



**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER RESOURCES DIVISION  
PERMIT**

**ISSUED TO:**

Balfour Ann Arbor, LLC  
Attn: Hunter MacLeod  
1331 East Hecla Drive  
Louisville, Colorado 80027

Permit No.	WRP002011
Submission No.	2DX-1SMA-TPDD
Issued	April 5, 2016
Extended	
Revised	
Expires	April 5, 2021

This permit is being issued by the Michigan Department of Environmental Quality (MDEQ) under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and specifically:

- |   |   |
|---|---|
| <input type="checkbox"/> Part 301, Inland Lakes and Streams             | <input type="checkbox"/> Part 315, Dam Safety                           |
| <input type="checkbox"/> Part 325, Great Lakes Submerged Lands          | <input type="checkbox"/> Part 323, Shorelands Protection and Management |
| <input checked="" type="checkbox"/> Part 303, Wetlands Protection       | <input type="checkbox"/> Part 353, Sand Dunes Protection and Management |
| <input type="checkbox"/> Part 31, Floodplain/Water Resources Protection |   |

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

**Permitted Activity:**

Place approximately 18 cubic yards of clean fill material within 0.014 acres of wetland for the construction of a residential development of senior living housing and associated roadways and parking areas and installation of one storm water outfall discharging into wetland.

All work shall be done in accordance with the attached plans, dated April 5, 2016, and the terms and conditions of this permit.

**Water Course Affected: Mallets Creek**

**Property Location: Washtenaw County, City of Ann Arbor/Pittsfield Township, Section 5  
Subdivision, Lot , Town/Range 03S/06E Property Tax No.**

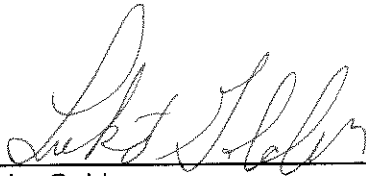
**Authority granted by this permit is subject to the following limitations:**

- A. Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- B. The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31, Water Resources Protection, of the NREPA.
- C. This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- D. All work shall be completed in accordance with the approved plans and specifications submitted with the application and/or plans and specifications attached to this permit.
- E. No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved.
- F. It is made a requirement of this permit that the permittee give notice to public utilities in accordance with Act 53 of the Public Act of 1974 and comply with each of the requirements of that Act.
- G. This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- H. This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.

