Frank Zulski
Wade Williams
Jim Kargol
Brent Shank, PE
Engineer-Manager
Lisa Kleeman
Finance Director



2265 E. Hathaway Road Harbor Springs, MI 49740 Office: (231) 347-8142 Fax: (231) 347-5787 www.emmetcrc.org

Project: Gully Road – L37

0.07 miles of removal of an existing concrete and steel culvert structure, place new steel culvert, aggregate surface course, guardrail and slope restoration.

The Emmet County Road Commission will accept Bids until **9:00 a.m.** local time on **September 3, 2025** at: 2265 E. Hathaway Road, Harbor Springs, MI 49740. Bid packages are available at the Emmet County Road Commission Office or on Emmet County Road Commission website at www.emmetcrc.org.

ALL BIDS WILL BE SEALED AND PLAINLY MARKED AS TO THE PROJECT AND PROJECT NUMBER. MAILED BIDS MUST BE RECEIVED BY 3:30 P.M. THE PREVIOUS EMMET COUNTY ROAD COMMISSION BUSINESS DAY PRIOR TO BID OPENING.

The bidder has examined the plans, specification, special provisions and related materials in the proposal, as well as the location of the work described in the proposal for this project, and is fully informed as to the nature of the work and conditions relating to its performance and understands that the quantities shown are approximate only and are subject to either increase or decrease.

The bidder hereby proposes to furnish all necessary machinery, tools, apparatus and other means of construction, do all the work, furnish all the materials except as otherwise specified and, or each unit price, lump sum, or one each named in the itemized bid, to complete the work in strict conformity with the plans therefore and the entire proposal which is incorporated by reference in these pages, and in strict conformity with the requirements of the 2020 Standard Specifications for Construction, Michigan Department of Transportation and such other special provisions and supplemental specifications as may be part of the proposal for this project.

The bidder further proposes to do such extra work as may be authorized by the Emmet County Road Commission, prices for which are not included in the itemized bid. Compensation shall be made on the basis agreed upon before such extra work is begun.

THE BIDDER UNDERSTANDS AND AGREES THAT THE EMMET COUNTY ROAD COMMISSION RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS; TO WAIVE IRREGULARITIES OR INFORMALITIES; AND NO CONTRACTUAL RELATIONSHIP SHALL EXIST BETWEEN THE BIDDER AND THE EMMET COUNTY ROAD COMMISSION FOR THE WORK DESCRIBED HEREIN UNTIL SUCH TIME AS THE CONTRACT HAS BEEN FORMALLY EXECUTED BY BOTH THE BIDDER AND THE EMMET COUNTY ROAD COMMISSION.

The Emmet County Road Commission, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

EMMET COUNTY ROAD COMMISSION

IN COOPERATION WITH

REDMOND TOWNSHIP

PLANS OF PROPOSED ROAD IMPROVEMENTS

GULLY ROAD CULVERT REPLACEMENT

SECTION 8 & 9, T 37 N, R 6 W REDMOND TOWNSHIP EMMET COUNTY, MICHIGAN



CONTRACT FOR:

0.07 MILES OF REMOVAL OF AN EXISTING CONCRETE AND STEEL CULVERT STRUCTURE, PLACE NEW CULVERT, AGGREGATE SURFACE COURSE, GUARDRAIL AND SLOPE RESTORATION.

THE PROPOSED IMPROVEMENTS COVERED BY THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH MICHIGAN DEPARTMENT OF TRANSPORTATION LOCAL AGEN2017 EDITION.

800-482-7171

EXCEPT WHERE OTHERWISE NOTED IN THESE PLANS, PROPOSAL, SUPPLEMENTAL SPECIFICATIONS OR SPECIAL PROVISIONS, ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE MICHIGAN DEPARTMENT OF TRANSPORTATION 2020 STANDARD SPECIFICATIONS FOR CONSTRUCTION.

EMMET COUNTY ROAD COMMISSION

2265 EAST HATHAWAY ROAD - HARBOR SPRINGS, MI

DESCRIPTION OF WORK

0.07 miles of removal of an existing concrete and steel culvert structure, place new steel culvert, aggregate surface course, guardrail and slope restoration.

SPECIFICATIONS

The improvements covered by these plans shall be done in accordance with the Michigan Department of Transportation 2020 Standard Specifications for Construction as amended by Supplemental Specifications and Special Provisions.

PROJECT DATES

A pre-construction meeting will be scheduled by the Emmet County Road Commission prior to project start. All project submittals are to be submitted for review at this meeting.

Project Start Date: 10 days after all Contracts are executed.

Project Completion Date: November 1, 2025 (All Project Items)

The project shall be completed within thirty (30) days of starting date.

PROJECT SUBMITTALS

The following shall be submitted to the Road Commission Engineer for approval prior to project start:

- 1. Material Source List (MDOT Form 501)
- 2. Progress Schedule (must be submitted within 5 days of Contract award)
- 3. Damage Claim Program
- 4. Traffic Control Plan

Upon project completion, the Contractor shall submit a written "Notice of Completion" to the Engineer. After the Engineer receives the Notice of Completion, the Engineer will inspect the project. The Engineer will provide a list of any deficient items (Punch List) to the Contractor. Final acceptance will only be issued when any deficient items are addressed to the satisfaction of the Engineer. Final acceptance will be provided to the Contractor in writing.

TECHNICAL SPECIFICATIONS ORDER OF PREFERENCE

The technical specifications for the project shall be in accordance with the 2020 Standard Specifications for Construction of the Michigan Department of Transportation, as amended, hereinafter referred to as the "Standard Specifications".

