

AGENDA

COUNTY SERVICES COMMITTEE

111 S. Michigan Ave., Room 200, Saginaw MI 48602

Wednesday, January 10, 2024 - 4:00 p.m.

Members: Michael Webster – Chair, Dennis Krafft – Vice-Chair, Denny Harris, Gerald Little, Christopher Boyd

Others: Finance Director, Civil Counsel, Board Staff, *Media*

- I. Call to order
- II. Welcome
- III. Correction/Approval of Minutes (***December 6, 2023 - Attached***)
- IV. Public Comment (*Speakers limited to 3 minutes*)
- V. Agenda
 1. **Brian Wendling, Public Works Commissioner**, re:
 - **1-16-4** Requesting approval of a Full Faith and Credit Resolution for the Smith Drain project
 - **1-16-5** Requesting revisions and updates to Saginaw County Ordinance #114, Soil Erosion and Sedimentation Control, as approved by EGLE
 2. **Dennis Borchard, Saginaw County Road Commission**, re:
 - **1-16-6** Requesting a road millage proposal be placed on the August 6, 2024 primary ballot for levy of 2 mills during the years 2024 – 2029, estimated to raise \$12,798,863 to repair, re-build, and restore existing county roads
 3. **Kristen Wenzel, Interim CEO, MichiganWorks!**, re:
 - **1-16-7** Submitting a presentation and requesting support to change fiscal agent as required by its interlocal agreement
 4. **Chairman Boyd**, re:
 - **1-16-8** Discussion of notice from EGLE, of the initiation to replace the existing county Solid Waste Management Plans with the new Materials Management Plans
 5. **INFORMATIONAL COMMUNICATIONS (To be Received & Filed in Committee)**
 - **1-16-9** **CITY OF SAGINAW** submitting a Notice of Public Hearing on January 22, 2024 at 6:30 p.m. at City Hall, 1315 S. Washington Ave., on its intent to create a Neighborhood Enterprise Zone – Covenant 1 by adoption of a resolution anticipated at its regular meeting of March 4, 2024
 - **1-16-10** **CITY OF SAGINAW** submitting a Notice of Public Hearing on January 22, 2024 at 6:30 p.m. at City Hall, 1315 S. Washington Ave., on its intent to create a Neighborhood Enterprise Zone – Covenant 2 by adoption of a resolution anticipated at its regular meeting of March 4, 2024
- VI. Miscellaneous
- VII. Adjournment

MINUTES

DRAFT

COUNTY SERVICES COMMITTEE

111 S. Michigan Ave., Room 200, Saginaw MI 48602

Wednesday, December 6, 2023 - 5:00 p.m.

Present: Michael Webster – Chair, Denny Harris, Sheldon Matthews, Christopher Boyd
Absent: Dennis Krafft
Others: Koren Thurston, Dave Gilbert, Mark Piotrowski, Richard Spitzer, Jaime Ceja, Jennifer Broadfoot, Marissa Sawdon, Catherine Hicks, and Suzy Koeplinger

- I. Call to order ---**Webster at 5:00 p.m.**
- II. Welcome
- III. Correction/Approval of Minutes **(November 8, 2023)**
---Moved by Boyd, seconded by Matthews, to approve. Motion carried.
- IV. Public Comment *(Speakers limited to 3 minutes)*
 - **Commissioner Spitzer inquired about the cashless policy at The Dow and when the Building Authority will meet next to discuss concerns directed from a previous County Services meeting. Commissioner Spitzer asked that a solution be expedited from the Building Authority and the Finance Director will ensure the topic is discussed.**
- V. Agenda
 1. **Glenn Steffens, Executive Director, and Jamie Forbes, Director of External Affairs, STARS**, re:
 - **12-19-4** Submitting a presentation on Saginaw Transit Authority Regional Services (STARS) current services and statistics and plans to redevelop Potter Street Station as the new STARS HQ as part of a larger revitalization project
The presentation was discussed and Commissioner Harris raised concerns of the impact a partnership would have on his district. Mr. Steffens is available to discuss further ideas with commissioners for a future partnership.
---Moved by Harris, seconded by Boyd, to receive and file. Motion carried.
(Receive & File)
 2. **INFORMATIONAL COMMUNICATIONS (To be Received & Filed in Committee)**
 - **12-19-5 BIRCH RUN TOWNSHIP DDA** submitting notice of a Special Meeting – Informational Session, Sewer Upgrade project, and review & act on a Birch Run/ Bridgeport Chamber of Commerce financial request on December 6, 2023
 - **12-19-6 VILLAGE OF BIRCH RUN** sending notice in accordance with Public Act 57 of 2018 of an informational meeting during its regular DDA meeting on Thursday, December 14, 2023
 - **12-19-7 VILLAGE OF BIRCH RUN DDA** submitting its Annual Report on Status of Tax Increment Financing Plan for fiscal year ending in 2023
---Moved by Boyd, seconded by Matthews, to receive and file. Motion carried.
(Receive & File)
- VI. Miscellaneous ---**None**
- VII. Adjournment ---**Moved by Harris, seconded by Boyd, to adjourn. Motion carried; time being 5:48 p.m.**

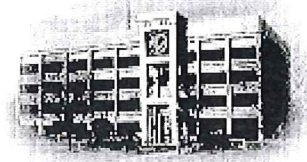
Respectfully Submitted,
Michael Webster, Committee Chair
Suzy Koeplinger, Committee Clerk

COUNTY OF SAGINAW

BRIAN J. WENDLING
PUBLIC WORKS COMMISSIONER

Governmental Center
111 S. Michigan Avenue
Saginaw, Michigan 48602-2086
Phone 989-790-5258 • FAX 989-790-5259

COUNTY SERVICES



1-16-4

December 14, 2023

Honorable Chairman Boyd
Saginaw County Board of Commissioners
111 South Michigan Avenue
Saginaw, MI 48602

RECEIVED
SAGINAW COUNTY
BOARD OF COMMISSIONERS
2023 DEC 14 A 8:50
BJW

Dear Chairman Boyd,

Please allow this letter to serve as request to meet with the County Services Committee at its January 10, 2024, meeting regarding the following matter:

- Resolution pledging full faith and credit of the County for the Smith Drain project.

I will be in attendance on January 10th to answer any questions you or the committee may have.

Respectfully,

Brian J. Wendling
Public Works Commissioner

At a regular meeting of the Board of Commissioners of the County of Saginaw, Michigan, held on January 16, 2024.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and seconded by _____:

Resolution re: Smith Drain Notes, Series 2024

WHEREAS, proceedings have been taken by the Saginaw County Public Works Commissioner for the construction of improvements to the Smith Drain (the "Project"), pursuant to a petition filed with the Public Works Commissioner under the provisions of Chapter 8 of the Drain Code of 1956, as amended; and

WHEREAS, in order to defray the cost of the Project, the Public Works Commissioner is expected to authorize and provide for the issuance by the Smith Drain Drainage District (the "Drainage District") of notes (the "Notes") in the aggregate principal amount of not to exceed \$177,745, in anticipation of the collection of an equal amount of special assessments against property and public corporations in the Drainage District, said special assessments to be duly confirmed by the Public Works Commissioner; and

WHEREAS, the Notes are to be designated "Smith Drain Notes, Series 2024," will bear interest at a rate of not to exceed 6% per annum and will mature not later than June 1, 2044; and

WHEREAS, the Public Works Commissioner deems it advisable and necessary to obtain from this Board a resolution consenting to the pledge of the full faith and credit of the County on the Notes; and

WHEREAS, the Project is necessary to protect and preserve the public health and therefore it is in the best interest of the County of Saginaw that the Notes be sold.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF SAGINAW:

1. Pursuant to the authorization provided in Section 434 of the Drain Code of 1956, as amended, provided that the Notes are issued within the parameters set forth above, the Saginaw County Board of Commissioners, by a two-thirds vote of its members elect, does hereby irrevocably pledge the full faith and credit of the County of Saginaw for the prompt payment of the principal of and interest on the Notes, and does agree that in the event that the property owners or public corporations in the Drainage District shall fail or neglect to account to the County Treasurer of the County of Saginaw for the amount of any special assessment installment and interest, when due, then the amount thereof shall be immediately advanced from County funds, and the County Treasurer is directed to immediately make such advancement to the extent necessary.

2. In the event that, pursuant to said pledge of full faith and credit, the County of Saginaw advances out of County funds, all or any part of said installment and interest, it shall be the duty of the County Treasurer, for and on behalf of the County of Saginaw, to take all actions and proceedings and pursue all remedies permitted or authorized by law for the reimbursement of such sums so paid.

3. All resolutions and parts of resolutions, insofar as the same may be in conflict with the provisions of this resolution, be and the same hereby are rescinded.

ADOPTED: Yeas: _____

Nays: _____

STATE OF MICHIGAN)
) SS
COUNTY OF SAGINAW)

I, the undersigned, the duly qualified and acting County Clerk of the County of Saginaw, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by a two-thirds vote of the members elect of the Saginaw County Board of Commissioners at a regular meeting of the Saginaw County Board of Commissioners, held on January 16, 2024, the original of which is on file in my office.

I further certify that notice of the meeting was given and the meeting was conducted in accordance with the Open Meetings Act.

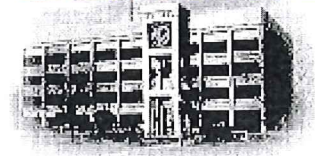
County Clerk

COUNTY OF SAGINAW

BRIAN J. WENDLING
PUBLIC WORKS COMMISSIONER

Governmental Center
111 S. Michigan Avenue
Saginaw, Michigan 48602-2086
Phone 989-790-5258 • FAX 989-790-5259

COUNTY SERVICES



January 2, 2024

Honorable Chairman Boyd
Saginaw County Board of Commissioners
111 South Michigan Avenue
Saginaw, MI 48602

Dear Chairman Boyd,

Please allow this letter to serve as request to meet with the County Services Committee at its January 10, 2024, meeting regarding the following matter:

- Revisions and updates to Saginaw County Ordinance #114, Soil Erosion and Sedimentation Control.

Attached for your review are copies of the original ordinance with mark ups and the final EGLE approved ordinance for consideration.

I will be in attendance on January 10th to answer any questions you or the committee may have.

Respectfully,

Brian J. Wendling
Public Works Commissioner

1-16-5

RECEIVED
SAGINAW COUNTY
BOARD OF COMMISSIONERS
2024 JAN - 3 A 8:42

New

**SAGINAW COUNTY
ORDINANCE # 114
SOIL EROSION AND SEDIMENTATION CONTROL**

*Resolution A - Adopted by Board 1/22/02, Amended 2/25/03
Approved by Michigan Department of Environmental Quality 5/20/03
Effective 5/29/03
Amendment Adopted by Board 2/24/04 - Resolution A from 1/20/04 Session
Amendment Adopted by Board 3/23/04 - Resolution C
Approved by the Michigan Department of Environmental Quality 4/28/04 -
Effective 5/7/04
Amendment Adopted by Board 11/16/10
Approved by the Michigan Department of Natural Resources & Environment 1/7/11
Effective 1/14/11*

WHEREAS, the State of Michigan has authorized counties to adopt a Soil Erosion and Sedimentation Control Ordinance pursuant to Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, and the administrative rules promulgated there under (Part 91, as amended).

IT IS HEREBY RESOLVED AND ORDAINED:

- (A) The Saginaw County Public Works Commissioner is hereby appointed for the administration and enforcement of the Saginaw County Soil Erosion and Sedimentation Control (SESC) Ordinance and all rules promulgated under state statute and this ordinance in the name of the County of Saginaw throughout the County of Saginaw except within a municipality that has assumed the responsibility for Soil Erosion and Sedimentation Control Act under MCL 426.9101 et seq; and with regard to earth changes by authorized public agencies.
- (B) All persons filing an application for a SESC permit shall pay permit fees as determined by the Saginaw County Board of Commissioners.
- (C) All provisions of Part 91, as amended, and Saginaw's Soil Erosion and Sedimentation Control Supplemental Rules, as amended, and conditions are adopted as the County ordinance.
- (D) The County hereby adopts Part 91, as amended, as part of its own ordinance.
- (E) The Saginaw County Public Works Commissioner and/or his or her designee(s) are authorized County Officials as defined by Municipal Civil Infraction Ordinance #115 and are empowered to issue municipal civil infraction citations under this Ordinance.
- (F) That this ordinance shall be effective seven (7) days after written approval by the Michigan Department of Environment, Great Lakes, and Energy (EGLE).

