation? Is there a negative impact on wildlife habitat? Water recharge and storage? Pollution treatment?

- What content within the Environmental survey will be necessary to make a qualified determination?

Jacob Horner, a representative of Dwelling Place, was present.

Sean Chadley, a representative from Tri Terra, was also present for any questions.

Pierce inquired about the property being sold on land trust and asked for a guaranteed number of affordable houses. Pierce felt okay with moving this item to a Public Hearing.

Smelker, Kozanecki, Borchers, Owens, Smolenska, and Vice Chair Galligan were also okay with the information provided to proceed to a Public Hearing.

Skelly was also okay with moving forward but asked whether the study provided represented a full year. Chandley mentioned that the most accurate data is collected during the growth season from which the report was derived.

Chair Dora asked if the low portions would be filled in and rebuilt. Horner responded, stating they are trying to limit the amount of roads going in but will have to remove some of the dirt for proper drainage and some contamination removal for regrading. Chair Dora felt as though there was more than enough information to be able to move forward.

Motion made by **Smelker**, seconded by **Kozanecki**, to schedule a public hearing on December 10th, 2024, for case 24-23, a rezoning of the Sensitive Area Overlay on the zoning map (parcel# 70-03-21-328-031) Roll call vote. All ayes. **Motion passed.**

Zoning Board of Appeals Liaison Report

Kozanecki stated at their last meeting that there was much discussion about adding the Christian School variance. It was approved.

Discussion about an extension of the Caribou Coffee plan that was approved.

There was also a discussion of a non-conforming pole sign for Loose Spokes that was approved.

The next meeting is scheduled for next month.

City Planner Report

Next month, there will be a Public Hearing.

700 Washington is requesting a change to Centertown Overlay.

Consider a work session to review the master plan for a more urban for the downtown area.

Received redevelopment recertification for 2023-2028.

We will present an annual report next month.

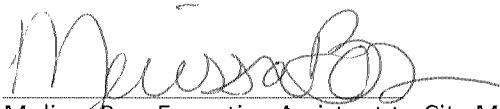
Call to the Audience: Second Opportunity

Bob Monetza, 945 Washington, voiced concern regarding the use of regulated and non-regulated wetland terminology. He stated that wetlands are locally regulated and would prefer that language to be used.

Motion made to Adjourn.

Roll call vote. All ayes. **Motion passed.**

Adjournment: Chair Dora adjourned the meeting at 8:32 pm.



Melissa Bos, Executive Assistant to City Manager

Sustainability & Energy Commission Minutes 9/12/24

A regular meeting of the Sustainability & Energy Commission was called to order by Dan Small at 6:04 PM Thursday, September 12, 2024, in the City Council Chambers.

Present: Brittany Goode, Jean Madden, Jim Mathews, Patti Nelsen, Nancy O'Neill, Dan Small, Andrei Skelly

Absent: Pamela Blough, Ryan Cotton, James Hagen, John Kinch

Also present: Eric Law (Administrative Liaison)

1. Call to audience.

- Nicole Zelinski made public comment recommending that the City consider “Beach Buckets” be available at the City Beach. Anyone can use them to pick up trash on the beach. She brought an example of one, and also pictures of other municipalities that use them. She has also talked with donors who are willing to fund the project.
- Kelly Parker, Professor of Environment & Sustainability at Grand Valley State University, made public comment about a “Capstone Course” at GVSU. Students in an interdisciplinary program (environmental and sustainability studies) partner with a community in a semester long project. There is a student slated for Grand Haven.

2. Previous Meeting Minutes unanimously approved.

AGENDA

1. The SEC discussed the suggestion about “Beach Buckets” for City Beach. In Ottawa County, there are 3 county beaches that have them available to the public. Law will talk to the DPW Director and the City Manager to get feedback about the idea.
2. The SEC discussed possibilities of a GVSU student as an intern to work on a local sustainability project. One idea that was discussed is an “attitude assessment survey” for residents regarding sustainability in Grand Haven. Another idea is to have the student assist with a plan to communicate with the public about the Community Energy Plan.
3. Community Energy Plan (CEP) Update – **Brittany Goode**. Goode reports that the draft for the Community Energy Plan (CEP) has been provided to the CEP steering Committee for review and comments. Next week, there is a meeting of CEP members to provide feedback. Goode has been tracking what the plan has in common in with Michigan Green Communities (MGC) criteria. A draft of the plan will be sent to Danielle Beard, Coordinator of MGC, for additional feedback. O'Neill suggested that a draft of the CEP be sent to everyone on the SEC.