In case of a conflict in the contract, the following establishes the order of precedence:

- 1. ECRC Proposal and Project Specifications
- 2. Special Provisions

- 3. MDOT Supplemental Specifications
- 4. ECRC Project Plans and Drawings
- 5. MDOT Standard Plans
- 6. MDOT Standard Specifications

The Engineer has the right to increase or decrease quantities based on unit prices bid. Final quantities will be based on the unit price bid per estimated quantities and can be adjusted by the Engineer without adjustment in unit price bid by Contractor

STANDARD PLANS & SPECIAL DETAILS

The following items shall be constructed in accordance with the referenced Standard Plan or Special Detail (* included in Proposal) listed below unless otherwise specified.

Road Standard Plans

R-74-D	Bumper & Parking Rails and Misc. Wood Posts
R-60-J	Guardrail Types A, B, BD, T, TD, MGS-8 & MGS8D
R-62-H	Guardrail Approach Terminal Type 2M
R-66-E	Guardrail Departing Terminal Types B, T, & MGS
R-82-D	Bedding and Filling around Pipe Culverts
R-96-E	Soil Erosion & Sedimentation Control Measures

Traffic & Safety Work Zone Special Details

WZD-100-A*	Ground Driven Sign Supports for Temp Signs
WZD-125-E*	Temporary Traffic Control Devices

PROJECT STATIONS

See Log Sheet

MAINTAINING TRAFFIC

Traffic shall be maintained during the project through the use of a detour established and maintain by ECRC Staff. The Contractor shall coordinate operations with ECRC PM through the duration of the project if any concerns arise that need to be addressed.

The Contractor shall have the responsibility of ensuring a safe and secure work zone, the Construction Influence Area. The Construction Influence Area for this project shall consist of the width of the project right of way by 1000' (centered on the stream crossing).

PROPOSED IMPROVEMENTS

Machine Grading

Machine Grading for berm removal for guardrail installation. All material shall be removed from the site. All excess material generated during berm removal work shall become the property of the Contractor and shall be disposed of in accordance with subsection 205.03 of the Standard Specifications for Construction at the Contractor's expense.

Locations:

0+00 to 4+00 Right (4 Sta) 0+00 to 4+00 Left (4 Sta)

Culverts

Culvert Lengths are Installed Length (no "C" Dimensions). If a Culvert End Section is required by plans or as directed by Engineer, Place end section on Installed Length of Culvert.

Contractor Shall Place Culv, Cl A, 60 inch (72 Ft) as a single piece of culvert.

Contractor shall backfill culvert with existing material that was excavated while performing culvert removal.

The Contractor shall keep culverts free and clean of sediment during the project.

Aggregate Surface Course

Aggregate Surface, Cse shall use aggregate 23A, unless otherwise specified.

Aggregate Base Application Rate:

Station	Location	Application Rate
1+50 to 2+50	Culvert Cut Area	50.00 Tons/Sta (50 Ton)
0+00 to 4+00	Gully Road	100 Tons/Sta (400 Ton)

Driveway Improvements

All approaches shall be treated on a case-by-case basis, and the limits of work may be adjusted, as directed by the Engineer.

The Contractor is responsible to ensure positive drainage in all approaches. The Contractor will be responsible for repairing, at the Contractor's expense, standing water or other drainage related issues.

The Contractor shall be responsible to maintain access to driveways after paving. On any driveway that has more than 4 inches of drop off the Contractor shall provide a gravel apron that reduces the drop off to a maximum of 4 inches on the day of paving or the next calendar day. If the Contractor fails to provide such access, the Road Commission will levy liquidated damages of \$200.00 per calendar day that a drop off exceeds 4 inches in any driveway.

Gravel Driveways:

Place Aggregate Surface, Cse material in gravel driveways as part of the gravel shoulder operation. Driveways shall be blended 4.0' – 6.0' from the edge of the roadway to a slope no greater than 10%, or as directed by the Engineer.

<u>Guardrail</u>

Curved guardrail must be verified by the contractor before installation to insure proper radius.

1+68 to 3+81 Left

Embankment, LM (100 Cyd)
Guardrail Approach Terminal, Type 2M (1 Ea)
Guardrail Departing Terminal, Type MGS (1 Ea)
Guardrail, Type MGS-8, 108 inch Post (150 Ft)
Guardrail Reflector (6 Ea)
Guardrail, Curved, type MGS-8, 108 inch Post (25 Ea)

0+19 to 3+50 Right

Embankment, LM (200 Cyd)
Guardrail Approach Terminal, Type 2M (2 Ea)
Guardrail, Type MGS-8, 108 inch Post (238 Ft)
Guardrail Reflector (12 Ea)

Slope Restoration

Slope Restoration shall be 6.0' along each side of Aggregate Surface Course. When placing the topsoil, material shall be placed directly on the shoulder. Shoulder material shall be flushed to the edge of gravel shoulder and blended to the existing shoulder on the outside as to not create a secondary front slope. Topsoil shall be wheel rolled with heavy equipment for density.