SAGINAW COUNTY
SOIL EROSION AND SEDIMENTATION CONTROL
SUPPLEMENTAL RULES AND CONDITIONS

(Pursuant to Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, and the administrative rules promulgated there under (Part 91, as amended))

Revised December 14, 1999, January 22, 2002, February 25, 2003, November 16, 2010,
January, XX, 2024

SECTION I

Application for Soil Erosion and Sedimentation Control (SESC) Permit

- A. All persons proposing to maintain or undertake an earth change activity that meets any of the following criteria:
 - 1. Disturbs one (1) or more acres of land.
 - 2. Is within 500 feet of any of the following: a water of the State as defined in Part 91, as amended, a county drain (open or tiled), and ponds that are greater than 5 acres in area.
 - 3. All individual lots in a multi-lot development.
- B. Application for a SESC permit must be made prior to the start of any work including, but not limited to, construction of access roads, driveways, land clearing and grubbing and grading.
- C. Application must be made on the prescribed application form, furnished by the Public Works Commissioner, and must be filled out completely. All incomplete application forms are subject to rejection.
- D. The following information, plans and documents should accompany the application form:
 - 1. A final design plan or development plan detailing all items of work.
 - 2. A map or site plan, at a scale of not more than 200 feet per inch, showing all predominant land features, and contour intervals, and proximity to lakes or streams.
 - 3. A soils description of the affected areas, to include soil test borings if so requested by the Public Works Commissioner.
 - 4. A legal description of the site indicating legal ownership.

5. A description and location of the physical limits of the proposed earth change.
6. A listed sequence of each proposed earth change and the estimated time required to complete each.
7. A detailed description and design of all soil erosion and sedimentation control measures.
8. A program of maintenance for temporary and permanent soil erosion and sedimentation control measures.

SECTION II SESC Permit

- A. SESC Permits will be issued to those persons properly filing applications only after all documents and plans have been reviewed, approved by the Public Works Commissioner, and fees have been paid.
- B. SESC Permits shall contain limitations and conditions of issuance and shall be prominently displayed on the site at all times.
- C. SESC Permits shall contain an expiration date prior to which time the applicant must apply for a renewal to all the provisions of these Supplemental Rules and Conditions, as amended, if the project is not completed. The expiration date will be a minimum of 1 year and no greater than 2 years at the discretion of the Public Works Commissioner.

SECTION III Fee Schedule

- A. All persons filing an application for a SESC permit shall submit the appropriate fee. Fees are in accordance with the fee schedule, as amended, as determined by the Saginaw County Board of Commissioners. Fees may be periodically revised as necessary by formal action of the County Board.
- B. All fees are to be payable to the Public Works Commissioner prior to issuance of a SESC Permit.

SECTION IV Extension of Time

- A. Requests for renewal of SESC Permits must be received by the Public Works Commissioner at least ten (10) days prior to the expiration date.

- B. Requests for renewals must be in writing or email and set forth reasons for such requests.

SECTION V

Violations

- A. Whenever, by the provisions of Part 91, as amended, or these Supplemental Rules and Conditions, as amended, the performance of any act is required or the performance of any act is prohibited, a failure to comply with such provisions shall constitute a violation of the law.
- B. All violations shall be corrected within five (5) days following issuance of a written notice to correct. Such notice shall be mailed by certified mail, in the alternative, may be hand delivered to the person charged with said violation. Failure to incorporate corrections shall cause the SESC Permit to be voided and shall cause legal action to be initiated.
- C. All earth change activities, for which a SESC Permit is required, that commence prior to obtaining a permit, may be charged SESC Permit fees twice those as defined in the approved fee schedule, as amended.

SECTION VI

Maintenance

All persons carrying out SESC under Part 91, as amended, and these Supplemental Rules and Conditions, as amended, and all subsequent owners of properties on which such measures have been installed, shall adequately maintain permanent erosion control measures, devices and plants in effective working conditions.

SECTION VII

Standards and Specifications

All SESC, both temporary and permanent, shall be designed, constructed and maintained in accordance with current standards and specifications. Sources include, but are not limited to: Saginaw Soil Conservation District, Department of Technology, Management & Budget (DTMB), EGLE Best Management Practices Guidebook, Michigan Department of Transportation SESC Measures, and Michigan Association of County Drain Commissioners SESC Manual, as approved by the Public Works Commissioner.

SECTION VIII

Interpretation

The Public Works Commissioner shall have the responsibility to interpret Part 91, as amended, and these Supplemental Rules and Conditions, as amended, as to intent and general purpose and base decisions on said interpretation.

SECTION IX
Revisions

The Board of Commissioners may, from time to time, revise these Supplemental Rules and Conditions, as amended, as deemed necessary for the effective enforcement and administration of Part 91, as amended, effective after review and approval from EGLE.

SECTION X
Enforcement Assignments

- A. The Public Works Commissioner may secure, pursuant to properly executed agreements approved by the Board of Commissioners, services for enforcing Part 91, as amended, and these Supplemental Rules and Conditions, as amended, on behalf of the Commissioner, from private contractors or vendors. Enforcement responsibilities that may be included in said agreements are receipt of applications, collection of permit fees, and appropriate record keeping. All fees charged shall be in accordance with these Supplemental Rules and Conditions, as amended, and shall be turned over to the Commissioner.

Approved by Saginaw County Board of Commissioners
Christopher S. Boyd, Chair
Date: January XX, 2024

STATEMENT OF POLICY FOR ENFORCEMENT OF

Part 91, as Amended

Revised December 14, 1999, January 22, 2002, and February 25, 2003, October XX, 2023

The Saginaw County Public Works Commissioner, acting on behalf of the Saginaw County Board of Commissioners, as County Enforcing Agent for Part 91, as amended, do hereby issue the following statements of policy and interpretation regarding the enforcement of said Part 91, as amended. These statements are not intended to be all inclusive but are made in an effort to improve clarity of existing rules and to provide educational information.

1. A one-year permit renewal will be required when the excavation, grading, or hauling operations are not yet complete. A SESC permit is required until the site is completely stabilized.
2. The decision as to whether a permit renewal is necessary shall be the decision of the County Enforcing Agent.
3. It is required that the permit be in the name of the owner of the property.
4. A renewal fee will be required for a permit renewal.

Saginaw County Public Works Commissioner

Brian J. Wendling

Date: January XX, 2024

Old

**SAGINAW COUNTY
ORDINANCE # 114
SOIL EROSION AND SEDIMENTATION CONTROL**

*Resolution A - Adopted by Board 1/22/02, Amended 2/25/03
Approved by Michigan Department of Environmental Quality 5/20/03
Effective 5/29/03
Amendment Adopted by Board 2/24/04 - Resolution A from 1/20/04 Session
Amendment Adopted by Board 3/23/04 - Resolution C
Approved by the Michigan Department of Environmental Quality 4/28/04 -
Effective 5/7/04
Amendment Adopted by Board 11/16/10
Approved by the Michigan Department of Natural Resources & Environment 1/7/11
Effective 1/14/11*

WHEREAS, the State of Michigan has authorized counties to adopt a Soil Erosion and Sedimentation Control Ordinance pursuant to Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, and the administrative rules promulgated there under (Part 91, as amended).~~Part 91, Soil Erosion and Sedimentation Control, of 1994 P.A. 451, Natural Resources and Environmental Protection Act, as amended.~~

IT IS HEREBY RESOLVED AND ORDAINED:

- (A) The Saginaw County Public Works Commissioner ~~of Public Works~~ is hereby appointed for the administration and enforcement of the Saginaw County Soil Erosion and Sedimentation Control (SESC) Ordinance and all rules promulgated under state statute and this ordinance in the name of the County of Saginaw throughout the County of Saginaw except within a municipality that has assumed the responsibility for Soil Erosion and Sedimentation Control Act under MCL 426.9101 et seq; and with regard to earth changes by authorized public agencies.
- (B) All persons filing an application for a S.E.S.C./SESC permit shall pay permit fees as determined by the Saginaw County Board of Commissioners.
- (C) ~~That all provisions of Part 91, Soil Erosion and Sedimentation Control, of 1994 P.A. 451, Natural Resources and Environmental Protection Act, as amended, including all rules promulgated under this Part, and Saginaw County's Soil Erosion and Sedimentation Control Supplemental Rules and Conditions are adopted as the County Ordinance.~~ All provisions of Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, and the administrative rules promulgated there under (Part 91, as amended), and Saginaw's Soil Erosion and Sedimentation Control Supplemental Rules, as amended, and conditions are adopted as the County ordinance.
- (D) ~~That affixed to this ordinance is a copy of said statute and rules and t~~ The County hereby adopts Part 91, as amended, as part of its own ordinance.~~the same as its own.~~

- (E) The Saginaw County Public Works Commissioner and/or his or her designee(s) are authorized County Officials as defined by Municipal Civil Infraction Ordinance #115 and are empowered to issue municipal civil infraction citations under this Ordinance.
- (F) That this ordinance shall be effective seven (7) days after written approval by the ~~Department of Environmental Quality~~ [Michigan Department of Environment, Great Lakes, and Energy \(EGLE\)](#).

~~**PART 91, SOIL EROSION AND SEDIMENTATION CONTROL
OF THE
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT
1994 PA 451, AS AMENDED**~~

~~**324.9101 Definitions; A to W.**~~

- ~~Sec. 9101. (1) "Agricultural practices" means all land farming operations except the plowing or tilling of land for the purpose of crop production or the harvesting of crops.~~
- ~~(2) "Authorized public agency" means a state agency or an agency of a local unit of government authorized under section 9110 to implement soil erosion and sedimentation control procedures with regard to earth changes undertaken by it.~~
- ~~(3) "Conservation district" means a conservation district authorized under part 93.~~
- ~~(4) "Consultant" means either of the following:~~
- ~~—— (a) An individual who has a current certificate of training under section 9123.~~
- ~~—— (b) A person who employs 1 or more individuals who have current certificates of training under section 9123.~~
- ~~(5) "County agency" means an officer, board, commission, department, or other entity of county government.~~
- ~~(6) "County enforcing agency" means a county agency or a conservation district designated by a county board of commissioners under section 9105.~~
- ~~(7) "County program" or "county's program" means a soil erosion and sedimentation control program established under section 9105.~~
- ~~(8) "Department" means the department of environmental quality.~~
- ~~(9) "Earth change" means a human made change in the natural cover or topography of land, including cut and fill activities, which may result in or contribute to soil erosion or sedimentation of the waters of the state. Earth change does not include the practice of plowing and tilling soil for the purpose of crop production.~~
- ~~(10) "Local ordinance" means an ordinance enacted by a local unit of government under this part providing for soil erosion and sedimentation control.~~
- ~~(11) "Municipal enforcing agency" means an agency designated by a municipality under section 9106 to enforce a local ordinance.~~
- ~~(12) "Municipality" means any of the following: (a) A city. (b) A village. (c) A charter township. (d)~~

~~A general law township that is located in a county with a population of 200,000 or more.~~

~~(13) "Rules" means the rules promulgated pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.~~

~~(14) "Sediment" means solid particulate matter, including both mineral and organic matter, that is in suspension in water, is being transported, or has been removed from its site of origin by the actions of wind, water, or gravity and has been deposited elsewhere.~~

~~(15) "Soil erosion" means the wearing away of land by the action of wind, water, gravity, or a combination of wind, water, or gravity.~~

~~(16) "State agency" means a principal state department or a state public agency.~~

~~(17) "Violation of this part" or "violates this part" means a violation of this part, the rules promulgated under this part, a permit issued under this part, or a local ordinance enacted under this part.~~

~~(18) "Waters of the state" means the Great Lakes and their connecting waters, inland lakes and streams as defined in rules promulgated under this part, and wetlands regulated under part 303. History: Add. 1995, Act 60, Imd. Eff. May 24, 1995; Am. 2000, Act 504, Imd. Eff. Jan. 11, 2001.~~

~~**324.9102, 324.9103 Repealed. 2000, Act 504, Imd. Eff. Jan. 11, 2001.** Compiler's Note: The repealed sections pertained to definitions and soil erosion and sedimentation control program.~~

~~324.9104 Rules; availability of information.~~

~~Sec. 9104. (1) The department, with the assistance of the department of agriculture, shall promulgate rules for a unified soil erosion and sedimentation control program, including provisions for the review and approval of site plans, land use plans, or permits relating to soil erosion control and sedimentation control. The department shall notify and make copies of proposed rules available to county enforcing agencies, municipal enforcing agencies, and authorized public agencies for review and comment before promulgation.~~