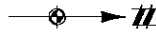
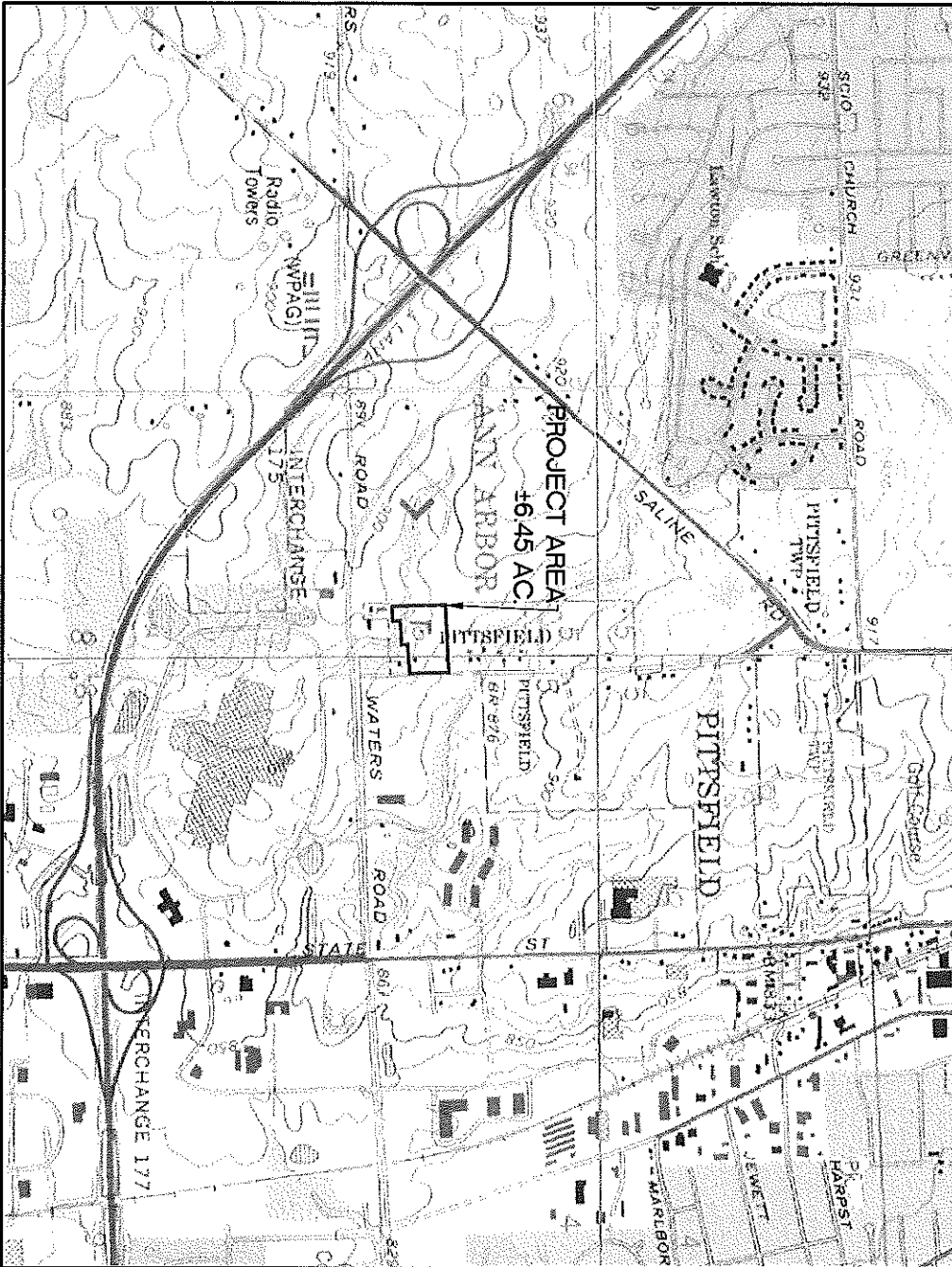
- I. Permittee shall notify the MDEQ within one week after the completion of the activity authorized by this permit, by completing and forwarding the attached preaddressed postcard to the office addressed thereon.
- J. This permit shall not be assigned or transferred without the written approval of the MDEQ.
- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. All dredged or excavated materials shall be disposed of in an upland site (outside of floodplains, unless exempt under Part 31, and wetland).
- M. In issuing this permit, the MDEQ has relied on the information and data that the permittee has provided in connection with the submitted application for permit. If, subsequent to the issuance of a permit, such information and data prove to be false, incomplete, or inaccurate, the MDEQ may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
- N. The permittee shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents, and representatives for any and all claims or causes of action arising from acts or omissions of the permittee, or employees, agents, or representative of the permittee, undertaken in connection with this permit. The permittee's obligation to indemnify the State of Michigan applies only if the State (1) provides the permittee or its designated representative written notice of the claim or cause of action within 30 days after it is received by the State and (2) consents to the permittee's participation in the proceeding on the claim or cause of action. It does not apply to contested case proceedings under the Administrative Procedures Act challenging the permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the permittee or any other person.
- O. Noncompliance with these terms and conditions and/or the initiation of other regulated activities not specifically authorized shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, the MDEQ may initiate criminal and/or civil proceedings as may be deemed necessary to correct project deficiencies, protect natural resource values, and secure compliance with statutes.
- P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from the MDEQ. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by the MDEQ prior to being implemented.
- Q. This permit may be transferred to another person upon written approval of the MDEQ. The permittee must submit a written request to the MDEQ to transfer the permit to the new owner. The new owner must also submit a written request to the MDEQ to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties which includes all the above information may be provided to the MDEQ. The MDEQ will review the request and if approved, will provide written notification to the new owner.
- R. Prior to initiating permitted construction, the permittee is required to provide a copy of the permit to the contractor(s) for review. The property owner, contractor(s), and any agent involved in exercising the permit are held responsible to ensure that the project is constructed in accordance with all drawings and specifications. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by the permit.
- S. Construction must be undertaken and completed during the dry period of the wetland. If the area does not dry out, construction shall be done on equipment mats to prevent compaction of the soil.
- T. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the County Enforcing Agent.
- U. Authority granted by this permit does not waive permit requirements under the authority of Part 305, Natural Rivers, of the NREPA. A Natural Rivers Zoning Permit may be required for construction, land alteration, streambank stabilization, or vegetation removal along or near a natural river.
- V. The permittee is cautioned that grade changes resulting in increased runoff onto adjacent property is subject to civil damage litigation.
- W. Unless specifically stated in this permit, construction pads, haul roads, temporary structures, or other structural appurtenances to be placed in a wetland or on bottomland of the waterbody are not authorized and shall not be constructed unless authorized by a separate permit or permit revision granted in accordance with the applicable law.
- X. For projects with potential impacts to fish spawning or migration, no work shall occur within fish spawning or migration timelines (i.e., windows) unless otherwise approved in writing by the MDNR, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
  - 1. Authority granted by this permit does not waive permit or program requirements under Part 91 of the NREPA or the need to acquire applicable permits from the CEA. To locate the Soil Erosion Program Administrator for your county, visit [www.mi.gov/degstormwater](http://www.mi.gov/degstormwater) and select "Soil Erosion and Sedimentation Control Program" under "Related Links."
  - 2. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state, or federal approval or authorization necessary to conduct the activity.