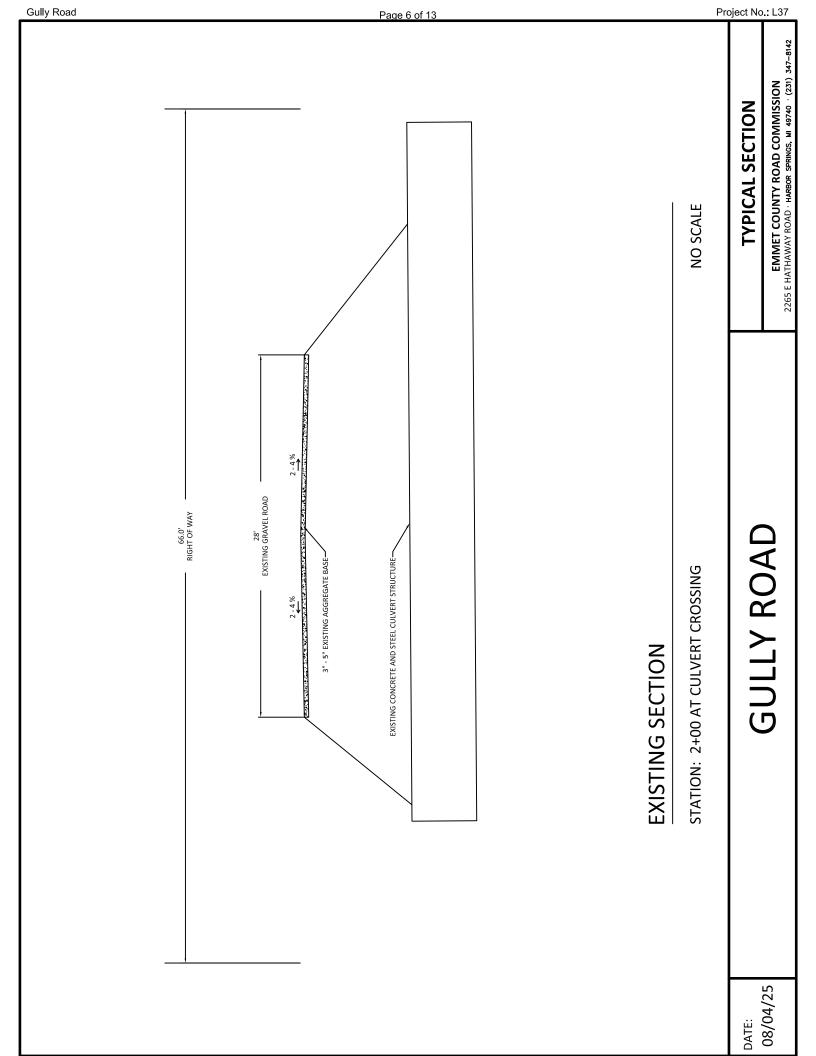
A sample fertilizer bag and seed ticket, from the materials used on the project, must be submitted to the Engineer within 7 days of completion of restoration.

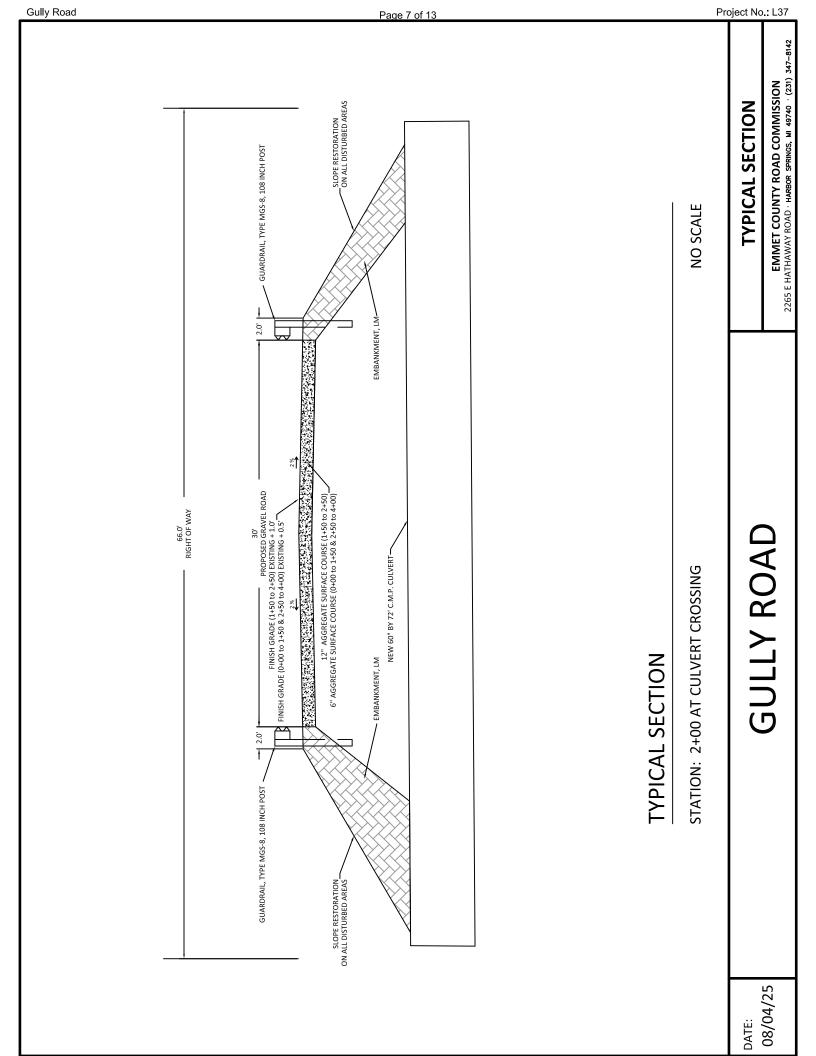
Seed Mixture shall be TDS or equivalent.