~~(2) The department shall make available to county enforcing agencies, municipal enforcing agencies, and authorized public agencies educational information on soil erosion and sedimentation control techniques and the benefits of implementing soil erosion and sedimentation control measures. County enforcing agencies and municipal enforcing agencies shall distribute this information to persons receiving permits under a county program or a local ordinance and to other interested persons.~~

~~History: Add. 1995, Act 60, Imd. Eff. May 24, 1995; Am. 2000, Act 504, Imd. Eff. Jan 11, 2001~~

~~**324.9105 Administration and enforcement of rules; resolution; ordinance; interlocal agreement; review; notice of results; informal meeting; probation; consultant; inspection fees; rescission of order, stipulation, or probation.**~~

~~Sec. 9105. (1) Subject to subsection (6), a county is responsible for the administration and enforcement of this part and the rules promulgated under this part throughout the county except as follows:~~

~~——(a) Within a municipality that has assumed the responsibility for soil erosion and sedimentation control under section 9106.~~

~~——(b) With regard to earth changes of authorized public agencies.~~

~~(2) Subject to subsection (3), the county board of commissioners of each county, by resolution, shall designate a county agency, or a conservation district upon the concurrence of the conservation district, as the county enforcing agency responsible for administration and enforcement of this part and the rules promulgated under this part in the name of the county. The resolution may set forth a schedule of fees for inspections, plan reviews, and permits and may set forth other matters relating to the administration and enforcement of the county program and this part and the rules promulgated under this part.~~

~~(3) In lieu of or in addition to a resolution provided for in subsection (2), the county board of commissioners of a county may provide by ordinance for soil erosion and sedimentation control in the county. An ordinance adopted under this subsection may be more restrictive than, but shall not make lawful that which is unlawful under, this part and the rules promulgated under this part. If an ordinance adopted under this subsection is more restrictive than this part and the rules promulgated under this part, the county enforcing agency shall notify a person receiving a permit under the ordinance that the ordinance is more restrictive than this part and the rules promulgated under this part. The ordinance shall incorporate by reference the rules promulgated under this part that do not conflict with a more restrictive ordinance and may set forth such other matters as the county board of commissioners considers necessary or desirable. The ordinance may provide penalties for a violation of the ordinance that are consistent with section 9121.~~

~~(4) A copy of a resolution or ordinance adopted under this section and all subsequent amendments to the resolution or ordinance shall be forwarded to the department for the department's review and approval. The department shall forward a copy to the conservation district for that county for review and comment. Not later than December 31, 2001, the department shall prepare and submit a report to the standing committees of the senate and the house of representatives with jurisdiction over issues primarily related to natural resources and the environment. This report shall detail the number and the substance of complaints that have been received by the department related to county ordinances that have been adopted under subsection (3) that are more restrictive than this part and the rules promulgated under this part.~~

~~(5) Two or more counties may provide for joint enforcement and administration of this part and the rules promulgated under this part by entering into an interlocal agreement pursuant to the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.~~

~~(6) Within 3 years after the effective date of the amendatory act that added this subsection, the department shall conduct an initial review of each county's soil erosion and sedimentation control program in accordance with a schedule established by the department. If the department approves a~~

county program, its approval is valid for a 5-year period. After the initial review, the department shall conduct a review of a county's program every 5 years. The review shall be conducted at least 6 months before the expiration of each succeeding 5-year period. The department shall approve a county's program if all of the following conditions are met:

- ~~_____ (a) The county has passed a resolution or enacted an ordinance as provided in this section.~~
- ~~_____ (b) The individuals with decision-making authority who are responsible for administering the county program have current certificates of training under section 9123.~~
- ~~_____ (c) The county has effectively administered and enforced the county program in the past 5 years or has implemented changes in its administration or enforcement procedures that the department determines will result in the county effectively administering and enforcing the county program. In determining whether the county has met the requirement of this subdivision, the department shall consider all of the following:
 - ~~_____ (i) Whether a mechanism is in place to provide funding to administer the county's program~~
 - ~~_____ (ii) Whether the county has conducted adequate inspections to assure minimization of soil erosion and off-site sedimentation.~~
 - ~~_____ (iii) The effectiveness of the county's past compliance and enforcement efforts.~~
 - ~~_____ (iv) The adequacy and effectiveness of the applications and soil erosion and sedimentation control plans being accepted by the county.~~
 - ~~_____ (v) The adequacy and effectiveness of the permits issued by the county and the inspections being performed by the county.~~
 - ~~_____ (vi) The conditions at construction sites under the jurisdiction of the county as documented by departmental inspections.~~~~

~~(7) Following a review under subsection (6), the department shall notify the county of the results of its review and whether the department proposes to approve or disapprove the county's program. Within 30 days of receipt of the notice under this subsection, a county may request and the department shall hold an informal meeting to discuss the review and the proposed action by the department.~~

~~(8) Following the meeting under subsection (7), if requested, and consideration of the review under subsection (6), if the department does not approve a county's program, the department shall enter an order, stipulation, or consent agreement under section 9112(2) placing the county on probation. In addition, at any time that the department determines that a county that was previously approved by the department under subsection (6) is not satisfactorily administering and enforcing the county's program, the department shall enter into an order, stipulation, or consent agreement under section 9112(2) placing the county on probation. During the 6-month period after a county is placed on~~

probation, the department shall consult with the county on how the county could change its administration of the county program in a manner that would result in its approval.

~~(9) Within 6 months after a county has been placed on probation under subsection (8), the county may notify the department that it intends to hire a consultant to administer the county's program. If, within 60 days after notifying the department, the county hires a consultant that is acceptable to the department, then within 1 year after the county hires the consultant, the department shall conduct a review of the county's program to determine whether or not the county program can be approved.~~

~~(10) If any of the following occur, the department shall hire a consultant to administer the county's program:~~

~~—— (a) The county does not notify the department of its intent to hire a consultant under subsection (9).~~

~~—— (b) The county does not hire a consultant that is acceptable to the department within 60 days after notifying the department of its intent to hire a consultant under subsection (9).~~

~~—— (c) The county remains unapproved following the department's review under subsection (9).~~

~~(11) Upon hiring a consultant under subsection (10), the department may establish a schedule of fees for inspections, review of soil erosion and sedimentation control plans, and permits for the county's program that will provide sufficient revenues to pay for the cost of the contract with the consultant, or the department may bill the county for the cost of the contract with the consultant. As used in this subsection, "cost of the contract" means the actual cost of a contract with a consultant plus the documented costs to the department in administering the contract, but not to exceed 10% of the actual cost of the contract.~~

~~(12) At any time that a county is on probation as provided for in this section, the county may request the department to conduct a review of the county's program. If, upon such review, the county has implemented appropriate changes to the county's program, the department shall approve the county's program. If the department approves a county's program under this subsection, the department shall rescind its order, stipulation, or consent agreement that placed the county on probation.~~

~~History: Add 1995, Act 60, Imd. Eff. May 24, 1995; Am. 2000, Act 504, Imd. Eff. Jan. 11, 2001~~

324.9106 Ordinances.

~~Sec. 9106. (1) Subject to subsection (3), a municipality by ordinance may provide for soil erosion and sedimentation control on public and private earth changes within its boundaries except that a township ordinance shall not be applicable within a village that has in effect such an ordinance. An ordinance may be more restrictive than, but shall not make lawful that which is unlawful under, this part and the rules promulgated under this part. If an ordinance adopted under this section is more restrictive than this part and the rules promulgated under this part, the municipal enforcing agency shall notify a person receiving a permit under the ordinance that the ordinance is more restrictive than this part and the rules promulgated under this part. The ordinance shall incorporate by~~

~~reference the rules promulgated under this part that do not conflict with a more restrictive ordinance, shall designate a municipal enforcing agency responsible for administration and enforcement of the ordinance, and may set forth such other matters as the legislative body considers necessary or desirable. The ordinance shall be applicable and shall be enforced with regard to all private and public earth changes within the municipality except earth changes by an authorized public agency. The municipality may consult with a conservation district for assistance or advice in the preparation of the ordinance. The ordinance may provide penalties for a violation of the ordinance that are consistent with section 9121.~~

~~(2) An ordinance related to soil erosion and sedimentation control that is not approved by the department as conforming to the minimum requirements of this part and the rules promulgated under this part has no force or effect. A municipality shall submit a copy of its proposed ordinance or of a proposed amendment to its ordinance to the department for approval before adoption. The department shall forward a copy to the county enforcing agency of the county in which the municipality is located and the appropriate conservation district for review and comment. Within 90 days after the department receives an existing ordinance, proposed ordinance, or amendment, the department shall notify the clerk of the municipality of its approval or disapproval along with recommendations for revision if the ordinance, proposed ordinance, or amendment does not conform to the minimum requirements of this part or the rules promulgated under this part. If the department does not notify the clerk of the local unit within the 90-day period, the ordinance, proposed ordinance, or amendment shall be considered to have been approved by the department.~~

~~(3) After a date determined by a schedule established by the department, but not later than 3 years after the effective date of the amendatory act that added this subsection, a municipality shall not administer and enforce this part or the rules promulgated under this part or a local ordinance unless the department has approved the municipality. An approval under this section is valid for 5 years, after which the department shall review the municipality for reapproval. At least 6 months before the expiration of each succeeding 5-year approval period, the department shall complete a review of the municipality for reapproval. The department shall approve a municipality if all of the following conditions are met:~~

~~———— (a) The municipality has enacted an ordinance as provided in this section that is at least as restrictive as this part and the rules promulgated under this part.~~

~~———— (b) The individuals with decision-making authority who are responsible for administering the soil erosion and sedimentation control program for the municipality have current certificates of training under section 9123.~~

~~———— (c) The municipality has submitted evidence of its ability to effectively administer and enforce a soil erosion and sedimentation control program. In determining whether the municipality has met the requirements of this subdivision, the department shall consider all of the following:~~

~~———— (i) Whether a mechanism is in place to provide funding to administer the municipality's soil erosion and sedimentation control program.~~

~~———— (ii) The adequacy of the documents proposed for use by the municipality including,~~

but not limited to, application forms, soil erosion and sedimentation control plan requirements, permit forms, and inspection reports.

~~(iii) If the municipality has previously administered a soil erosion and sedimentation control program, whether the municipality effectively administered and enforced the program in the past or has implemented changes in its administration or enforcement procedures that the department determines will result in the municipality effectively administering and enforcing a soil erosion and sedimentation control program in compliance with this part and the rules promulgated under this part. In determining whether the municipality has met the requirement of this subparagraph, the department shall consider all of the following:~~

~~(A) Whether the municipality has had adequate funding to administer the municipality's soil erosion and sedimentation control program.~~

~~(B) Whether the municipality has conducted adequate inspections to assure minimization of soil erosion and off-site sedimentation.~~

~~(C) The effectiveness of the municipality's past compliance and enforcement efforts.~~

~~(D) The adequacy and effectiveness of the applications and soil erosion and sedimentation control plans being accepted by the municipality.~~

~~(E) The adequacy and effectiveness of the permits issued by the municipality and the inspections being performed by the municipality.~~

~~(F) The conditions at construction sites under the jurisdiction of the municipality as documented by departmental inspections.~~

~~(4) If the department determines that a municipality is not approved under subsection (3) or that a municipality that was previously approved under subsection (3) is not satisfactorily administering and enforcing this part and the rules promulgated under this part, the department shall enter an order, stipulation, or consent agreement under section 9112(2) denying the municipality authority or revoking the municipality's authority to administer a soil erosion and sedimentation control program. Upon entry of this order, stipulation, or consent agreement, the county program for the county in which the municipality is located becomes operative within the municipality.~~

~~(5) A municipality that elects to rescind its ordinance shall notify the department. Upon rescission of its ordinance, the county program for the county in which the municipality is located becomes operative within the municipality.~~

~~(6) A municipality that rescinds its ordinance or is not approved by the department to administer the program shall retain jurisdiction over projects under permit at that time. The municipality shall retain jurisdiction until the projects are completed and stabilized or the county agrees to assume jurisdiction over the permitted earth changes.~~

~~History: Add. 1995, Act 60, Imd. Eff. May 24, 1995; Am. 2000, Act 504, Imd. Eff. Jan 11, 2001~~

~~324.9107 Notice of violation.~~

~~Sec. 9107. If a local unit of government has notice that a violation of this part has occurred within the boundaries of that local unit of government, including but not limited to a violation attributable to an earth change by an authorized public agency, the local unit of government shall notify the appropriate county enforcing agency and municipal enforcing agency and the department of the violation.~~