3. A storm water discharge permit may be required under the Federal Clean Water Act for construction activities that disturb one or more acres of land and discharge to surface waters. For sites over five (5) acres, the permit coverage may be obtained by a Part 91, Soil Erosion and Sedimentation Control (SESC) permit, or coverage as an Authorized Public Agency (APA), and filing a "Notice of Coverage" form to the MDEQ's Water Resource Division. For sites with disturbance from one acre up to five acres, storm water coverage is automatic once the SESC permit is obtained or if work is being conducted by an APA. These one to five acre sites are not required to apply for coverage, but are required to comply with storm water discharge permit requirements. Information on the storm water discharge permit is available from the Water Resource Division's Storm Water Permit Program at [www.michigan.gov/soilerosion](http://www.michigan.gov/soilerosion) under the "Construction Storm Water Info".
4. The local unit of government in which this project site is located has a wetland ordinance. Authority granted by this permit does not waive permit requirements or the need to obtain a separate permit from the local unit of government.
5. No fill, excess soil, or other material shall be placed in any wetland or surface water area not specifically authorized by this permit, its plans, and specifications.
6. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.
7. The permit placard shall be kept posted at the work site, in a prominent location at all times for the duration of the project, or until permit expiration.
8. This permit is being issued for the maximum time allowed and no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by the MDEQ, will be for a five-year period beginning on the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.

By: \_\_\_\_\_

  
Luke Golden  
Jackson District Office  
Water Resources Division  
517-416-7001

cc: City of Ann Arbor Clerk (via e-mail)  
Pittsfield Township (via e-mail)  
Mr. Bourke Thomas, Atwell, LLC (via e-mail)

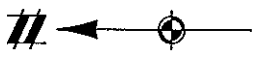


DEQ - WRD  
 File # *WRP002011*  
 APPROVED PLANS  
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LEGEND  
 SYMBOL DESCRIPTION