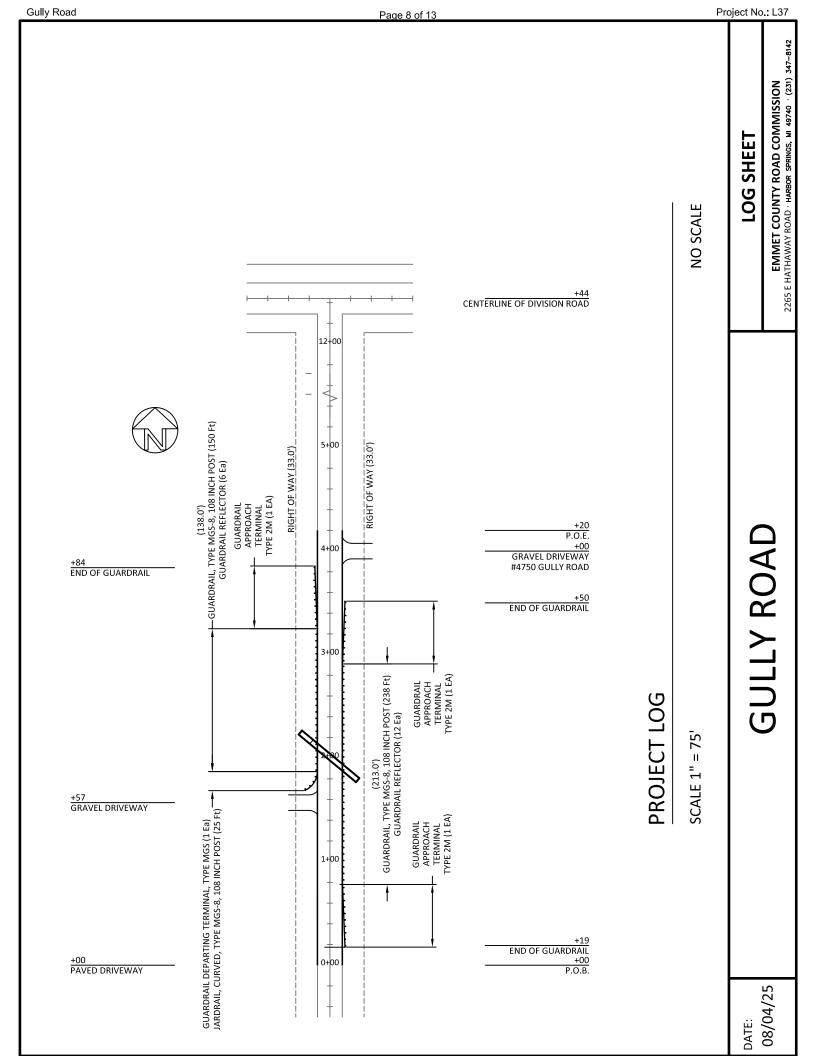
Place Mulch and Mulch Anchoring on all topsoil surfaces. Mulch material shall be straw.

Culverts, driveways, spillways and rip rap shall be free and clean of straw upon completion of mulching activities

Item	Quantity	Unit
Culv, Rem, Over 48 inch	1	Ea
Embankment, LM	450	Cyd
Machine Grading	8	Sta
Erosion Control, Silt Fence	150	Ft
Aggregate Surface, Cse	500	Ton
Culv, Cl A, 60 Inch	72	Ft
Guardrail Approach Terminal, Type 2M	3	Ea
Guardrail Departing Terminal, Type MGS	1	Ea
Guardrail Reflector	18	Ea
Guardrail, Curved, Type MGS-8, 108 Post	25	Ft
Guardrail, Type MGS-8, 108 inch Post	388	Ft
Slope Restoration, Non Freeway, Type A	834	Syd







MISCELLANEOUS ITEMS OF WORK

The following items shall be used as they apply throughout the entire project.

Item	Quantity	Unit
Mobilization, Max \$13,000	1	LSUM

GENERAL NOTES

All work being performed will be conducted in the safest manner possible and appropriate PPE shall be used at all times. All work shall be done in accordance with the Michigan Department of Transportation 2020 Standard Specification for Construction. Contractor assumes all responsibilities for Quality Control (QC) to assure the plans and specifications are met per the contract and to provide professional craftsmanship in each task being performed. Any errors in plans or discrepancies found in the field shall be brought to the engineer's attention immediately. All materials shall meet the requirements of the Michigan Department of Transportation Materials Source Guide.

The Emmet County Road Commission, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office the Secretary, Part 21, Nondiscrimination in Federally assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in any contact entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

MISS DIG / Underground Utility Notification

For the protection of underground utilities and in compliance with MCL 460.171 et seq, the Contractor shall contact MISS DIG System, Inc. by phone at 811 or 800-482-7171 or via the web at either elocate.missdig.org for single addresses or rte.missdig.org, a minimum of 3 working days prior to excavating, excluding weekends and holidays.

AT&T	DTE	CENTURY LINK
Jeff Collard	Matt Logan	Lance Gow
(231) 347-8010	(231) 258-3785	(231) 548-9930

GREAT LAKES ENERGYTRUE STREAMWilliam LaTourneauJeff Wilhelm(231) 487-1339(231) 487-1356

CHARTER COMMUNICATIONS CONSUMERS ENERGY

Construction Coordinator Dale Jacobs (616) 402-2700 (989) 370-6570

The existing utilities listed above and, on the plans, represent the best information available. This information does not relieve the Contractor of the responsibility to be satisfied as to its accuracy and the location of existing utilities.

Dust Control

The Contractor shall be responsible for controlling the dust on this project. Payment for Dust Control shall be paid for in other items. Dust shall be continuously controlled to the satisfaction of the Engineer.

Soil Erosion Measures

The Contractor shall implement and maintain the soil erosion control measures as shown on the plans before and at all times during construction of this project. All SESC measures shall conform to current MDOT standards, manufacture guidelines and established best practices.

Daily inspections shall be made by the Contractor; periodic inspections shall be made by the Engineer to determine the effectiveness of the SESC measures. Any required corrections shall be made without delay.

All permanent erosion control measures shall be permanently maintained by the Emmet County Road Commission.

Site Cleanup

The Contractor shall keep the work site clean of trash and other debris. At the end of each day, the project shall be inspected, and all trash removed. No payment shall be made for this work.

Bonding Requirements

The successful Contractor shall furnish a performance bond equal to the contract price as assurance for faithful contract performance.

The Contractor shall also furnish a separate *surety bond* equal to the contract price as security for payment to all persons performing labor and furnishing materials in connection with this contract. The Contractor shall pay the premium for all bonds.