~~History: Add. 1995, Act 60, Imd. Eff. May 24, 1995; Am. 2000, Act 504, Imd. Eff. Jan. 11, 2001.~~

~~324.9108 Permit; deposit as condition for issuance.~~

~~Sec. 9108. As a condition for the issuance of a permit, the county enforcing agency or municipal enforcing agency may require the applicant to deposit with the clerk of the county or municipality in the form of cash, a certified check, or an irrevocable bank letter of credit, whichever the applicant selects, or a surety bond acceptable to the legislative body of the county or municipality or to the county enforcing agency or municipal enforcing agency, in an amount sufficient to assure the installation and completion of such protective or corrective measures as may be required by the county enforcing agency or municipal enforcing agency.~~

~~History: Add. 1995, Act 60, Imd. Eff. May 24, 1995; Am. 2000, Act 504, Imd. Eff. Jan. 11, 2001.~~

~~324.9109 Agreement between public agency or county or municipal enforcing agency and conservation district; purpose; reviews and evaluations of agency's programs or procedures; agreement between person engaged in agricultural practices and conservation district; notification; enforcement.~~

~~Sec. 9109. (1) An authorized public agency, county enforcing agency, or municipal enforcing agency may enter into an agreement with a conservation district for assistance and advice in overseeing and reviewing compliance with soil erosion and sedimentation control procedures and in reviewing existing or proposed earth changes, earth change plans, or site plans with regard to technical matters pertaining to soil erosion and sedimentation control. In addition to or in the absence of such agreements, conservation districts may perform periodic reviews and evaluations of the authorized public agency's, county enforcing agency's, or municipal enforcing agency's programs or procedures pursuant to standards and specifications developed in cooperation with the respective districts and as approved by the department. These reviews and evaluations shall be submitted to the department for appropriate action.~~

~~(2) A person engaged in agricultural practices may enter into an agreement with the appropriate conservation district to pursue agricultural practices in accordance with and subject to this part, the rules promulgated under this part, and any applicable local ordinance. If a person enters into an agreement with a conservation district, the conservation district shall notify the county enforcing agency or municipal enforcing agency or the department in writing of the agreement. Upon entering into the agreement under this subsection, a person is not subject to permits required under this part, but is required to develop project specific soil erosion and sedimentation control plans and is subject to the remedies provided for in this part for violations of this part.~~

~~History: Add. 1995, Act 60, Imd. Eff. May 24, 1995; Am. 2000, Act 504, Imd. Eff. Jan. 11, 2001.~~

~~324.9110 Designation as authorized public agency; application; submission of procedures; variance; approval.~~

~~Sec. 9110. (1) Subject to subsection (4), a state agency or an agency of a local unit of government may apply to the department for designation as an authorized public agency by submitting to the department the soil erosion and sedimentation control procedures governing all earth changes normally undertaken by the agency. If the applicant is an agency of a local unit of government, the department shall submit the procedures to the county enforcing agency and the appropriate conservation district for review. The county enforcing agency and the conservation district shall submit their comments on the procedures to the department within 60 days. If the applicant is a state agency, the department shall submit the procedures to the department of agriculture for review, and the department of agriculture shall submit its comments on the procedures to the department within 60 days.~~

~~(2) Subject to subsection (4), if the department finds that the soil erosion and sedimentation control procedures of the state agency or the agency of the local unit of government meet the requirements of this part and rules promulgated under this part, the department shall designate the agency as an authorized public agency.~~

~~(3) Subject to subsection (4), after approval of the procedures and designation as an authorized public agency pursuant to subsection (1) or (2), all earth changes maintained or undertaken by the authorized public agency shall be undertaken pursuant to the approved procedures. If determined necessary by the department and upon request of an authorized public agency, the department may grant a variance from the provisions of this subsection.~~

~~(4) After a date determined by a schedule established by the department, but not later than 3 years after the effective date of the amendatory act that added this subsection, a state agency or an agency of a local unit of government shall not administer and enforce this part and the rules promulgated under this part as an authorized public agency unless the department has approved the agency under this section. An approval under this section is valid for 5 years, after which the department shall review the agency for reapproval. At least 6 months before the expiration of each succeeding 5-year period, the department shall complete a review of the authorized public agency for reapproval. The department shall approve a state agency or an agency of a local unit of government if all of the following conditions are met:~~

~~—— (a) The agency has adopted soil erosion and sedimentation control procedures that are at least as restrictive as this part and the rules promulgated under this part.~~

~~—— (b) The individuals with decision-making authority who are responsible for administering the soil erosion and sedimentation control procedures have current certificates of training under section 9123.~~

~~—— (c) The agency has submitted evidence of its ability to effectively administer soil erosion and sedimentation control procedures. In determining whether the agency has met the requirement of this subdivision, the department shall consider all of the following:~~

~~_____ (i) Funding to administer the agency's soil erosion and sedimentation control program.~~

~~_____ (ii) The agency's plans for inspections to assure minimization of soil erosion and off-site sedimentation.~~

~~_____ (iii) The adequacy of the agency's soil erosion and sedimentation control procedures.~~

~~_____ (iv) If the agency has previously administered soil erosion and sedimentation control procedures, the agency has effectively administered these procedures or has implemented changes in their administration that the department determines will result in the agency effectively administering the soil erosion and sedimentation control procedures. In determining whether the agency has met the requirement of this subparagraph, the department shall consider all of the following:~~

~~_____ (A) Whether the agency has had adequate funding to administer the agency's soil erosion and sedimentation control program.~~

~~_____ (B) Whether the agency has conducted adequate inspections to assure minimization of soil erosion and off-site sedimentation.~~

~~_____ (C) The effectiveness of the agency's past compliance and enforcement efforts.~~

~~_____ (D) The adequacy of the agency's soil erosion and sedimentation control plans and procedures as required by rule.~~

~~_____ (E) The conditions at construction sites under the jurisdiction of the agency as documented by departmental inspections.~~

~~(5) If the department determines that a state agency or an agency of a local unit of government is not approved under subsection (4) or that a state agency or an agency of a local unit of government that was previously approved under subsection (4) is not satisfactorily administering and enforcing this part and the rules promulgated under this part, the department shall enter an order, stipulation, or consent agreement under section 9112(2) denying or revoking the designation of the state agency or agency of a local unit of government as an authorized public agency.~~

~~History: Add. 1995, Act 60, Imd Eff. May 24, 1995—Am. 2000, Act 504, Imd. Eff. Jan 11, 2001.~~

~~324.9111 Repealed. 2000, Act 504, Imd. Eff. Jan. 11, 2001.~~

~~**Compiler's Note:** The repealed section pertained to statements and certificates relating to plats.~~

~~**324.9112 Earth change; permit required; violation; notice; hearing; answer; evidence; stipulation or consent order; final order of determination.**~~

~~Sec. 9112. (1) A person shall not maintain or undertake an earth change governed by this part, the rules promulgated under this part, or an applicable local ordinance, except in accordance with this~~

part and the rules promulgated under this part or with the applicable local ordinance, and pursuant to a permit approved by the appropriate county enforcing agency or municipal enforcing agency. A county enforcing agency or municipal enforcing agency shall approve or deny an application for a permit within 30 days after the filing of a complete application for a permit.

(2) If in the opinion of the department a person, including an authorized public agency, violates this part, the rules promulgated under this part, or an applicable local ordinance, or a county enforcing agency or municipal enforcing agency fails to enforce this part, the rules promulgated under this part, or an applicable local ordinance, the department may notify the alleged offender in writing of its determination. If the department places a county on probation under section 9105, a municipality is not approved under section 9106, or a state agency or agency of a local unit of government is not approved under section 9110, or if the department determines that a municipal enforcing agency or authorized public agency is not satisfactorily administering and enforcing this part and rules promulgated under this part, the department shall notify the county, municipality, state agency, or agency of a local unit of government in writing of its determination or action. The notice shall contain, in addition to a statement of the specific violation or failure that the department believes to exist, a proposed order, stipulation for agreement, or other action that the department considers appropriate to assure timely correction of the violation or failure. The notice shall set a date for a hearing not less than 4 nor more than 8 weeks from the date of the notice of determination.

Extensions of the date of the hearing may be granted by the department or on request. At the hearing, any interested party may appear, present witnesses, and submit evidence. A person who has been served with a notice of determination may file a written answer to the notice of determination before the date set for hearing or at the hearing may appear and present oral or written testimony and evidence on the charges and proposed requirements of the department to assure correction of the violation or failure. If a person served with the notice of determination agrees with the proposed requirements of the department and notifies the department of that agreement before the date set for the hearing, disposition of the case may be made with the approval of the department by stipulation or consent agreement without further hearing. The final order of determination following the hearing, or the stipulation or consent order as authorized by this section and approved by the department, is conclusive unless reviewed in accordance with the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, in the circuit court of Ingham county, or of the county in which the violation occurred, upon petition filed within 15 days after the service upon the person of the final order of determination.

History: Add.1995, Act 60, Imd. Eff. May 24, 1995;— Am 2000, Act 504, Imd. Eff. Jan. 11. 2001.
324.9113 Injunction; inspection and investigation.

Sec. 9113. (1) Notwithstanding the existence or pursuit of any other remedy, the department or a county enforcing agency or municipal enforcing agency may maintain an action in its own name in a court of competent jurisdiction for an injunction or other process against a person to restrain or prevent violations of this part.

(2) An agent appointed by the department, a county enforcing agency, or a municipal enforcing agency may enter at all reasonable times in or upon any private or public property for the purpose of inspecting and investigating conditions or practices that may be in violation of this part.

History: Add.1,995, Act 60, Imd. Eff. May 24, 1995;— Am. 2000, Act 504. Imd. Eff. Jan 11. 2001.

~~324.9114 Additional rules.~~

~~Sec. 9114. In order to carry out their functions under this part, the department and the department of agriculture may promulgate rules in addition to those otherwise authorized in this part.~~

~~History: Add. 1995, Act 60, Imd Eff. May 24, 1995.~~

~~324.9115 Logging, mining, or land plowing or tilling; permit exemption; "mining" defined.~~

~~Sec. 9115. (1) Subject to subsection (2), a person engaged in the logging industry, the mining industry, or the plowing or tilling of land for the purpose of crop production or the harvesting of crops is not required to obtain a permit under this part. However, all earth changes associated with the activities listed in this section shall conform to the same standards as if they required a permit under this part. The exemption from obtaining a permit under this subsection does not include either of the following:~~

~~—— (a) Access roads to and from the site where active mining or logging is taking place.~~

~~—— (b) Ancillary activities associated with logging and mining.~~

~~(2) This part does not apply to a metallic mineral mining activity that is regulated under a mining and reclamation plan that contains soil erosion and sedimentation control provisions and that is approved by the department under part 631.~~

~~(3) A person is not required to obtain a permit from a county enforcing agency or a municipal enforcing agency for earth changes associated with well locations, surface facilities, flowlines, or access roads relating to oil or gas exploration and development activities regulated under part 615, if the application for a permit to drill and operate under part 615 contains a soil erosion and sedimentation control plan that is approved by the department under part 615. However, those earth changes shall conform to the same standards as required for a permit under this part. This subsection does not apply to a multisource commercial hazardous waste disposal well as defined in section 62506a.~~

~~(4) As used in this section, "mining" does not include the removal of clay, gravel, sand, peat, or topsoil.~~

~~History: Add. 1995, Act 60, Imd. Eff. May 24, 1995—Am. 2000, Act 504, Imd. Eff. Jan 11, 2001~~

~~324.9116 Reduction of soil erosion or sedimentation by owner.~~

~~Sec. 9116. A person who owns land on which an earth change has been made that may result in or contribute to soil erosion or sedimentation of the waters of the state shall implement and maintain soil erosion and sedimentation control measures that will effectively reduce soil erosion or sedimentation from the land on which the earth change has been made.~~

~~History: Add. 1995, Act 60, Imd. Eff. May 24, 1995.~~

~~324.9117 Notice of determination.~~

~~Sec. 9117. If the county enforcing agency or municipal enforcing agency that is responsible for enforcing this part and the rules promulgated under this part determines that soil erosion or sedimentation of adjacent properties or the waters of the state has or will reasonably occur from land in violation of this part or the rules promulgated under this part or an applicable local ordinance, the county enforcing agency or municipal enforcing agency may seek to enforce a violation of this part by notifying the person who owns the land, by mail, with return receipt requested, of its determination. The notice shall contain a description of the violation and what must be done to remedy the violation and shall specify a time to comply with this part and the rules promulgated under this part or an applicable local ordinance.~~

~~History: Add. 1995, Act 60, Imd. Eff. May 24, 1995; Am. 2000, Act 504, Imd. Eff. Jan. 11, 2001.~~

324.9118 Compliance; time.

~~Sec. 9118. Within 5 days after a notice of violation has been issued under section 9117, a person who owns land subject to this part and the rules promulgated under this part shall implement and maintain soil erosion and sedimentation control measures in conformance with this part, the rules promulgated under this part, or an applicable local ordinance.~~

~~History: Add. 1995, Act 60, Imd. Eff. May 24, 1995; Am. 2000, Act 504, Imd. Eff. Jan. 11, 2001.~~

324.9119 Entry upon land; construction, implementation, and maintenance of soil erosion and sedimentation control measures; cost.