DATE: JANUARY 11, 2018 DRAWN BY: [Blank] CHECKED BY: [Blank] PROJECT NO: 01	CLIENT: <b>BALFOUR ANN ARBOR, LLC</b> <b>BALFOUR SENIOR LIVING</b> <b>OVERALL TOPOGRAPHIC MAP</b>	SECTION: 05 TOWN 03 SOUTH, RANGE 06 EAST PITTSFIELD TOWNSHIP WASHINGTON COUNTY, MICHIGAN	<b>ATWELL</b> 866.890.4200 www.atwell-group.com TWO TOWNE SQUARE, SUITE 700 ANN ARBOR, MI 48106 248.442.2000	NOTES: 1. THIS MAP IS A TOPOGRAPHIC MAP AND DOES NOT CONSTITUTE A SURVEY. 2. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. 3. THE CLIENT IS RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL DATA PROVIDED. 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY EASEMENTS AND RIGHTS-OF-WAY. 5. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES INFORMATION. 6. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ENVIRONMENTAL INFORMATION. 7. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY HISTORIC PRESERVATION INFORMATION. 8. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL INFORMATION. 9. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ENGINEERING INFORMATION. 10. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY LANDSCAPE ARCHITECTURE INFORMATION. 11. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PLANNING INFORMATION. 12. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY POLITICAL INFORMATION. 13. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY SOCIAL INFORMATION. 14. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ECONOMIC INFORMATION. 15. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY CULTURAL INFORMATION. 16. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY RECREATION INFORMATION. 17. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY TRANSPORTATION INFORMATION. 18. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES INFORMATION. 19. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ENVIRONMENTAL INFORMATION. 20. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY HISTORIC PRESERVATION INFORMATION. 21. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ARCHITECTURAL INFORMATION. 22. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ENGINEERING INFORMATION. 23. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY LANDSCAPE ARCHITECTURE INFORMATION. 24. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PLANNING INFORMATION. 25. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY POLITICAL INFORMATION. 26. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY SOCIAL INFORMATION. 27. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY ECONOMIC INFORMATION. 28. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY CULTURAL INFORMATION. 29. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY RECREATION INFORMATION. 30. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY TRANSPORTATION INFORMATION.
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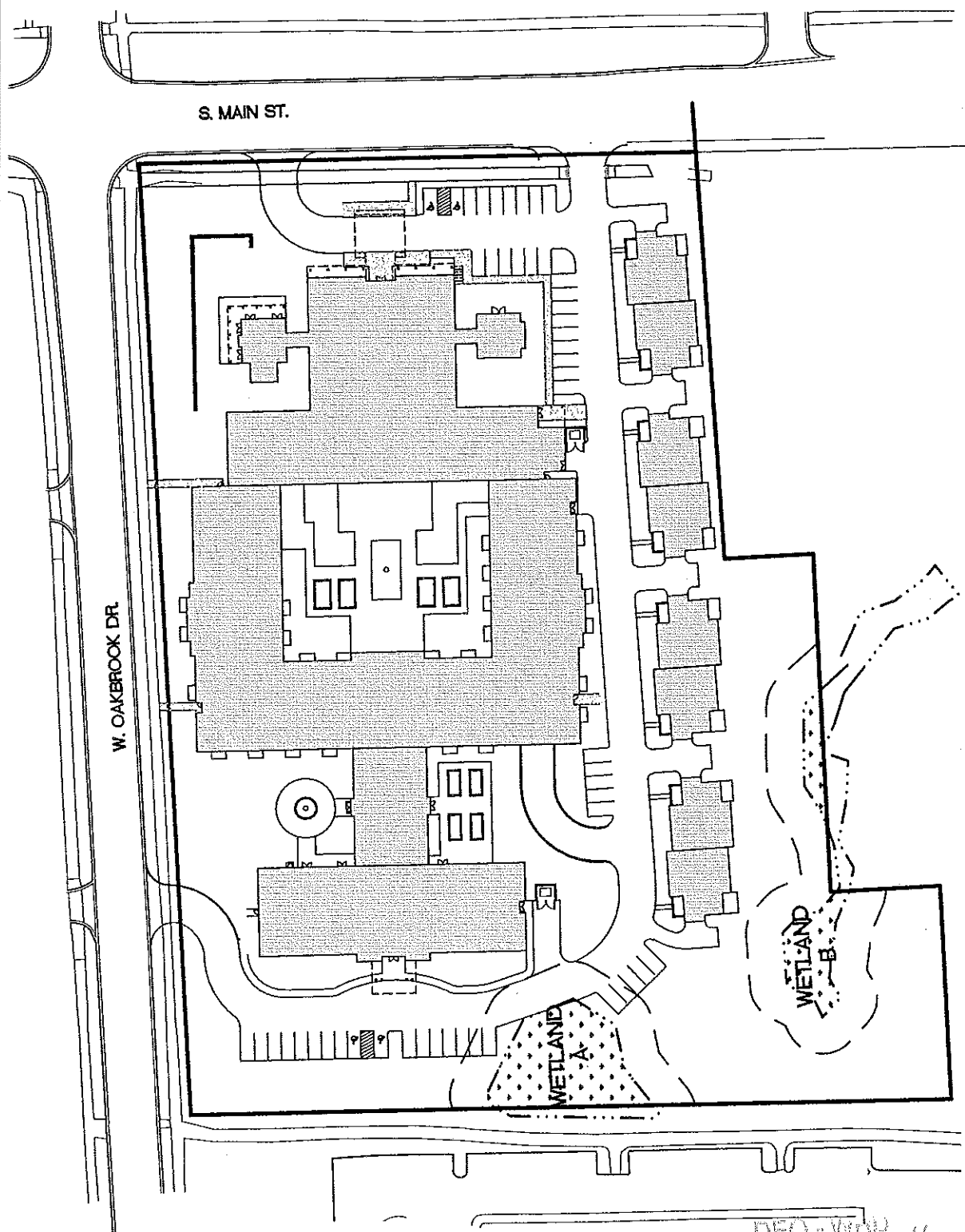