4. Forest Management Taskforce Update – **Jean Madden Drone Flyover Planning:** A scope statement to share with Drone Operators is in the works. Along with the drone pilot, we're also working to determine a flight plan, understand how the data will be analyzed, cost estimates, and who will present the data/recommendations to the City Council with recommendations for next steps. Site Visit by WildType Natives: Is scheduled for Friday, September 13th. The goal is to understand the components of a future Request For Proposal (RFP) and a ballpark estimate of future costs. Sustainable Trail System for Mulligan's Hollow: Discussion about requesting the city to prepare an application for a "Michigan Sparks Grant" to fund the construction of a sustainable trail system in Mulligan's Hollow. Small made a motion for the following resolution, supported by Mathews: "A resolution by the Sustainability and Energy Commission recommends consideration by City Council to submit an application for a Michigan Department of Natural Resources Grant in order to build a sustainable trail system in Mulligan's Hollow. The plan has been developed by the Coordinator of Park Planning and Development for Ottawa Parks but requires funding for implementation." The vote was unanimous in favor of the resolution. Tree Treatment and Removal: Larry Burns (Department of Public Works Intern and member of the Forest Management Subcommittee) is working with city staff to prioritize the money budgeted by the City (75K LFC and 125K MH) to treat infected trees and remove dead trees which pose a public safety threat. LVAC Artist Pop-Up Sale: The Lakeshore Visual Arts Collective is having a pop-up sale on September 22nd and has offered "Save our Forests" the opportunity to staff a table in support of our mission.

Other Business:

- L-Grow completed an assessment of Aldea Coffee to determine if there are ways to reduce water at the downtown building. Its a free assessment and there may be other businesses that would like to be involved.
- Discussion about the plant boxes along Washington Ave. The plants are thrown away in the trash at the end of every summer season. The possibility of suggesting to the City that Native Plants be planted in them was discussed.
- Most of the members of the Earth Day Committee are retiring and they are hoping that some younger people are willing to volunteer for it. The Community Center won't be available next year to host the Earth Day Community Fair.

Final Call to Audience: No public comments.

Adjourn: Small made a motion to adjourn at 7:04. Mathews supported. Unanimous approval.

Sustainability & Energy Commission Minutes 10/10/24

A regular meeting of the Sustainability & Energy Commission (SEC) was called to order by Dan Small at 6:04 on Thursday, October 10th, 2024, in the Council Chambers of Grand Haven City Hall.

Present: Pamela Blough, Ryan Cotton, Brittany Goode, James Hagen, John Kinch, Jean Madden, Patti Nelsen, Dan Small,

Absent: Jim Mathews, Nancy O'Neill, Andrei Skelly

Also present: Eric Law (Administrative Liaison)

1. Call to audience. No public comment. Jan O'Connell present.

2. Previous Meeting Minutes unanimously approved.

AGENDA

1. Community Energy Plan (CEP) Draft review. – **John Kinch & Ryan Cotton.**

There are three draft versions of the CEP: A 2 page overview, an 8 page Summary, and the full plan which includes comprehensive in-depth analysis. There was discussion among the SEC about best ways to present the plan to City and Township Councils. There was discussion about each Council choosing which parts of the plan (good, better, best scenarios) will work for their municipality. Blough suggested that we start moving it through council approval process by presenting an introduction to the plan (2 page overview) and answering initial questions at a Special Work Session. The councils of each municipality may want some time to look at the full plan before making a decision about which strategies in the plan they want to adopt. Therefore, there will likely be more than one presentation to Councils before decisions are made. Blough made a motion that the SEC support the submittal of the draft "Overview" of the Northwest Ottawa County Community Energy Plan (NWOCEP) for further review and comment of the City Manager and City Council. Small supported the motion. The motion passed on a 6-1 vote with one abstention. Tentatively Kinch and/or Goode will plan to attend the Oct. 21 Grand Haven City Council meeting pending the City Manager's discretion to add a Special Work Session.

2. Forest Management Update – **Jean Madden**

Trail System Grant Update: Madden met with the City Manager regarding the submission of a Michigan Department of Natural Resources (MDNR) Grant to fund a sustainable trail system in Mulligan's Hollow. The grant requires a "Five Year Recreation Plan" which the city is working to update. City Staff will submit an application for the grant next Spring. Treatment of Tree of Heaven in Mulligan's

Hollow: The Ottawa Conservation District has sprayed herbicide on invasive Ailanthus (Tree of Heaven) found in Mulligan's Hollow. Tree of Heaven is a quick-growing invasive species that crowds out native plants for water, sunlight, space, and nutrients. It also releases chemicals into the soil that inhibits the growth of other plants. Madden submitted a list of native trees to the Department of Public Works for their consideration. Non-native trees and invasive trees will be removed from the list of approved trees that are planted by the DPW. Update on the search for a drone pilot and wildlife biologist: A Scope of Work document has been submitted to three pilots. The Save Our Forest (SOF) committee is waiting to hear back. The SOF is looking for wildlife biologist who can interpret the data and give a report on Deer Management to the SEC. Wild Type Natives completed an assessment of the level of infestation and impact of invasive plant species and deer over-browsing on three sites: Lake Forest Cemetery, Mulligan's Hollow and Duncan Park. The SOF subcommittee has submitted the report to the SEC for review and discussion. Key takeaways are:

- Reforestation is futile until a deer management program is implemented
- Woody invasives were not as bad as expected but we should act quickly to eliminate "Tree of Heaven".
- Once the deer are managed, and the canopy is opened up due to the loss of trees to disease and/or removal of invasive tree species, native and invasive plants will likely make a strong comeback. Invasive plants will need to be managed to make space for the natives to thrive
- If deer have decimated the seed bank over the years to the point that native plants never emerge (it takes 5 years to make that determination) we should use native phenotypes of plants, grown in a nursery, to reforest our dune ecosystem.

Other Business:

Goode provided an update regarding the use of native plants in the planter boxes on Washington Ave. She spoke with Chandi Pape, Director of Grand Haven Main Street, and was referred to the "Place Committee".

Goode provided an Earth Day Celebration 2025 Update. She is the chairperson of the committee. There are younger people joining the committee. They have changed the logo, and are coming up with new ideas for next year's Earth Day celebration.

Final Call to Audience: No public comments.

Adjourn: Small made a motion to adjourn at 7:18PM. Blough supported. Unanimous approval.

Sustainability & Energy Commission Minutes 11/14/24

A regular meeting of the Sustainability & Energy Commission (SEC) was called to order by Dan Small at 6:07 on Thursday, October 10th, 2024, in the Council Chambers of Grand Haven City Hall.

Present: Ryan Cotton, Brittany Goode, Jean Madden, Patti Nelsen, Nancy O’Neill, Dan Small

Absent: Pamela Blough, James Hagen, John Kinch, Jim Mathews, Andrei Skelly

Also present: Eric Law (Administrative Liaison)

1. Call to audience. No public comment. Jan O’Connell, Georgette Sass, Larry Burns, and three Grand Valley State College (GVSU) students present.

2. Previous Meeting Minutes unanimously approved.

AGENDA

Forest Management Update: Jean Madden.

- Dr. Ali Locher from GVSU presented the results of a “Tree Inventory” that was completed for Duncan Woods, Mulligan’s Hollow and the Cemetery. Most of the forests are made up of Eastern Hemlock, Oak, and American Beech. Many the Beech trees are infected with Beech Scale especially along the trails. Many Oak trees have Oak Wilt. They are especially important to the area because they keep the sand dunes intact. However they have difficulty reestablishing themselves due to deer grazing. Dr. Locker reported that the forests sequester 6 million pounds of carbon per year (equivalent to the emissions of 600 cars). Trees in the area have a significant ecological benefit. Madden reports that an invasive tree species, Ailantus (“The Tree of Heaven”) have been treated with herbicide to inhibit their growth. Cotton motioned that the results of the Tree Inventory be shared with the City Manager with recommendation that it be shared with City Council to provide support of the “Save Our Forests” efforts to protect the City’s trees. Madden supported. Unanimous support for the resolution.
- Madden reports that Larry Burns and Jim Mathews have been working on the mechanics of obtaining a reasonably accurate count of the deer population in the City. They suggest a drone “test flight” of approximately 4 hours over public property using a high definition camera that will take pictures of red heat sources that will confirm if its a deer. Additionally, a thermal camera can be placed on a truck to find the deer that are not in the forests. Once the data is obtained, a DNR expert can present the data to City council. Cotton motioned that the Sustainability and Energy Commission has resolved to support a test flight of the

city's thermal imaging drone in combination with a truck-mounted thermal imaging camera (Berg's Pest Control of Rose City, MI) to provide a preliminary estimate of deer throughout the city at a combined cost of approximately \$2,500.00 to be reimbursed through the "Save our Forests" funds at the Grand Haven Area Community Foundation. Madden supported the motion. Unanimous support for the resolution.

2. Community Energy Plan: Ryan Cotton

Members of the SEC received draft copy of the CEP a few days prior to this meeting. There was discussion about the plan and some suggestions were made. Cotton gave presentation about the Holland Energy Plan which originally included deep home retrofits (goal of reducing energy waste by 50% in participating homes) and then evolved over time into Holland's "Energy 101" initiative (goal of 15% energy waste reduction by offering basic weatherization incentives to homeowners and landlords).

Ryan Cotton moved, and Dan Small supported, to recommend that the City Manager present the Northwest Ottawa Community Energy Plan to the Grand Haven City Council -- inclusive of her recommendations of which policies should be selected, and including which "good, better, or best" strategy options are recommended for adoption -- with the expectation of implementation between 2025 and 2030. Goode abstained. Unanimous approval from other members.

Final Call to Audience: No public comments.

Adjourn: Small made a motion to adjourn at 7:35 PM. Madden supported. Unanimous approval.