~~Sec. 9119. Except as otherwise provided in this section, not sooner than 5 days after notice of violation of this part has been mailed under section 9117, if the condition of the land, in the opinion of the county enforcing agency or municipal enforcing agency, may result in or contribute to soil erosion or sedimentation of adjacent properties or to the waters of the state, and if soil erosion and sedimentation control measures in conformance with this part and the rules promulgated under this part or an applicable local ordinance are not in place, the county enforcing agency or municipal enforcing agency, or a designee of either of these agencies, may enter upon the land and construct, implement, and maintain soil erosion and sedimentation control measures in conformance with this part and the rules promulgated under this part or an applicable local ordinance. However, the enforcing agency shall not expend more than \$10,000.00 for the cost of the work, materials, labor, and administration without prior written notice in the notice provided in section 9117 for the person who owns the land that the expenditure of more than \$10,000.00 may be made. If more than \$10,000.00 is to be expended under this section, then the work shall not begin until at least 10 days after the notice of violation has been mailed.~~

~~History: Add. 1995, Act 60, Imd. Eff. May 24, 1995; Am. 2000, Act 504, Imd. Eff. Jan. 11, 2001.~~

324.9120 Reimbursement of county or municipal enforcing agency; lien for expenses; priority; collection and treatment of lien.

~~Sec. 9120. (1) All expenses incurred by a county enforcing agency or a municipal enforcing agency under section 9119 to construct, implement, and maintain soil erosion and sedimentation control measures to bring land into conformance with this part and the rules promulgated under this part or an applicable local ordinance shall be reimbursed to the county enforcing agency or municipal~~

enforcing agency by the person who owns the land.

~~(2) The county enforcing agency or municipal enforcing agency shall have a lien for the expenses incurred under section 9119 of bringing the land into conformance with this part and the rules promulgated under this part or an applicable local ordinance. However, with respect to single family or multifamily residential property, the lien for such expenses shall have priority over all liens and encumbrances filed or recorded after the date of such expenditure. With respect to all other property, the lien for such expenses shall be collected and treated in the same manner as provided for property tax liens under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157.~~

~~History: Add. 1995. Act 60. Imd. Eff. May 24, 1995—Am 2000. Act 504. Imd. Eff. Jan 11, 2001~~

324.9121 Violations; penalties.

~~Sec. 9121. (1) A person who violates this part is responsible for either of the following:~~

~~—— (a) If the action is brought by a county enforcing agency or a municipal enforcing agency of a local unit of government that has enacted an ordinance under this part that provides a penalty for violations, the person is responsible for a municipal civil infraction and may be ordered to pay a civil fine of not more than \$2,500.00.~~

~~—— (b) If the action is brought by the state or a county enforcing agency of a county that has not enacted an ordinance under this part, the person is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$2,500.00.~~

~~(2) A person who knowingly violates this part or knowingly makes a false statement in an application for a permit or in a soil erosion and sedimentation control plan is responsible for the payment of a civil fine of not more than \$10,000.00 for each day of violation.~~

~~(3) A person who knowingly violates this part after receiving a notice of determination under section 9112 or 9117 is responsible for the payment of a civil fine of not less than \$2,500.00 or more than \$25,000.00 for each day of violation.~~

~~(4) Civil fines collected under subsections (2) and (3) shall be deposited as follows:~~

~~—— (a) If the state filed the action under this section, in the general fund of the state.~~

~~—— (b) If a county enforcing agency or municipal enforcing agency filed the action under this section, with the county or municipality that filed the action.~~

~~—— (c) If an action as filed jointly by the state and a county enforcing agency or municipal enforcing agency, the civil fines collected under this subsection shall be divided in proportion to each agency's involvement as mutually agreed upon by the agencies. All fines going to the department shall be deposited into the general fund of the state.~~

~~(5) A default in the payment of a civil fine or costs ordered under this section or an installment of~~

~~the fine or costs may be remedied by any means authorized under the revised judicature act of 1961, 1961 PA 236. MCL 600.101 to 600.9948~~

~~(6) In addition to a fine assessed under this section, a person who violates this part is liable to the state for damages for injury to, destruction of, or loss of natural resources resulting from the violation. The court may order a person who violates this part to restore the area or areas affected by the violation to their condition as existing immediately prior to the violation.~~

~~(7) This section applies to an authorized public agency, in addition to other persons. This section does not apply to a county enforcing agency or a municipal enforcing agency with respect to its administration and enforcement of this part and rules promulgated under this part.~~

~~History: Add. 1995, Act 60, Imd. Eff. May 24, 1995; Am. 1996, Act 173, Imd Eff. Apr. 18, 1996; Am. 2000, Act 504, Imd. Eff. Jan. 11, 2001.~~

~~324.9122 Severability.~~

~~Sec. 9122. If any provision of this part is declared by a court to be invalid, the invalid provision shall not affect the remaining provisions of the part that can be given effect without the invalid provision. The validity of the part as a whole or in part shall not be affected, other than the provision invalidated.~~

~~History: Add 1995, Act 60, Imd. Eff. May 24, 1995.~~

~~324.9123 Training program; certificate; fees.~~

~~Sec. 9123. (1) Beginning 3 years after the effective date of the 2000 amendments to this section, each individual who is responsible for administering this part and the rules promulgated under this part or a local ordinance and who has decision-making authority for soil erosion and sedimentation control plan development or review, inspections, permit issuance, or enforcement shall be trained by the department. The department shall issue a certificate of training to individuals under this section if they do both of the following:~~

~~—— (a) Complete a soil erosion and sedimentation control training program sponsored by the department.~~

~~—— (b) Pass an examination on the subject matter covered in the training program under subdivision (a).~~

~~(2) A certificate of training under subsection (1) is valid for 5 years. For recertifications, the department may offer a refresher course or other update in lieu of the requirements of subsection (1)(a) and (b).~~

~~(3) The department may charge fees for administering the training program and the examination under this section that are not greater than the department's cost of administering the training program and the examination. All fees collected under this section shall be deposited into the soil erosion and sedimentation control training fund created in section 9123a.~~

History: Add 1995, Act 60, Imd. Eff. May 24, 1995; Am. 2000, Act 504, Imd. Eff. Jan. 11, 2001.

~~324.9123a Soil erosion and sedimentation control training fund; creation; disposition of funds; lapse; expenditures.~~

~~Sec. 9123a. (1) The soil erosion and sedimentation control training fund is created within the state treasury.~~

~~(2) The state treasurer may receive money or other assets from any source for deposit into the soil erosion and sedimentation control training fund. The state treasurer shall direct the investment of the soil erosion and sedimentation control training fund. The state treasurer shall credit to the soil erosion and sedimentation control training fund interest and earnings from fund investments.~~

~~(3) Money in the soil erosion and sedimentation control training fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.~~

~~(4) The department shall expend money from the fund, upon appropriation, only to administer the soil erosion and sedimentation control training program and examination under section 9123.~~

~~History: Add. 2000, Act 504, Imd Eff. Jan. 11, 2001.~~

**DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND AND WATER MANAGEMENT DIVISION**

(By authority conferred on the water resources commission by sections 2 and 5 of Act No. 245 of the Public Acts of 1929, as amended, sections 33 and 63 of Act No. 306 of the Public Acts of 1969, as amended, and Executive Order No. 1976-8a, being SS323.2, 323.5, 24.233, and 24.263 of the Michigan Compiled Laws)

PART 17. SOIL EROSION AND SEDIMENTATION CONTROL

R 323.1701 Definitions.

Rule 1701. (1) As used in this part:

- (a) ~~“Accelerated soil erosion” means the increased loss of the land surface that occurs as a result of human activities.~~
- (b) ~~“Acceptable erosion and sediment control program” means the activities of a county or local enforcing agency or authorized public agency that are conducted in accordance with these rules and part 91 regarding staff training, developing and reviewing plans, issuing permits, conducting inspections, and initiating compliance and enforcement actions to effectively minimize erosion and off-site sedimentation.~~
- (c) ~~“Designated agent” means a person who has written authorization from the landowner to sign the application and secure a permit in the landowner’s name.~~
- (d) ~~“Lake” means the Great Lakes and all natural and artificial inland lakes or impoundments that have definite banks, a bed, visible evidence of a continued occurrence of water, and a surface area of water that is equal to, or greater than, 1 acre. “Lake” does not include sediment basins and basins constructed for the sole purpose of storm water retention, cooling water, or treating polluted water.~~
- (e) ~~“Landowner” means the person who owns or holds a recorded easement on the property or who is engaged in construction in a public right-of-way in accordance with sections 13, 14, 15, and 16 of Act No. 368 of the Public Acts of 1925, as amended, being § 247.184, 247.185, and 247.1B6 of the Michigan Compiled Laws.~~
- (f) ~~“Nonerosive velocity” means a speed of water movement that is not conducive to the development of accelerated soil erosion.~~
- (g) ~~“Part 91” means part 91 of Act No. 451 of the Public Acts of 1994, as amended, being §324.9101 to 324.9123 of the Michigan Compiled Laws.~~
- (h) ~~“Sediment basin” means a naturally occurring or constructed depression used for the sole purpose of capturing sediment during or after an earth change activity.~~
- (i) ~~“Stabilization” means the establishment of vegetation or the proper placement, grading, or covering of soil to ensure its resistance to soil erosion, sliding, or other earth movement.~~
- (j) ~~“Storm water retention basin” means an area which is constructed to capture surface water runoff~~

and which does not discharge directly to a lake or stream through an outlet. Water leaves the basin by infiltration and evaporation.

(k) ~~“Stream” means a river, creek, or other surface watercourse which may or may not be serving as a drain as defined in Act No. 40 of the Public Acts of 1956, as amended, being §280.1 et seq. of the Michigan Compiled Laws, and which has definite banks, a bed, and visible evidence of the continued flow or continued occurrence of water, including the connecting waters of the Great Lakes.~~

(l) ~~“Temporary soil erosion and sedimentation control measures” means interim control measures which are installed or constructed to control soil erosion and sedimentation and which are not maintained after project completion.~~

(m) ~~“Permanent soil erosion and sedimentation control measures” means control measures which are installed or constructed to control soil erosion and sedimentation and which are maintained after project completion.~~

(2) ~~The terms defined in part 91 have the same meanings when used in these rules. History; 1954 ACS 81, Eff. Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998.~~

~~R 323.1702 Earth change requirements generally.~~

~~Rule 1702. (1) A person shall conduct an earth change in a manner that will effectively reduce accelerated soil erosion and resulting sedimentation.~~

~~(2) A person engaged in an earth change identified in R 323.1704 shall plan, implement, and maintain acceptable soil erosion and sedimentation control measures in conformance with part 91, which effectively reduce accelerated soil erosion and off-site sedimentation.~~

~~(3) A person shall set forth soil erosion and sedimentation control measures in a plan as prescribed by P 323.1703. A person shall make the plan available for inspection at all times at the site of the earth change. The department, or its designated representative, may require the county or local enforcing agency to file a copy of the plan with the department.~~

~~(4) A person shall obtain a permit containing state prescribed information, as required by R 323.1707, and make the permit available for inspection at the site of the earth change. History: 1954 ACS 81, Eff. Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998~~

~~R 323.1703 Soil erosion and sedimentation control plan requirements.~~

~~Rule 1703. A person shall prepare a soil erosion and sedimentation control plan for any earth change identified in R 323.1704. A person shall design the plan to effectively reduce accelerated soil erosion and sedimentation and shall identify factors, that may contribute to soil erosion or sedimentation, or both. The plan shall include, but not be limited to, all of the following:~~

~~(a) A map or maps at a scale of not more than 200 feet to the inch or as otherwise determined by the county or local enforcing agency. A map shall include a legal description and site location sketch that includes the proximity of any proposed earth change to lakes or streams, or both; predominant~~

land features; and contour intervals or slope description.