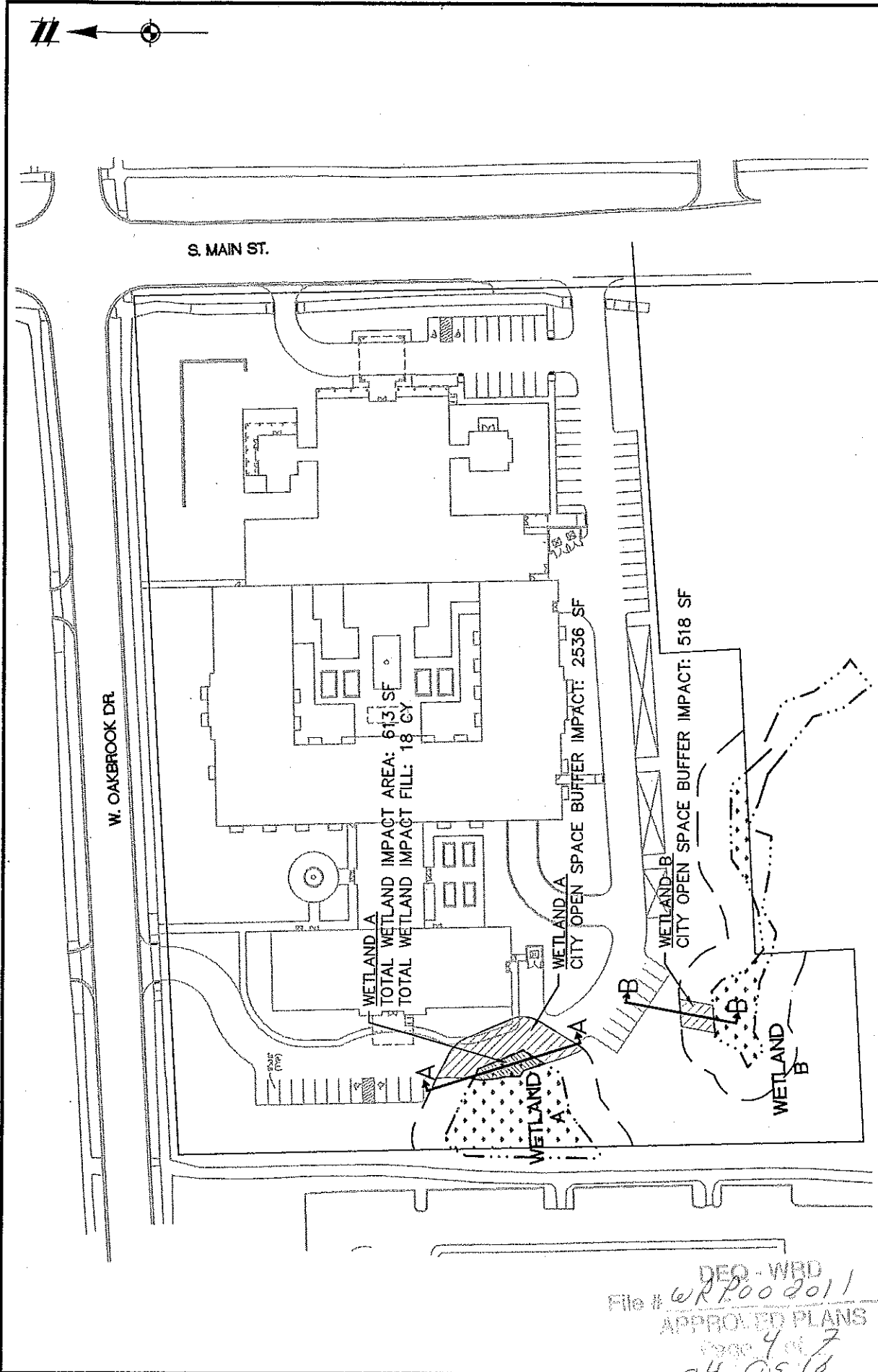
PROJECT NO.: 15001844  
DATE: JANUARY 21, 2016