The bonds must meet requirements of Michigan Law.

Bonds shall be submitted and approved before contract execution.

<u>Insurance requirements</u>

The Contractor shall furnish proof of general liability insurance in amounts not less than \$2,000,000 each occurrence and general aggregate, proof of automobile liability in amounts not less than \$2,000,000 combined single limit for each accident, bodily injury per accident, and property damage per accident, and in amount not less than \$1,000,000 for bodily injury per person. Such proof of insurance shall include a valid certificate of insurance demonstrating that the Emmet County Road Commission is additional insured party on the policy. Such insurance shall cover a

period not less than the term of the project and shall provide that it cannot be cancelled without 30 days advanced written notice to the Emmet County Road Commission, by certified mail, first class, return receipt requested. The Contract/Project Agreement will be invalid if insurance expires during the authorized period of work described.

In addition to any liability or obligation by the Contractor that may otherwise exist, Contractor shall, to the fullest extent permitted by law, indemnify and hold harmless the Emmet County Road Commission and its commissioners, officers, agents and employees from and against any and all claims, actions, proceedings, liabilities, losses, and damages thereof, and any and all costs and expenses, including legal fees, associated therewith which the Emmet County Road Commission may sustain by reason of claims for or allegations of negligence or violation of the terms and conditions of the Contract/Project Agreement, arising out of the work which is subject of the Contract.

Liquidated Damages

Liquidated damages will be assessed for failure to complete this project by the specified date, or by the allowed number of days specified once work begins, due to lack of effort, poor organization or ability to perform on the Contractor's part. Liquidated Damages may be waived by the Project Engineer. Liquidated damages will be assessed according to the table below:

Project Award Amount	Liquidated Damages
\$0 - \$150,000	\$500 per Calendar Day
\$150,001 - \$500,000	\$750 per Calendar Day
Over \$500,000	\$1,000 per Calendar Day

BID SHEET

Board of Emmet County Road Commissioners 2265 East Hathaway Road Harbor Springs, MI 49740

The undersigned proposes to furnish any and all materials, labor, and equipment necessary for the reconstruction of Gully Road as spelled out in the "Invitation to Bid" for the prices below.

The Emmet County Road Commission reserves the right to reject any and/or all bids based on what is in the best interest of Emmet County.

Contractor Na	nme:	 	
Project:			
•	L37 – Gully Road		

Item	Quantity	Unit	Unit Price	Total
Mobilization, Max \$13000	1	LSUM		
Culv, Rem, Over 48 inch	1	Ea		
Embankment, LM	450	Cyd		
Machine Grading	8	Sta		
Erosion Control, Silt Fence	150	Ft		
Aggregate Surface, Cse	500	Ton		
Culv, Cl A, 60 inch	72	Ft		
Guardrail Approach Terminal, Type 2M	3	Ea		
Guardrail Departing Terminal, Type MGS	1	Ea		
Guardrail Reflector	18	Ea		
Guardrail, Curved, Type MGS-8, 108 inch Post	25	Ft		
Guardrail, Type MGS-8, 108 inch Post	388	Ft		
Slope Restoration, Non- Freeway, Type A	834	Syd		
	TO	TAL PROJEC	CT COST ESTIMATE =	

Bidder:	Address:
	·
Signature:	Phone No.:
Printed Name:	Date:

Email:

Page 13 of 13

Project No.: L37

Gully Road

Title:



NOTICE OF AUTHORIZATION

Permit Number: WRP045995 v. 1 Date Issued: August 1, 2025

Site Name: 24 - Gully Road, unnamed tributary to Lake Michigan

Expiration Date: August 1, 2030

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, P.O. Box 30458, Lansing, Michigan 48909-7958, under provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended; specifically:

☑ Part 31, Floodplain Regulatory Authority of the Water Resources Protection.
☑ Part 301, Inland Lakes and Streams.
☐ Part 303, Wetlands Protection.
☐ Part 315, Dam Safety.
☐ Part 323, Shorelands Protection and Management.
☐ Part 325, Great Lakes Submerged Lands.
☐ Part 353, Sand Dunes Protection and Management.

Authorized activity:

Remove the existing 58.0-foot long by 5.0-foot diameter circular corrugated metal culvert with concrete box ends and construct a 72.0-foot long by 5.0-foot diameter circular corrugated metal culvert (single span). Complete a total of 511 cubic yards. of excavation and 511 cubic yards. backfill below the Ordinary High-Water Mark of the stream in order to complete the structure replacement.

To be conducted at property located in: Emmet County Waterbody: unnamed tributary to Lake Michigan Section 08, Town 37N, Range 06W, Readmond Township

Permittee:

Emmet County Road Commission 2265 E Hathaway Road Harbor Springs, Michigan 49740-9430

Issued By:

Luke Golden

Cadillac District Office Water Resources Division

989-370-1569

This notice must be displayed at the site of work.

Laminating this notice or utilizing sheet protectors is recommended.

Please refer to the above permit number with any questions or concerns.



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

22	ПΡ	Ы	To	•
J	uc	ч		

Travis Horrocks
Emmet County Road Commission
2265 E Hathaway Road
Harbor Springs, Michigan 49740-9430

Permit No: WRP045995 v.1 Submission No.: HQE-3R7Y-E76VH

Site Name: 24 - Gully Road, unnamed tributary to Lake Michigan

Issued: August 1, 2025

Revised:

Expires: August 1, 2030

This permit is being issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD), under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); specifically:

⊠ Part 301, Inland Lakes and Streams	☐ Part 323, Shorelands Protection and Management
☐ Part 303, Wetlands Protection	☐ Part 325, Great Lakes Submerged Lands
☐ Part 315, Dam Safety	☐ Part 353, Sand Dunes Protection and Management
□ Part 31, Water Resources Protection (Flower Protection) □ Protection (oodplain Regulatory Authority)

EGLE certifies that the activities authorized under this permit are in compliance with the State Coastal Zone Management Program and certifies without conditions under the Federal Clean Water Act, Section 401 that the discharge from the activities authorized under this permit will comply with Michigan's water quality requirements in Part 31, Water Resources Protection, of the NREPA and associated administrative rules, where applicable.