(b) A soils survey or a written description of the soil types of the exposed land area contemplated for the earth change.

(c) Details for proposed earth changes, including all of the following:

(i) A description and the location of the physical limits of each proposed earth change.

(ii) A description and the location of all existing and proposed on-site drainage and dewatering facilities.

(iii) The timing and sequence of each proposed earth change.

(iv) The location and description for installing and removing all proposed temporary soil erosion and sediment control measures.

(v) A description and the location of all proposed permanent soil erosion and sediment control measures.

(vi) A program proposal for the continued maintenance of all permanent soil erosion and sediment control measures that remain after project completion, including the designation of the person responsible for the maintenance. Maintenance responsibilities shall become a part of any sales or exchange agreement for the land on which the permanent soil erosion control measures are located.
History: 1954 ACS 81, Eff. Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998.

R 323.1704 Permit requirements.

Rule 1704. (1) A landowner or designated agent who contracts for, allows, or engages in, an earth change in this state shall obtain a permit from the appropriate enforcing agency before commencing an earth change which disturbs 1 or more acres of land or which is within 500 feet of the water's edge of a lake or stream, unless exempted in P 323.1705.

(2) An earth change activity that does not require a permit under subrule (1) of this rule is not exempt from enforcement procedures under part 91 or these rules, if the activity exempted by subrule (1) of this rule causes or results in a violation of part 91 or these rules.
History: 1954 ACS 81, Eff. Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998.

R 323.1705 Permit exemptions and waivers.

Rule 1705. (1) A permit is not required for any of the following:

(a) A beach nourishment project permitted under part 325 of Act No. 451 of the Public Acts of 1994, as amended, being § 324.32501 et seq. of the Michigan Compiled Laws.

(b) Normal road and driveway maintenance, such as grading or leveling, that does not increase the width or length of the road or driveway and that will not contribute sediment to lakes or streams.

(c) An earth change of a minor nature that is stabilized within 24 hours of the initial earth

~~disturbance and that will not contribute sediment to lakes or streams.~~

~~(d) Installation of oil, gas, and mineral wells under permit from the supervisor of wells if the owner-operator is found by the supervisor of wells to be in compliance with the conditions of part 91.~~

~~(2) A county or local enforcing agency may grant a permit waiver for an earth change after receiving a signed affidavit from the landowner stating that the earth change will disturb less than 225 square feet and that the earth change will not contribute sediment to lakes or streams.~~

~~(3) Exemptions provided in subrule (1) and (2) of this rule shall not be construed as exemptions from enforcement procedures under part 91 or these rules, if the activities exempted by subrules (1) and (2) cause or result in a violation of part 91 or these rules.~~

~~History: 1954 ACS 81, Eff. Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998.~~

~~R 323:1706 Application for permit.~~

~~Rule 1706. (1) A landowner or designated agent shall submit an application for a permit to the appropriate enforcing agency.~~

~~(2) A landowner or designated agent shall submit, with the application, a soil erosion and sedimentation control plan and any other document that the appropriate enforcing agency may require.~~

~~(3) The county or local enforcing agency shall provide an application requiring state prescribed information to an applicant.~~

~~(4) An authorized public agency is exempt from obtaining a permit from a county or local enforcing agency, but shall notify the county or local enforcing agency of each proposed earth change.~~

~~History: 1954 ACS 81, Eff. Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998.~~

~~R 323:1707 Application review and permit procedures.~~

~~Rule 1707. (1) A person who is designated by the county or local enforcing agency and who is trained in soil erosion and sedimentation control methods and techniques shall review and approve a soil erosion and sedimentation control plan.~~

~~(2) The appropriate enforcing agency shall approve, disapprove, or require modification of an application for an earth change permit within 30 calendar days following receipt of the application. The enforcing agency shall notify an applicant of approval by first class mail. If an application is disapproved, then the enforcing agency shall advise the applicant by certified mail of its reasons for disapproval and conditions required for approval. The enforcing agency need not notify an applicant of approval or disapproval by mail if the applicant is given written approval or disapproval of the application in person. A permit given to the applicant either in person or by first class mail constitutes approval.~~

~~(2) If an earth change is under the jurisdiction of 2 or more local or county enforcing agencies, then the department shall act as the enforcing agency.~~

~~(4) A permit that contains state prescribed information shall be used by each county or local~~

enforcing agency and shall include any additional provisions required by the county or local enforcing agency. The permit shall be available at the site of the earth change for inspection.

(5) Upon a determination that a permit applicant has met all of the requirements of these rules, part 91, and the local ordinance, if applicable, the appropriate enforcing agency shall issue a permit for the proposed earth change.

History: 1954 ACS 81, Eff. Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998.

~~R 323.1708 Soil erosion and sedimentation control procedures and measures generally.~~

~~Rule 1708. A person who applies for an earth change permit shall incorporate the soil erosion and sedimentation control procedures and measures prescribed by R 323.1709 and R 323.1710 into the soil erosion and sedimentation control plan and shall apply the procedures and measures to all earth changes identified in the plan, unless the person preparing the plan shows, to the satisfaction of the appropriate enforcing agency, that altering the control procedures or measures or including other control procedures or measures will prevent accelerated soil erosion and sedimentation during the earth change.~~

~~History: 1954 ACS 81, Eff. Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998.~~

~~R 323.1709 Earth change requirements: time; sediment removal; design, installation, and removal of temporary or permanent control measures.~~

~~Rule 1709. (1) A person shall design, construct, and complete an earth change in a manner that limits the exposed area of any disturbed land for the shortest possible period of time as determined by the county or local enforcing agency.~~

~~(2) A person shall remove sediment caused by accelerated soil erosion from runoff water before it leaves the site of the earth change.~~

~~(3) A person shall design a temporary or permanent control measure that is designed and constructed for the conveyance of water around, through, or from the earth change area to limit the water flow to a nonerosive velocity.~~

~~(4) A person shall install temporary soil erosion and sedimentation control measures before or upon commencement of the earth change activity and shall maintain the measures on a daily basis. A person shall remove temporary soil erosion and sedimentation control measures after permanent soil erosion measures are in place and the area is stabilized. A person shall stabilize the area with permanent soil erosion control measures under approved standards and specifications as prescribed by R 323.1710.~~

~~(5) A person shall complete permanent soil erosion control measures for all slopes, channels, ditches, or any disturbed land area within 5 calendar days after final grading or the final earth change has been completed. If it is not possible to permanently stabilize a disturbed area after an earth change has been completed or if significant earth change activity ceases, then a person shall maintain temporary soil erosion and sedimentation control measures until permanent soil erosion control measures are in place and the area is stabilized.~~

~~History: 1954 ACS 81, Eff. Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998.~~

~~R 323.1710 Standards and specifications.~~

~~Rule 1710. A person shall complete all temporary and permanent erosion and sedimentation control measures according to the approved plan or operating procedures.~~

~~(1) A person shall install and maintain control measures in accordance with the standards and specifications of all of the following:~~

~~(a) The product manufacturer.~~

~~(b) The local conservation district.~~

~~(c) The department.~~

~~(d) The Michigan department of transportation.~~

~~(e) The enforcing agency, if applicable and formally adopted.~~

~~(2) If a conflict exists between the standards and specifications, then the enforcing agency or authorized public agency shall determine which specifications are appropriate for the project.~~

~~History: 1954 ACS 81, Eff. Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998.~~

R 323.1711 Building permits.

~~Rule 1711. (1) A local agency or general law township that issues building permits shall notify the county or local enforcing agency immediately upon receipt of an application for a building permit that requires an earth change which disturbs 1 or more acres or which is located within 500 feet of a lake or stream.~~

~~(2) A local agency or general law township shall not issue a building permit to a person engaged in an earth change if the change requires a permit under part 91 or these rules until the county or local enforcing agency has issued the required state prescribed permit for the earth change.~~

~~History: 1954 ACS 81, E Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998.~~

R 323.1712 Enforcement.

~~Rule 1712. The county or local enforcing agency may issue a cease and desist order or revoke a permit upon its finding that there is a violation of part 91, these rules, or an approved local ordinance or a finding that there is a violation of a permit or an approved soil erosion and sedimentation control plan.~~

~~History: 1954 ACS 81, Eff. Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998.~~

R 323.1713 Periodic review.

~~Rule 1713. The department shall conduct an ongoing comprehensive review and evaluation of all soil erosion and sedimentation control programs that operate under part 91 and these rules. The department shall notify county and local enforcing agencies and authorized public agencies as to the acceptability of their soil erosion and sedimentation control programs. The department shall make available a report of its findings of the review and evaluation of all enforcing agencies and authorized public agencies.~~

~~History: 1954 ACS 81, Eff. Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998.~~

~~**R 323.1714 Availability of documents.**~~

~~Rule 1714. Copies of the local conservation district standards and specifications for soil erosion and sedimentation control, as referred to in R 323.1710, are available at each local conservation district office at a nominal cost. Copies of the department's standards are available from the surface water quality division's Lansing office. Department of transportation standards are available at the Lansing office for a fee. Information on other standards may be available from product manufacturers and the enforcing agencies.~~

~~History: 1954 ACS 81, Eff. Jan. 1, 1975; 1979 AC; 1998 MR 7, Eff. July 15, 1998.~~

SAGINAW COUNTY
SOIL EROSION AND SEDIMENTATION CONTROL
SUPPLEMENTAL RULES AND CONDITIONS, AS AMENDED

(Pursuant to Part 91, Soil Erosion and Sedimentation Control, of the Natural Resources and Environmental Protection Act (NREPA), 1994 PA 451, as amended, and the administrative rules promulgated there under (Part 91, as amended) Part 91, as Amended of Act 451, PA of 1994, as Amended)

Revised December 14, 1999, January 22, 2002, February 25, 2003, November 16, 2010,
October XX, 2023

SECTION I

Application for Soil Erosion and Sedimentation Control (S.E.S.C.SESC) Permit

- A. All persons proposing to maintain or undertake an earth change activity that meets any of the following criteria:
1. Disturbs one (1) or more acres of land.
 2. Is within 500 feet of ~~any of the following: -a water of the State as defined in Part 91, as amended, lake, river, or stream~~ body of water that is regulated by the State of Michigan, including all a county drains (open and/or & tiled), open drains (not regulated by the State), & ponds that are greater than 5 acres in area.
 3. ~~Is less than an acre and was a portion of land currently regulated under the National Pollutant Discharge Elimination system (NPDES), that has changed ownership or type of earth change activity must make application to the Saginaw County Public Works Commissioner for a S.E.S.C. permit. Exemptions are identified in Rule 323.1705 of the Michigan Administrative Code. Item three applies to NPDES permits issued after the adoption of these rules.~~ All individual lots in a multi-lot development.
- B. Application for a S.E.S.C.SESC permit must be made prior to the start of any work including, but not limited to, construction of access roads, driveways, land clearing and grubbing and grading.
- C. Application must be made on the prescribed application form, furnished by the Public Works Commissioner, and must be filled out completely. All incomplete application forms are subject to rejection.
- D. The following information, plans and documents should accompany the application form:
1. A final design plan or development plan detailing all items of work.
 2. A map or site plan, at a scale of not more than 200 feet per inch, showing all

predominant land features, and contour intervals, and proximity to lakes or streams.

3. A soils description of the affected areas, to include soil test borings if so requested by the Public Works Commissioner.
4. A legal description of the site indicating legal ownership.
5. A description and location of the physical limits of the proposed earth change.
6. A listed sequence of each proposed earth change and the estimated time required to complete each.
7. A detailed description and design of all soil erosion and sedimentation control measures.
8. A program of maintenance ~~of for~~ temporary and permanent soil erosion and sedimentation control measures.

SECTION II

S.E.S.C.SESC Permit

- A. S.E.S.C.SESC Permits will be issued to those persons properly filing applications only after all documents and plans have been reviewed, ~~fees paid, and~~ approved by the Public Works Commissioner, and fees have been paid.
- B. S.E.S.C.SESC Permits shall contain limitations and conditions of issuance and shall be prominently displayed on the site at all times.
- C. S.E.S.C.SESC Permits shall contain an expiration date prior to which time the applicant must apply for a renewal ~~or extension~~ to all the provisions of these Supplemental Rules and Conditions, as amended, if the project is not completed. The expiration date will be ~~established by the Public Works Commissioner to reflect the normal time required to complete the proposed construction or development but, in no case, shall exceed three (3) years. a minimum of 1 year and no greater than 2 years at the discretion of the Public Works Commissioner.~~

SECTION III

Fee Schedule

- A. All persons filing an application for a S.E.S.C.SESC permit shall submit the appropriate fee, ~~as determined by the Saginaw County Board of Commissioners.~~ Fees are in accordance with the fee schedule, as amended, as determined by the Saginaw County Board of Commissioners. Fees may be periodically revised as

necessary by formal action of the County Board.

