



RICK SNYDER  
GOVERNOR

Exhibit B

STATE OF MICHIGAN

DEPARTMENT OF ENVIRONMENTAL QUALITY

LANSING



C HEIDI GREETHER  
DIRECTOR

September 16, 2016

Mr Dale B. Van Kooten, P S, P E  
Medema, Van Kooten & Associates  
252 State Street, S E  
Grand Rapids, Michigan 49503

Dear Mr Van Kooten

SUBJECT File No 2J3-8CQK-GY4X, Hathaway Lakes No 7 Subdivision,  
Southern Pond, Section 17, T8N, R15W, Crockery Township, Ottawa County

The preliminary plat of Hathaway Lakes No 7 Subdivision, which includes lots 159 through 186, is 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 Southern Pond 100-year flood elevation is defined as 626 2 feet, National Geodetic Vertical Datum (NGVD) This elevation was determined by using the expected rise in the lake level from storage of the back-to-back 100-year storm and the estimated runoff from the watershed area added to the normal water level elevation of the lake you provided

**No permit is granted by this letter.** A permit is required from the DEQ prior to construction, filling, or excavation within a wetland or below the ordinary high water mark of an inland lake or stream during the development of this plat A permit application form is available upon request or can be downloaded from the DEQ's website at [www.michigan.gov/jointpermit](http://www.michigan.gov/jointpermit) Filling within the floodplain of a lake requires prior approval from the DEQ 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 covenants

**Final Plat**

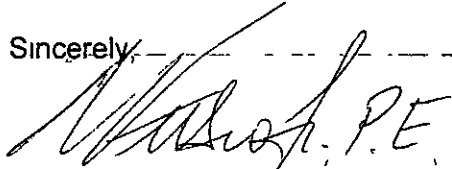
1. Section 560 138 of Act 288 requires that the final plat show the floodplain contour when any part of a subdivision lies within or abuts a floodplain area The floodplain shall be shown with a contour line labeled "Floodplain Contour as established by the Department of Environmental Quality, elevation 626 2 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 lakefront lots embracing the waters of Southern Pond are dedicated to the water's edge

**Restrictive Deed Covenants**

- 4 Restrictive deed covenants filed with the final plat 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 174 through 186 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 website 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  
~~Crocker Township~~ Building Official  
~~West Michigan~~ Development Co , Proprietor  
Mr. Chris Beland, LARA (w/plat)  
Mr. Jeni Bott, DEQ - Grand Rapids