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

Authorized Activity:

Remove the existing 58.0-foot long by 5.0-foot diameter circular corrugated metal culvert with concrete box ends and construct a 72.0-foot long by 5.0-foot diameter circular corrugated metal culvert (single span). Complete a total of 511 cubic yards. of excavation and 511 cubic yards. backfill below the Ordinary High-Water Mark of the stream in order to complete the structure replacement.

Waterbody Affected: unnamed tributary to Lake Michigan

Property Location: Emmet County, Readmond Township, Town/Range/Section 37N06W08,

Property Tax No.

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

A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.

- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31 of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with 2013 PA 174 (Act 174) and comply with each of the requirements of Act 174.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- I. Permittee shall notify EGLE within one week after the completion of the activity authorized by this permit.
- J. This permit shall not be assigned or transferred without the written approval of EGLE.
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31 of the NREPA, and wetlands).
- M. In issuing this permit, EGLE has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, EGLE may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the state: (1) provides the permittee or its designated representative with a written notice of the claim or cause of action within 30 days after it is received by the state, and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act, 1969 PA 306, as amended, challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, EGLE may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.

EGLE WRP045995 v1.0 Approved Issued On:08/01/2025 Expires On:08/01/2030

- P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from EGLE. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by EGLE prior to implementation.
- Q. This permit may be transferred to another person upon written approval of EGLE. The permittee must submit a written request to EGLE to transfer the permit to the new owner. The new owner must also submit a written request to EGLE to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties that includes all the above information may be provided to EGLE. EGLE will review the request and, if approved, will provide written notification to the new owner.
- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.
- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent (CEA).
- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property are subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the water body are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the Michigan Department of Natural Resources, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
 - All work shall be completed in accordance with plans attached; kept on file at EGLE's, WRD, Transportation Review Unit.
 - 2. Authority granted by this permit does not waive compliance requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA. Any discharge of sediment into waters of the state and/or off the road right-of-way is a violation of this permit, Part 91, and Part 31, Water Resources Protection, of the NREPA. A violation of these parts subjects the permittee to potential fines and penalties.
 - 3. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.

- 4. The permittee is responsible for acquiring all necessary easements or rights-of-way before commencing any work authorized by this permit. All construction operations relating to or part of this project shall be confined to the existing right-of-way limits or other acquired easements.
- 5. Temporary soil erosion and sedimentation control measures shall be installed before or upon commencement of the earth change and shall be maintained daily. Temporary soil erosion and sedimentation control measures shall be maintained until permanent soil erosion and sedimentation control measures are in place and the area is stabilized. Permanent soil erosion and sedimentation control measures for all slopes, channels, ditches, or any disturbed area shall be installed within five (5) calendar days after final grading, or the final earth change has been completed.
- 6. All raw areas in uplands resulting from the permitted construction activity shall be effectively stabilized with sod and/or seed and mulch (or other technology specified by this permit or project plans) in a sufficient quantity and manner to prevent erosion and any potential siltation to surface waters or wetlands. Temporary stabilization measures shall be installed before or upon commencement of the permitted activity and shall be maintained until permanent measures are in place. Permanent measures shall be in place within five (5) days of achieving final grade.
- 7. All raw earth within 100 feet of a lake, stream, or wetland that is not brought to final stabilization by the end of the active growing season shall be temporarily stabilized with mulch blankets in accordance with the following dates: September 20th for the Upper Peninsula, October 1st for the Lower Peninsula north of US-10, and October 10th for the Lower Peninsula south of US-10.
- 8. This permit placard shall be kept posted at the work site, in a prominent location at all times for the duration of the project, or until permit expiration.
- 9. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by EGLE, will be for a fiveyear period beginning at the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.
- 10. All dredge/excavated spoils including organic and inorganic soils, vegetation, and other material removed shall be placed on upland (non-wetland, non-floodplain or non-bottomland), prepared for stabilization, revegetated and reseeded with native Michigan species appropriate to the site, and mulched in such a manner so as to prevent and ensure against erosion of any material into any waterbody, wetland, or floodplain.
- 11. During removal or repair of the existing structure, every precaution shall be taken to prevent debris from entering any watercourse. Any debris reaching the watercourse during the removal and/or reconstruction of the structure shall be immediately retrieved from the water.