- B. ~~The In accordance with the fee schedule, as amended, issued by the Saginaw County Board of Commissioners shall apply to permits issued for a period not exceeding one (1) year. Permits issued for a period of greater than one year but not exceeding two (2) years shall pay a fee equal to one and one half (1 1/2) times the applicable fee. Permits issued for a period greater than two years but not exceeding three (3) years shall pay a fee equal to twice the applicable fee. of (1) year, except during the period of January 1 — March 31, where only 18-month residential permits will be issued in lieu of 12-month residential permits, and (2) year mining renewals.~~
- C. ~~The cost to renew a permit for 1 year is the same cost as the initial 1-year permit. However, the permit renewal may be adjusted based on the amount of the disturbed acres remaining.~~
- D. ~~All fees are to be payable to the Public Works Commissioner prior to issuance of a S.E.S.C./SESC Permit.~~
- D. ~~The number of site inspections will vary by project. A minimum of two (2) site inspections for each year permitted are required for all permits.~~

SECTION IV

Bond Requirements

- A. ~~Prior to the issuance of a S.E.S.C. Permit, the applicant may be required to post a Surety Bond executed by the owner and corporate surety with authority to do business in this state as a surety. The bond shall be in a form approved by the Public Works Commissioner. Said bond shall be in the amount of the cost of all temporary or permanent soil erosion and sedimentation control measures as estimated by the Public Works Commissioner.~~
- B. ~~In lieu of a Surety Bond, the applicant may file with the Public Works Commissioner, a Cash Bond in the amount equal to that which would be required for a Surety Bond.~~

SECTION V IV

Extension of Time

- A. Requests for ~~extension-renewal of of time for S.E.S.C./SESC~~ Permits must be received by the Public Works Commissioner at least ten (10) days prior to the expiration date.
- B. Requests for ~~extensions-renewals~~ must be in writing or email and set forth reasons

for such requests.

SECTION ~~VI~~ V Violations

- A. Whenever, by the provisions of Part 91, as amended, ~~of Act 451, PA 1994, as amended, the General Rules~~ or these Supplemental Rules and Conditions, as amended, the performance of any act is required or the performance of any act is prohibited, a failure to comply with such provisions shall constitute a violation of the law.
- B. All violations shall be corrected within five (5) days following issuance of a written notice to correct. Such notice shall be mailed by certified mail, in the alternative, may be hand delivered to the person charged with said violation. Failure to incorporate corrections shall cause the S.E.S.C.SESC Permit to be voided and shall cause legal action to be initiated.
- C. All earth change activities, for which a S.E.S.C.SESC Permit is required, that commence prior to obtaining a permit, may be charged S.E.S.C.SESC Permit fees twice those as defined in Section III of these Supplemental Rules and Conditionsthe approved fee schedule, as amended.

SECTION ~~VII~~ VI Maintenance

All persons carrying out soil erosion and sedimentation control measuresSESC under Part 91, as amended, ~~of Act 451 of 1994, as amended, the General Rules~~ and these Supplemental Rules and Conditions, as amended, and all subsequent owners of properties on which such measures have been installed, shall adequately maintain permanent erosion control measures, devices and plants in effective working conditions.

SECTION ~~VIII~~ VII Standards and Specifications

All soil erosion and sedimentation control measuresSESC, both temporary and permanent, shall be designed, constructed and maintained in accordance with current standards and specifications. Sources include, but are not limited to: Saginaw Soil Conservation District, Michigan Department of Environmental Quality Guidebook of Best Management Practices for Michigan Watersheds Department of Technology, Management & Budget (DTMB), EGLE Best Management Practices Guidebook, and Michigan Department of Transportation SESCsoil Erosion and Sedimentation Control Measures, and Michigan Association of County Drain Commissioners SESC Manual, as approved by the Public Works Commissioner.

SECTION ~~IX~~ VIII

Interpretation

The Public Works Commissioner shall have the responsibility to interpret Part 91, as amended, ~~of Act 451, PA 1994, as amended, the General Rules~~ and these Supplemental Rules and Conditions, as amended, as to intent and general purpose and base decisions on said interpretation.

SECTION X IX

Revisions

The Board of Commissioners may, from time to time, revise these Supplemental Rules and Conditions, as amended, as deemed necessary for the effective enforcement and administration of Part 91, as amended, ~~of the Act 451, PA 1994, as amended, and the General Rules~~, effective after review and approval from Michigan Department of Environmental Quality. EGLE.

SECTION XI X

Enforcement Assignments

A. ~~A.~~—The Public Works Commissioner may secure, pursuant to properly executed agreements approved by the Board of Commissioners, services for enforcing ~~the Act, the General Rules~~ Part 91, as amended, and these Supplemental Rules and Conditions, as amended, on behalf of the Commissioner, from private contractors or vendors. Enforcement responsibilities that may be included in said agreements are receipt of applications, collection of permit fees, ~~setting and receiving bond amounts~~ and ~~plan~~ appropriate record keeping. All fees charged shall be in accordance with these Supplemental Rules and Conditions, as amended, and shall be turned over to the Commissioner.

Approved by Saginaw County Board of Commissioners

~~Todd M. Hare, Chair~~ Christopher S. Boyd, Chair

Date: ~~February 25, 2003~~ October XX, 2023

STATEMENT OF POLICY FOR ENFORCEMENT OF

Part 91, as Amended of the Act 451, PA of 1994 AS AMENDED

Revised December 14, 1999, January 22, 2002, and February 25, 2003, October XX, 2023

The Saginaw County Public Works Commissioner, acting on behalf of the Saginaw County Board of Commissioners, as County Enforcing Agent for Part 91, as amended, of Act 451, PA of 1994, as amended, do hereby issue the following statements of policy and interpretation regarding the enforcement of said Part 91, as amended. These statements are not intended to be all inclusive but are made in a an effort to improve clarity of existing rules and to provide educational information.

1. A one-year permit renewal will be required when the excavation, grading, or hauling operations are not yet complete. A SESC permit is required until the site is completely stabilized.
- ~~2. A four month permit extension may be requested when only minor alterations, final cleanup or reseeded operations remain to be completed.~~
2. The decision as to whether a permit renewal ~~or an extension~~ is necessary shall be the decision of the County Enforcing Agent.
- ~~4. For both a permit renewal and an extension, the bond requirements shall be the same as in the original permit. That is, a Surety Bond for the same amount shall be extended, or in the case of a Cash Bond, the original amount will be retained until completion. No additional bond will be required.~~
3. It is required that the permit be in the name of the owner of the property.
- ~~6. Only two consecutive permit extensions will be granted per project. If the project is not yet complete after the expiration of the second extension, a permit renewal will be required.~~
4. ~~The application fee is not required for a permit renewal or extension.~~ A renewal fee will be required for a permit renewal.
- ~~8. If the applicant anticipates a project to be longer than three (3) years in duration, he or she should consider separating the project into several distinct phases.~~
- ~~9. For applications received from municipalities, the bond may be waived providing the Saginaw County Public Works Commissioner is named on the Contractor's Performance Bond.~~
- ~~10. The minimum rate for establishment of the bond amount shall be ten (10) times the per acre site inspection fee rate.~~
- ~~11. Minor Use permits will be issued at the discretion of the County Enforcing Agent.~~

Saginaw County ~~Pubie Public~~ Works Commissioner

James A. KoskiBrian J. Wendling

Date: ~~February 25, 2003~~ October XX, 2023



Saginaw County Road Commission

COMMISSIONERS

Todd Hare
Chairperson

Richard H. Crannell, P.E.
Vice Chairperson

John Sangster
Member

Deb Kestner
Member

Ed Wasmiller
Member

Sarah Gross
Board Secretary
Administrative Assistant
(989) 399-3775

ADMINISTRATION

Dennis L. Borchard
Managing Director
(989) 399-3772

Daniel Armentrout, P.E.
Director of Engineering
Deputy Managing Director
(989) 399-3761

Lacey Ziola
Dir. of Finance & Benefits
(989) 399-3759

Steve Gradowski
I.T. Manager
(989) 399-3778

Daniel T. Medina
Director of Maintenance
(989) 399-3773

Rob Hudec
Maintenance
Superintendent
(989) 399-3755

OTHER SERVICES

Permit/Safety Officer
Haley Christensen
(989) 399-3751

Service Requests
(989) 752-6140

January 3, 2024

1-16-6

County Services Committee

Re: Potential County Wide Road Millage

Commissioners:

We are asking the Saginaw County Board of Commissioners to place a road millage proposal on the August 6, 2024 primary ballot.

If approved, monies received would be distributed according to a formula set forth in the state statute. Funds collected in each village or city would be spent in the city the dollars are collected. In addition, the dollars collected on behalf of each township would be spent in their representative townships.

The portion of the revenue flowing directly to each municipality, if the 2 mills were levied in 2023, is found in the attached sheet identifying each municipality and the anticipated revenue in the first of the 6 years the mills would be collected.

The funding shall be used to repair, re-build, and restore existing county roads within the townships, and streets within the cities and villages of Saginaw County.

The proposed ballot language is attached for your review.

Dennis Borchard
Managing Director
Saginaw County Road Commission

ADDRESS
3020 Sheridan
Saginaw, MI 48601

PHONE NUMBER
(989) 752-6140

FAX NUMBER
(989) 752-8934

WEB SITE
www.scr-mi.org

RECEIVED
SAGINAW COUNTY
BOARD OF COMMISSIONERS
2024 JAN - 3 A 10: 34

August 6th Statewide Primary

NEW ROAD MILLAGE
PROPOSAL

"For the purpose of funding to repair, re-build and restore existing county roads within the townships, and streets within the cities and villages of Saginaw County as required by Chapter 224 of the General Highway Law of the State of Michigan, shall the County of Saginaw increase in the limitation of the total amount of general ad-valorem taxes which may be imposed for all purposes upon all taxable real and personal property in the County, as authorized by Article 9, Section 6 of the Michigan Constitution of 1963, as amended, and levy up to 2.0 Mill (\$2.00 per \$1,000) of taxable valuation on such property as finally equalized during the years 2024-2029, both inclusive, which if approved and levied in its entirety is estimated to raise \$12,798,863 in the first year"

Saginaw County Road Millage

| TOWNSHIP | 2023 Taxable Value | 2 mill levy |
|-----------------------------|---------------------------|---------------------|
| 04 ALBEE TOWNSHIP | 77,032,663 | \$154,065 |
| 05 BIRCH RUN TOWNSHIP | 283,917,902 | \$567,836 |
| 06 BLUMFIELD TOWNSHIP | 116,985,108 | \$233,970 |
| 07 BRADY TOWNSHIP | 65,023,805 | \$130,048 |
| 08 BRANT TOWNSHIP | 65,021,942 | \$130,044 |
| 09 BRIDGEPORT TOWNSHIP | 262,906,615 | \$525,813 |
| 10 BUENA VISTA TOWNSHIP | 212,731,800 | \$425,464 |
| 11 CARROLLTON TOWNSHIP | 98,463,619 | \$196,927 |
| 12 CHAPIN TOWNSHIP | 27,025,250 | \$54,051 |
| 13 CHESANING TOWNSHIP | 171,160,021 | \$342,320 |
| 14 FRANKENMUTH TOWNSHIP | 123,094,694 | \$246,189 |
| 15 FREMONT TOWNSHIP | 86,260,530 | \$172,521 |
| 16 JAMES TOWNSHIP | 72,020,234 | \$144,040 |
| 17 JONESFIELD TOWNSHIP | 85,774,795 | \$171,550 |
| 18 KOCHVILLE TOWNSHIP | 228,118,359 | \$456,237 |
| 19 LAKEFIELD TOWNSHIP | 36,732,126 | \$73,464 |
| 20 MAPLE GROVE TOWNSHIP | 99,970,023 | \$199,940 |
| 21 MARION TOWNSHIP | 22,981,206 | \$45,962 |
| 22 RICHLAND TOWNSHIP | 172,982,580 | \$345,965 |
| 23 SAGINAW CHARTER TOWNSHIP | 1,510,564,377 | \$3,021,129 |
| 24 ST CHARLES TOWNSHIP | 97,620,673 | \$195,241 |
| 25 SPAULDING TOWNSHIP | 57,779,685 | \$115,559 |
| 26 SWAN CREEK TOWNSHIP | 107,265,993 | \$214,532 |
| 27 TAYMOUTH TOWNSHIP | 145,736,619 | \$291,473 |
| 28 THOMAS TOWNSHIP | 576,473,425 | \$1,152,947 |
| 29 TITABAWASSEE TOWNSHIP | 415,701,207 | \$831,402 |
| 30 ZILWAUKEE TOWNSHIP | 5,994,619 | \$11,989 |
| Total for Townships | 5,225,339,870 | \$10,450,680 |

CITY

| | | |
|-------------------------|--------------------|--------------------|
| 02 CITY OF ZILWAUKEE | 45,343,128 | \$90,686 |
| 03 CITY OF FRANKENMUTH | 370,575,532 | \$741,151 |
| 90 CITY OF SAGINAW | 529,715,701 | \$1,059,431 |
| Total for Cities | 945,634,361 | \$1,891,269 |

VILLAGE

| | | |
|----------------------------------|--------------------|------------------|
| 05V BIRCH RUN VILLAGE | 81,775,403 | \$163,551 |
| 06V REESE VILLAGE | 469,659 | \$939 |
| 07V OAKLEY VILLAGE | 6,307,662 | \$12,615 |
| 13V CHESANING VILLAGE | 78,993,337 | \$157,987 |
| 17V MERRILL VILLAGE | 16,401,257 | \$32,803 |
| 08V, 24V, 26V ST CHARLES VILLAGE | 44,509,969 | \$89,020 |
| Total for Villages | 228,457,287 | \$456,915 |

Grand Total **6,399,431,518** **\$12,798,863**

FAQ County Wide Road Millage (12-20-23)

2 mills for 6 years.