**BALFOUR SENIOR HOUSING  
ALTERNATIVE ANALYSIS PLAN**

SCALE: 1" = 100'

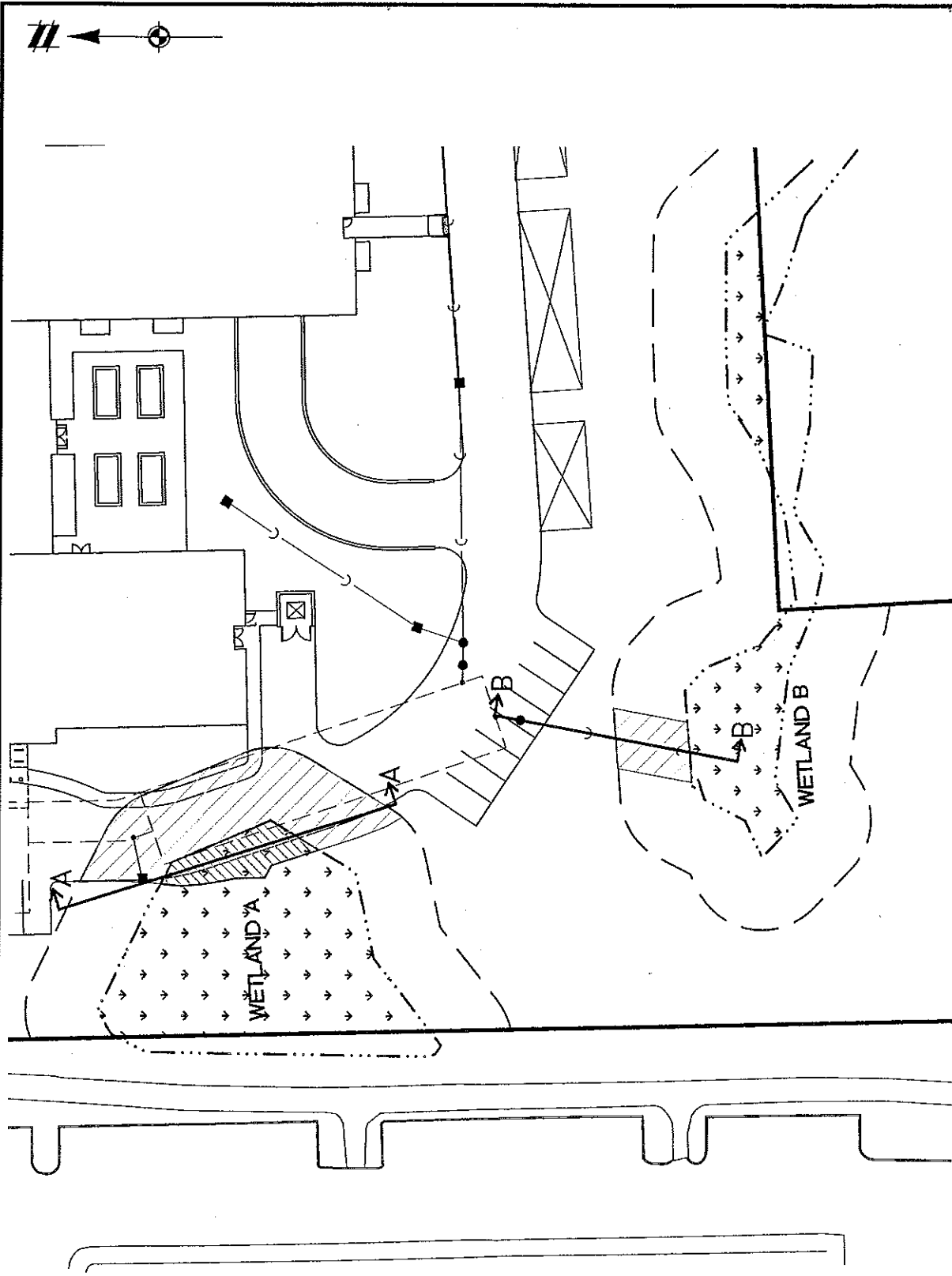


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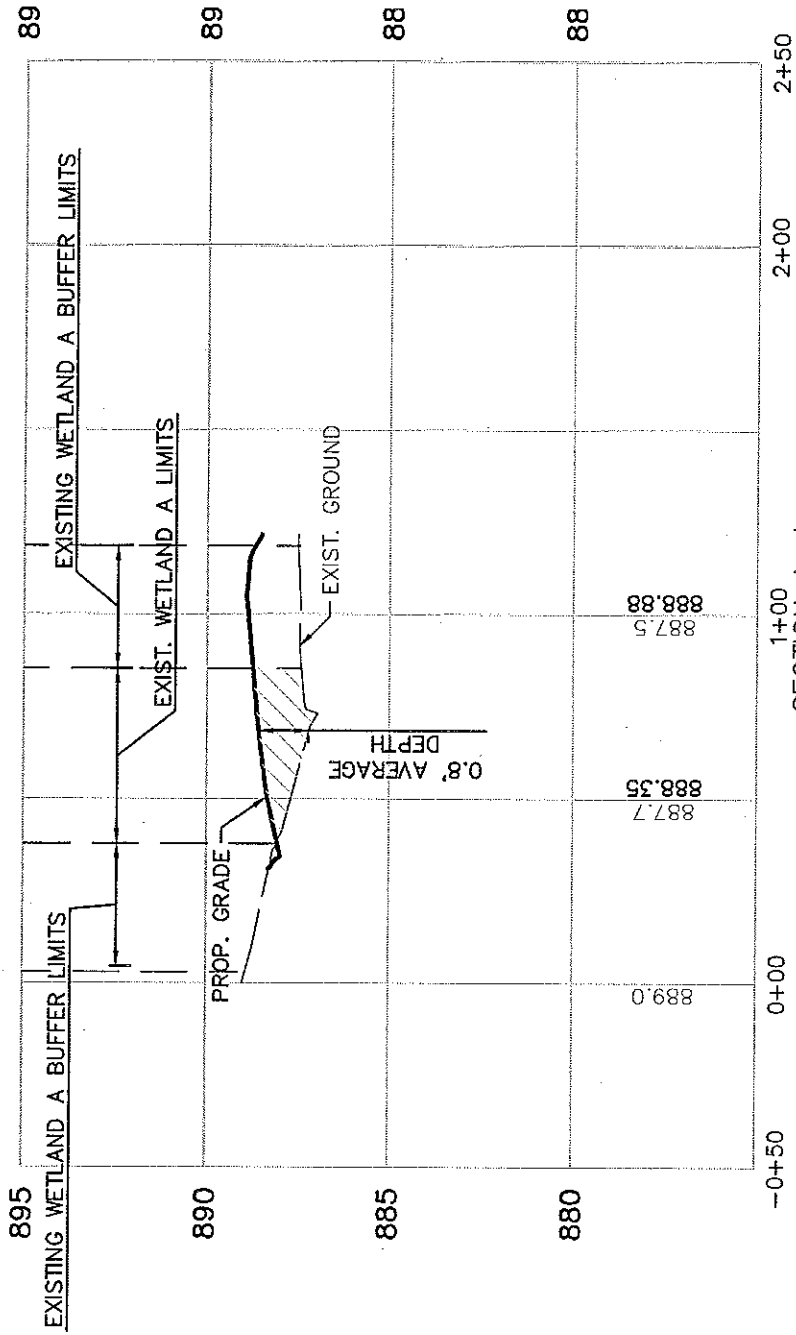
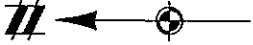


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BALFOUR SENIOR HOUSING  
 SCALE: 1" = 50'

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 File # WRP.002011  
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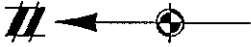
SECTION A-A  
 VERT: 1"=5'  
 HORZ: 1"=50'