- All material shall be disposed of in an acceptable manner consistent with local, state, and federal regulations.
- 12. Prior to the removal of the existing structures, cofferdams of steel sheet piling, gravel bags, clean stone, coarse aggregate, concrete or other acceptable barriers shall be installed to isolate all construction activity from the water. The barriers shall be maintained in good working order throughout the duration of the project. Upon project completion, the accumulated materials shall be removed and disposed of at an upland site.
- 13. All cofferdam and temporary steel sheet pile shall then be removed in its entirety, unless specifically shown to be left in plan on the accepted plans. Cofferdam and sheet pile that is left in place shall be cut off at the elevation shown on the plans and shall be a minimum of one foot below the stream bottom.
- 14. The existing structure shall be kept open to pass the stream flow during removal of the existing road fill.
- 15. The placement of the new culvert and the initial placement of fill in the stream shall be done immediately after removal of the existing culvert. The placement shall be conducted in such a manner that all flow is immediately passed through the new culverts, allowing the major placement of fill to be done in the dry or in still water where erosion and sedimentation will be minimized. The fill material used in this initial placement shall be washed gravel, coarse aggregate, or rock and shall be placed at both ends of the culvert to a level above normal water level before backfill material is placed.
- 16. The culvert shall be installed to align with the center line of the existing stream at both the inlet and outlet ends and must be **recessed into the stream bed** to provide a natural channel substrate throughout the structure, as shown on the approved plans.
- 17. Road fill side slopes shall not be steeper than 1-on-2 (1 vertical to 2 horizontal) except where headwalls of reinforced concrete, mortar masonry, dry masonry, or other acceptable methods are used
- 18. Areas to be protected by riprap shall be cleared of brush and debris. All grades shall be shaped and compacted to the required cross section. Geotextile liner shall be placed on the prepared grades. The riprap installation shall not damage the geotextile liner.
- 19. Any fill shall consist of clean inert material.
- 20. Any alterations to the existing road grade elevations other than that shown on the plans will require prior approval from the WRD.
- 21. Road fill side slopes terminating in the stream and any raw streambanks resulting from the construction shall be stabilized with temporary measures in accordance with appropriate Best Management Practices based on site conditions, and if necessary, may be riprapped extending above the ordinary high-water mark, before or upon commencement of the

- permitted activity. Temporary stabilization measures shall be maintained until permanent measures are in place.
- 22. All other road fill slopes, ditches, and other raw areas draining directly to the stream may be protected with riprap, sod and/or seed and mulch as may be necessary to provide effective erosion protection. The placement of riprap shall be limited to the minimum necessary to ensure proper stabilization of the side slopes and fill in the immediate vicinity of the structure.
- 23. All riprap shall be properly sized and graded based on wave action and velocity and shall consist of clean natural field stone or rock (free of paint, soil or other fines, asphalt, soluble chemicals, or organic material). Broken concrete, free of protruding metal, free of contaminants and other foreign material may be used if permitted by the contract documents.
- 24. The placement of riprap shall be limited to the minimum necessary to ensure proper stabilization of the side slopes and fill in the immediate vicinity of the structure. Rock riprap shall be placed such that it does not narrow the stream or interfere with stream flows into and out of the structure.
- 25. If the project, or any portion of the project, is stopped and lies incomplete for any length of time other than that encountered in a normal work week, every precaution shall be taken to protect the incomplete work from erosion, including the placement of temporary gravel bag riprap, temporary seed and mulch, or other acceptable temporary protection.
- 26. No work shall be done in the stream during periods of above-normal flows except as necessary to prevent erosion.
- 27. To avoid disturbance of Northern long-eared bat, which is federally listed as a threatened species, or Indiana bat, which is federally listed as an endangered species, any tree larger than three inches in diameter shall not be cut between April 1 and September 30 of any year.
- 28. Prior to the start of construction, all adjacent non-work wetland areas shall be protected by properly trenched sedimentation barrier to prevent sediment from entering the wetland. Orange construction fencing shall be installed as needed to prohibit construction personnel and equipment from entering or performing work in these areas. Fence shall be maintained daily throughout the construction process. Upon project completion, the accumulated materials shall be removed and disposed of at an upland site, the sedimentation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.
- 29. Stormwater shall not directly outlet to the stream.
- 30. Issuance of this permit is contingent upon the effect determinations to federally listed threatened and endangered species, as can be found within the United States Fish and EGLE

Wildlife Service (USFWS) "All Species Michigan Determination Key" verification letter provided with the permit application. The permittee is responsible for adhering to all of the agreed-upon conservation measures listed within the verification letter and discussed during consultation with USFWS.

Issued By:

Luke Golden

Cadillac District Office Water Resources Division

989-370-1569

THIS PERMIT MUST BE SIGNED BY THE PERMITTEE TO BE VALID.

I hereby assure that I have read, am familiar with, and agree to adhere to the terms and conditions of this permit.