Does the money go to the Township or the Road Commission?

The County Treasurer will distribute funds to Cities, Incorporated Villages and the Road Commission. The funds generated by the townships will be set aside by the road commission for use on projects approved by the township boards. The Road Commission will work with township representatives to create an agreement and policy making sure the funds are spent and tracked in a manner the townships are comfortable with.

How much will the millage raise for my township?

The amount will vary based on the township's taxable value. A breakdown of each community has been provided. Millage dollars from each municipality will be spent in the municipality that generates the funds.

My township already has a road millage. Does this affect my township millage?

This millage is in addition to your existing millage. Some townships may choose to levy a lower amount on their existing millage to keep the status quo, others may decide to utilize the additional funds. Each board will need to make those decisions for their community.

What can the millage money be used for?

The funding can be used for road projects within each municipality for projects chosen by the municipality.

Will the Road Commission's township allocation program be eliminated?

NO, there are several townships that struggle to utilize that program now because they do not have township money to apply. This millage can be used by the townships to match the current allocation program. The dollars the road commission currently puts towards local roads will continue.

Are there large administrative fees that will be taken off the top?

No, township millage funds will be spent on administrative fees. The road commission does not charge townships for administrative costs, and we don't plan to start. The county treasurer will have small indirect costs that we will cover using our state funds.

1-16-7

Administration

1409 Washington
Midland, MI 48640
Phone (989) 754-1144
(800) 285-WORK
Fax (989) 754-1439

www.michiganworks.com

Erik Rodriguez

*Workforce Development
Board Chair*

Vaughn Begick

Consortium Board Chair

To: County Services Committee
From: Great Lakes Bay Michigan Works!
Date: January 4, 2024
Subject: Request to Change Fiscal Agents

Great Lakes Bay Michigan Works! is requesting Saginaw County support to change fiscal agents as required by our interlocal agreement.

We have a short PowerPoint presentation to share with the County Services Committee that consists of 12 slides that explain the business need and the impact of current costs on our operations and staffing levels in support of the change request.

Kristen Wenzel
Interim CEO

RECEIVED
SAGINAW COUNTY
BOARD OF COMMISSIONERS
2024 JAN - 4 A 11: 26



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY

LANSING



PHILLIP D. ROOS
DIRECTOR

1-16-8

December 20, 2023

VIA EMAIL

Dear Honorable County Commissioner/Executive:

SUBJECT: Materials Management Planning

Michigan's Solid Waste Program has been updated with the passage of significant amendments to Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, that became effective on March 29, 2023. The amendments require that existing county Solid Waste Management Plans be replaced with new Materials Management Plans (MMP) that focus on sustainable materials management approaches, such as recycling and composting, instead of just landfilling waste.

In accordance with Part 115, the Department of Environment, Great Lakes, and Energy (EGLE) is initiating the materials management planning process as of January 8, 2024.

Counties, boards of commissioners, or elected executives are given the first opportunity to assume authority over MMP development and implementation. If the county accepts this authority, they are required to consult with adjacent counties about the option of preparing a multicounty plan and submit a Notice of Intent (NOI) to prepare an MMP **within 180 days of the date that the EGLE Director initiates the process**. If the county declines this authority, they must advise all the municipalities in the county and the regional planning agency of their decision. The regional planning agency or all of the municipalities, acting jointly, may assume planning responsibilities if the county declines. If the county, municipalities, and regional planning agency all decline the responsibility to prepare the plan, EGLE may prepare the MMP.

The NOI to prepare the MMP will be submitted via an online platform. The link to the submission platform can be found on the Materials Management Planning website at: www.Michigan.gov/EGLEMMP or directly at <https://www.surveymonkey.com/r/EGLENOI>. Completion of the NOI submittal will include documentation, by resolution or similar mechanism, from the entity accepting planning responsibilities; documentation of consultations with adjacent counties; and if pursuing a multicounty plan, an executed interlocal agreement. Submittal of the NOI begins the three-year timeframe for MMP development and approval.

Materials management planning will be the foundation of a more sustainable materials management framework in Michigan. To assist with this transition, grants will be available to every county for developing and implementing the MMP, with additional

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SAGINAW COUNTY
BOARD OF COMMISSIONERS
2023 DEC 21 A 10:26

SUBJECT: Materials Management Planning

Page 2

December 20, 2023

funds available for multicounty planning areas. Please visit the Materials Management Planning website at www.Michigan.gov/EGLEMMP to find guidance, resources, and grant information. Questions can be directed to planning staff at EGLE-MMP@Michigan.gov.

Thank you in advance for your attention to this matter. We look forward to working with your community. If you need further information, please contact Christina Miller, Materials Management Planning Specialist, Sustainable Materials Management Unit, Solid Waste Section, Materials Management Division (MMD), at 517-614-7426; MillerC1@Michigan.gov; or EGLE, MMD, P.O. Box 30241, Lansing, Michigan 48909-7741.

Sincerely,



Phillip D. Roos
Director
517-284-6700

cc: Aaron B. Keatley, Chief Deputy Director, EGLE
Elizabeth M. Browne, EGLE
Tracy Kecskemeti, EGLE
Julie Staveland, EGLE
Rhonda S. Oyer, EGLE
Phil Roycraft, EGLE
Jeff Spencer, EGLE
Amy Karana, EGLE
Christina Miller, EGLE
Carlie Money, EGLE
County Plan File

Koeplinger, Suzy

From: Boyd, Christopher
Sent: Friday, December 22, 2023 1:58 PM
To: Koeplinger, Suzy
Subject: FW: Initiation of the Materials Management Process for Counties
Attachments: 2023-12-20 Materials Management Plan Information for County Commissioners-Executives.pdf

Please include this for the agenda for County Services.

Christopher S. Boyd

Chair, Saginaw County Board of Commissioners
cboyd@saginawcounty.com

LEGAL NOTICE:

This e-mail, and any files transmitted with it, are confidential and intended solely for the use of the individual or entity to which they are addressed. This message may contain confidential information and is intended only for the individual named in the e-mail. If you are not the named addressee you may not disseminate, distribute or copy this e-mail. See 18 U.S.C. § 2510 et seq. Please notify the sender immediately by e-mail if you have received this message by mistake, and delete this e-mail from your system. If you are not the intended recipient, you are notified that disclosing, copying, or distributing the contents of this e-mail, or taking any action in reliance on the contents of this e-mail is strictly prohibited by law.

From: Lauckner, Kristine (EGLE) <LaucknerK@michigan.gov>
Sent: Wednesday, December 20, 2023 11:24 AM
Subject: Initiation of the Materials Management Process for Counties

Attached is the notification by the Department of Environment, Great Lakes, and Energy, of the initiation to replace the existing county Solid Waste Management Plans with the new Materials Management Plans, per the amendments to Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Thank you in advance for your attention to this matter. We look forward to working with your community. If you need further information, please contact Christina Miller, Materials Management Planning Specialist, Sustainable Materials Management Unit, Solid Waste Section, Materials Management Division, at 517-614-7426; MillerC1@Michigan.gov; or EGLE, MMD, P.O. Box 30241, Lansing, Michigan 48909-7741.

Kris Lauckner
Senior Executive Management Assistant
Materials Management Division
Michigan Department of Environment, Great Lakes, and Energy
517-331-6706 | LaucknerK@Michigan.gov
[Follow Us](#) | Michigan.gov/EGLE

CITY OF SAGINAW

OFFICE OF THE CITY CLERK

1315 S. Washington Avenue
Saginaw, MI 48601
989.759.1480 office
989.759.1447 fax

COUNTY SERVICES



1-16-9

December 22, 2023

Saginaw County Board of Commissioners
111 S. Michigan Avenue
Saginaw, MI 48602

RE: NEIGHBORHOOD ENTERPRISE ZONE – COVENANT 1

RECEIVED
SAGINAW COUNTY
BOARD OF COMMISSIONERS
2023 DEC 27 P 2:30

Dear Taxing Unit Representative,

Pursuant to Paragraph 3 of Section 3 of the Michigan Public Act 147 of 1992, this is written notification of the City of Saginaw's intent to create a Neighborhood Enterprise Zone. Furthermore, as provided by the Act, the City Council will create this zone by adoption of a resolution anticipated for the regular meeting of March 4, 2024.

The new zone contains 6.0 acres of land, its proposed limit is to "new and rehabilitated facilities" only and is comprised of a compact and contiguous land area. The name proposed is "Neighborhood Enterprise Zone Covenant 1." The suggested legal description is as follows:

Neighborhood Enterprise Zone Covenant 1

Lots 1-10 Barnards Subdivision of Block 61 Newell Barnards Addn

Lots 2-11 Theodore J Campaus Subdivision of Lot No.8 Campau Farm Lying South of Eleanor Ave. and West of N. Fayette St.

Lot 7 Joseph Campau Farm

Lots 1-9 MRS CDC Palms Subdivision of Out Lot No. 6 Campau Farm Lying West of N. Fayette St.

Lots 6-16 at Bliss Subdivision (Unrecorded) of Lot 5 Joseph Campau Farm

A public hearing to solicit comments on the proposed zone will be held Monday, January 22, 2024 at 6:30 p.m. in the Council Chambers, Room 205, at City Hall, 1315 S. Washington Avenue. All interested persons are invited to attend.

Sincerely,

A handwritten signature in blue ink that reads "Kristine Bolzman".

Kristine Bolzman
City Clerk

CITY OF SAGINAW

OFFICE OF THE CITY CLERK

1315 S. Washington Avenue
Saginaw, MI 48601
989.759.1480 office
989.759.1447 fax

COUNTY SERVICES



1-16-10

RECEIVED
SAGINAW COUNTY
BOARD OF COMMISSIONERS
2023 DEC 21 P 2:30

December 22, 2023

Saginaw County Board of Commissioners
111 S. Michigan Avenue
Saginaw, MI 48602

RE: NEIGHBORHOOD ENTERPRISE ZONE – COVENANT 2

Dear Taxing Unit Representative,

Pursuant to Paragraph 3 of Section 3 of the Michigan Public Act 147 of 1992, this is written notification of the City of Saginaw's intent to create a Neighborhood Enterprise Zone. Furthermore, as provided by the Act, the City Council will create this zone by adoption of a resolution anticipated for the regular meeting of March 4, 2024.

The new zone contains 6.2 acres of land, its proposed limit is to "new and rehabilitated facilities" only and is comprised of a compact and contiguous land area. The name proposed is "Neighborhood Enterprise Zone Covenant 2." The suggested legal description is as follows:

Neighborhood Enterprise Zone Covenant 2

Entire Block 57, 78, and 91 Penoyer Farm

A public hearing to solicit comments on the proposed zone will be held Monday, January 22, 2024 at 6:30 p.m. in the Council Chambers, Room 205, at City Hall, 1315 S. Washington Avenue. All interested persons are invited to attend.

Sincerely,

Kristine Bolzman
City Clerk