DEC - WRD  
 File # WR 2002011  
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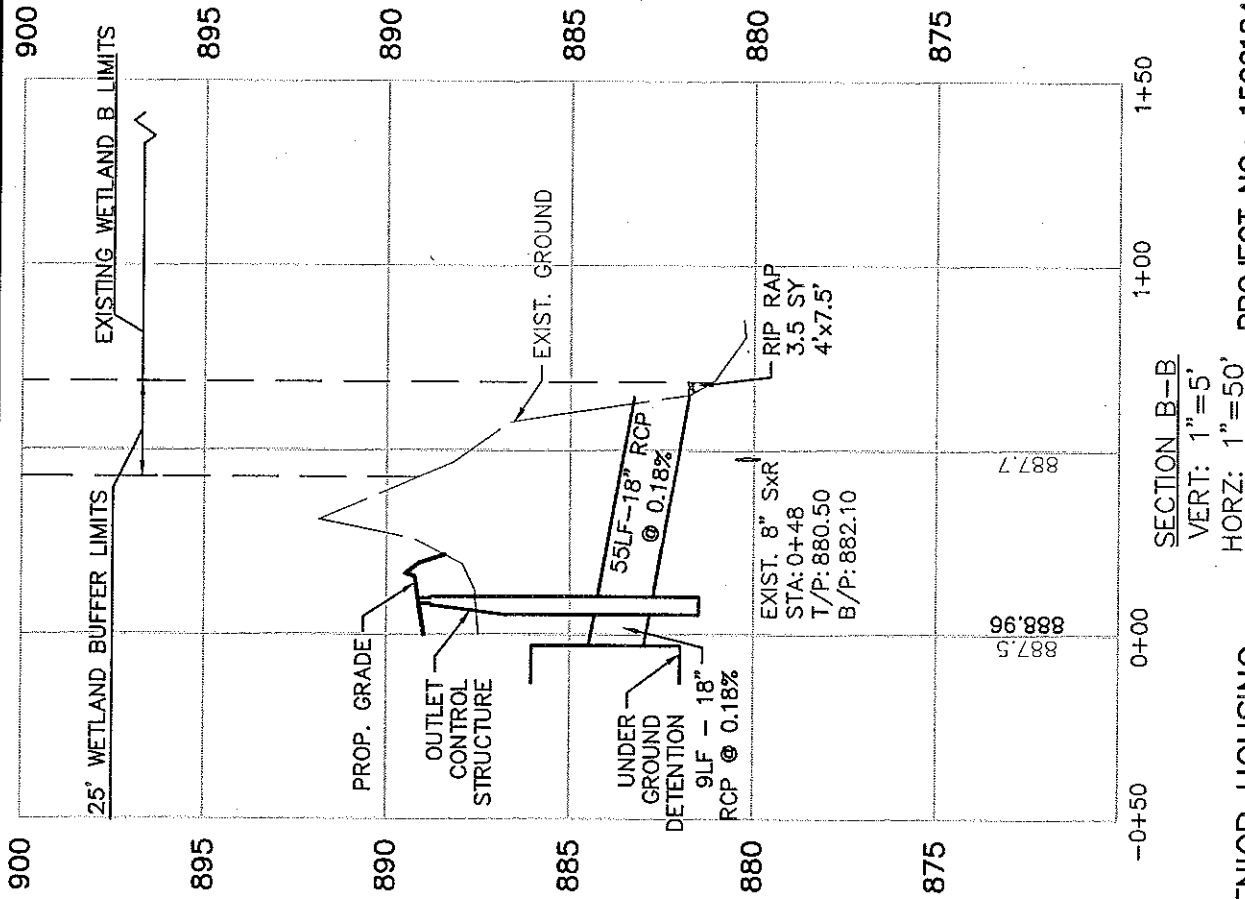


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 DATE: JANUARY 21, 2016  
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BALFOUR SENIOR HOUSING  
 SCALE: 1" = 50'



NOTE:  
 ALL STORM SEWER INLETS TO THE  
 UNDERGROUND DETENTION SYSTEM  
 TO BE HYDRO-DYNAMIC  
 SEPARATOR STRUCTURE.



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BALFOUR SENIOR HOUSING  
 SCALE: 1" = 50'

SECTION B-B  
 VERT: 1"=5'  
 HORZ: 1"=50'

DEQ - WRD  
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