



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
LANSING



DAN WYANT  
DIRECTOR

May 15, 2012

Runyan Lake Inc.  
P.O. Box 105  
Fenton, Michigan 48430

Dear Ladies and Gentlemen:

SUBJECT: Application Denial  
File Number: 11-47-0091-P  
County: Livingston  
Project Name: Runyan Lake Island Project

This letter is to notify you that your application for a permit submitted under the authority of Part 301, Inland Lakes and Streams, and Part 13, Permits, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), is hereby denied. The application was received by the Michigan Department of Environmental Quality's (MDEQ) Water Resources Division (WRD) on January 3, 2012.

The purpose of the project, as shown in your application, is to construct a seawall around an island in Runyan Lake with 300.5-feet of vinyl sheet piling and 11 cubic yards of riprap.

After due consideration of the permit application, site conditions, and other pertinent materials, your application is denied for the following reason: The application fails to satisfy the statutory criteria contained in Part 301, Inland Lakes and Streams, of the NREPA, under Rule 281.814 Environmental assessment. Rule 4. "In each application for a permit, all existing and potential adverse environmental effects shall be determined and the department shall not issue a permit unless the department determines both of the following:(a) That the adverse impacts to the public trust, riparian rights, and the environment will be minimal. (b) That a feasible and prudent alternative is not available."

The WRD believes that feasible and prudent alternatives exist that would lessen or eliminate the negative effects of the project as proposed. A feasible alternative includes placement of additional riprap, bioengineering and a 100-foot vertical seawall along on the east side of the island and construction of the replacement dock.

You have the right to appeal this denial by filing a petition for a formal administrative hearing. To preserve your right to an administrative hearing, a petition or written request must be filed within 60 days from the date of this denial letter. To request a hearing, submit the necessary document to: Michigan Administrative Hearing System (MAHS), 525 West Allegan Street, Atrium-South, Lansing, Michigan 48909.

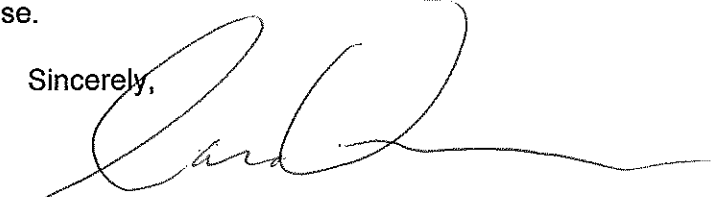
During the administrative hearing process, MAHS provides the parties an opportunity to meet informally to attempt to resolve the matter. If a resolution is not reached during informal discussions and the case is not dismissed for other reasons, an administrative hearing will be scheduled. MAHS will conduct the hearing and submit a Proposal for Decision to the director of the MDEQ. The director then makes the final MDEQ decision regarding the application.

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If you would like to discuss project alternatives and plan modifications prior to filing a Petition for Contested Case, please contact me. Our discussions may continue during the informal review process after a Petition for Contested Case is filed, but your formal appeal must be filed within the 60-day deadline.

If you have any questions regarding this matter, please contact either Mary Vanderlaan at 517-335-45233 or me at 517-335-2312; or [valorc@michigan.gov](mailto:valorc@michigan.gov); or DEQ-WRD, Lansing District Office, 525 West Allegan Street, 4<sup>th</sup> Floor-North, Lansing, Michigan 48933. Please include your File Number 11-47-0091-P, in your response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carol Valor', with a long horizontal flourish extending to the right.

Carol Valor  
Water Resources Division

cc: Tyrone Township Clerk  
Mr. Brian Jonckheere, Livingston County Drain Commissioner  
Jeff Zeller, JZ Contracting Inc.