



RICK SNYDER  
GOVERNOR

Exhibit D

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



C HEIDI GREETHER  
DIRECTOR

March 24, 2017

Mr Todd R Stuve, P E.  
Exxel Engineering, Incorporated  
5252 Clyde Park, SW  
Grand Rapids, Michigan 49509

Dear Mr Stuve

SUBJECT File No 2P7-G0PM-WZGC, Timberline Acres West No 6 Subdivision,  
South Timberline Lake, Section 13, T5N, R16W, Park Township, Ottawa County

The preliminary plat of Timberline Acres West No 6 Subdivision, which includes lots 161 through 201, and two reserved areas designated as Timberline Acres West Park No 10 and Timberline Acres West Park No 11, is conditionally approved by the Department of Environmental Quality (DEQ) under Sections 116 and 117 of the Land Division Act, 1967 PA 288, as amended (Act 288) This conditional approval is valid for a period of two years unless otherwise notified

The South Timber Lake's 100-year floodplain elevation at this site is equal to 610 5 feet, National Geodetic Vertical Datum of 1929 (NGVD29) This elevation was established during the review of the Timberlake Acres West No 2 plat, which was recorded in 2004

**No permit is granted by this letter.** A permit is required from the DEQ prior to any construction, filling, or excavation within a floodplain, wetland, or below the ordinary high water mark of a stream. A permit application form is available upon request or can be downloaded from the DEQ's Web site at [www.michigan.gov/jointpermit](http://www.michigan.gov/jointpermit) Note that the \$500 fee paid for this review may be credited toward future Water Resources Division permit fees related to this project

**Final Plat Approval**

The following items will be required on the final plat and in the Restrictive Deed Covenants

**Final Plat**

- 1 Section 560 138 of Act 288 requires that the final plat show the floodplain contour when any part of a subdivision lies within or abuts a floodplain area The floodplain shall be shown with a contour line labeled "Floodplain Contour as established by the Department of Environmental Quality, ELEVATION 610 5 feet, N G.V Datum "
- 2 The floodplain contour line is to be dimensioned from the street or traverse line along each affected side lot line and at any crossing of the plat boundary or intermediate traverse line The floodplain area shall be clearly labeled on the final plat with the words "FLOODPLAIN AREA "

- 3 The proprietor's certificate on the final plat should state that lots embracing the waters of South Timberline Lake are dedicated to the water's edge

#### Restrictive Deed Covenants

- 4 Restrictive deed covenants shall define the floodplain elevation affecting the plat and specify that "no filling or occupation of the floodplain area will be allowed without prior written approval from the Michigan Department of Environmental Quality."
- 5 Residential building restrictions for lots 184 through 201 shall include sections (c) through (g) of Subdivision Rule R560 304(2) for any buildings used or capable of being used for residential purposes or occupancy
- 6 These restrictions are to be observed in perpetuity, excluded from any time limitation paragraph set forth in the declaration, and may not be amended without prior written approval from the DEQ
- 7 Do not record the restrictive deed covenants. They should be submitted with the final plat to the Department of Licensing and Regulatory Affairs (LARA). Once approved, LARA will submit the documents to the County Register of Deeds for simultaneous recording

A copy of the conditionally approved preliminary plat is enclosed. The Subdivision Administrative Rules are available on our Web site or upon request. If you have any questions, please contact me.

Sincerely,



Mario Fusco, Jr., P.E.  
Subdivision Floodplain Program  
Water Resources Division  
517-284-5578

#### Enclosure Preliminary Plat

cc Ottawa County Plat Board  
Park Township Clerk  
Park Township Building Official  
Mr. Ike Koetje, Developer  
Mr. Michael Barger, LARA (w/plat)  
Ms. Audrie Kirk, DEQ - Grand Rapids (electronic)