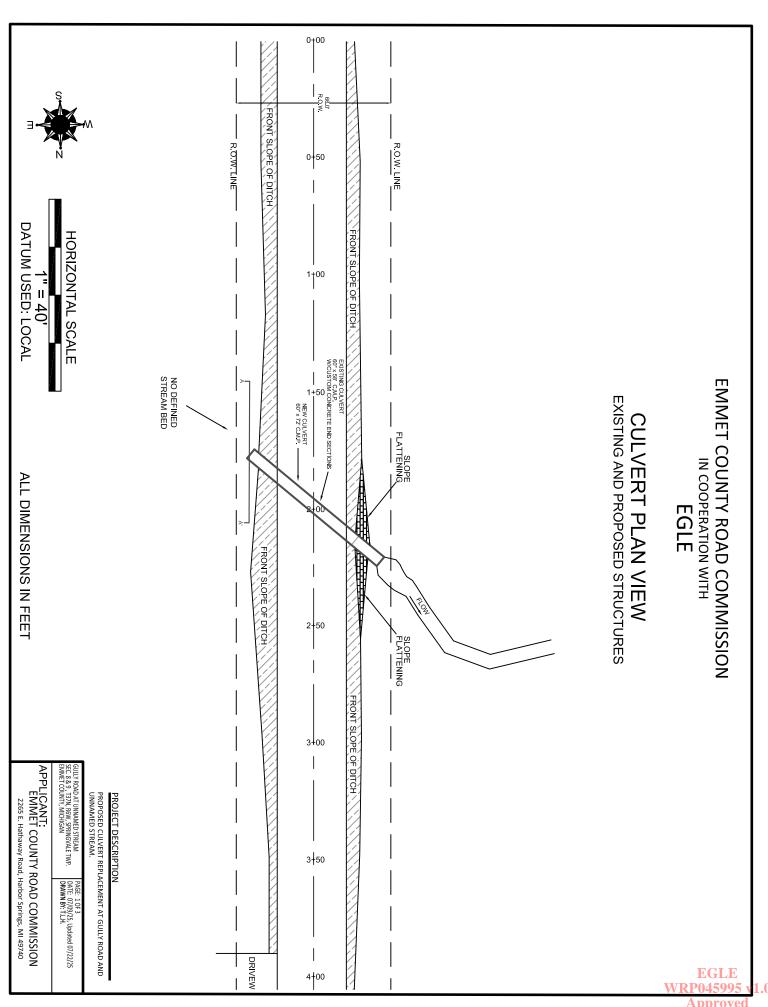
Permittee Signature

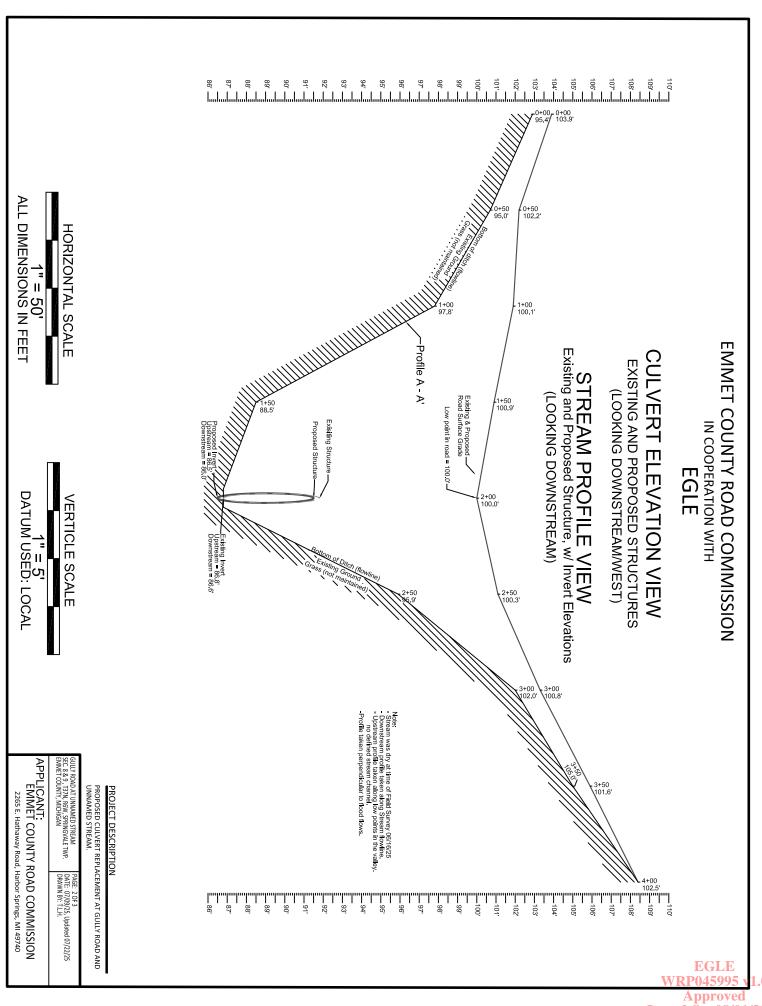
Date

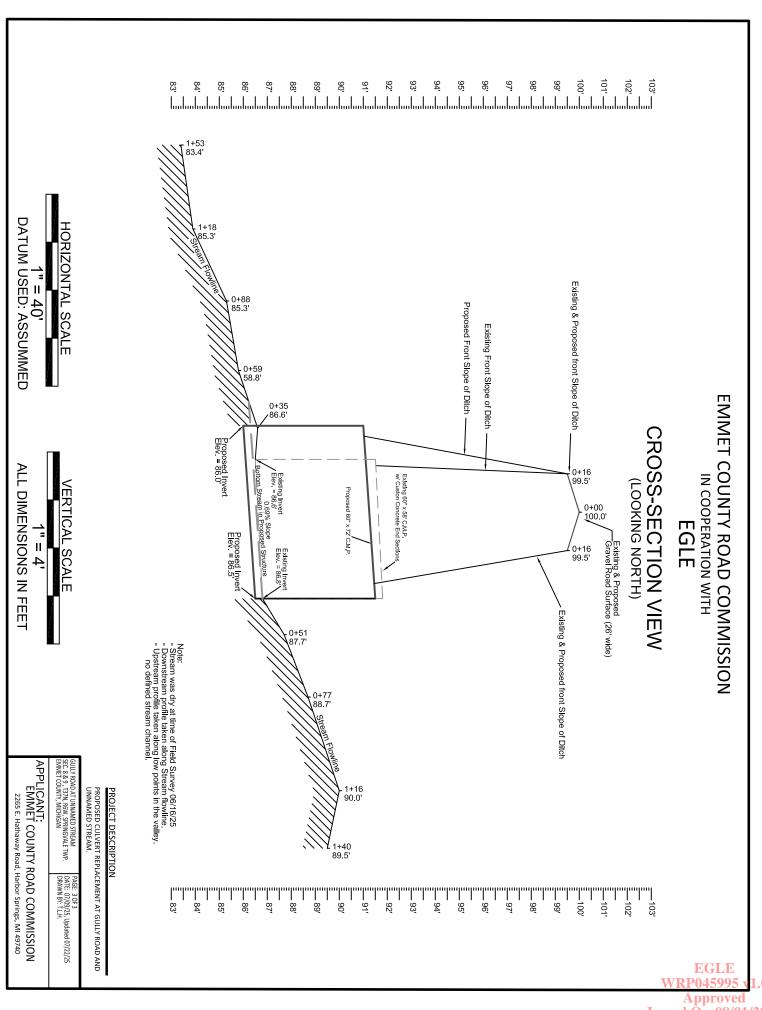
cc: Readmond Township Clerk

Emmet County Drain Commissioner – VIA USPS

Emmet County CEA







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