

Kalkaska County Road Commission

1049 Island Lake Road
Kalkaska, MI 49646
Telephone: 231.258.2242
Facsimile: 231.258.8205

The Kalkaska County Road Commission is an Equal Opportunity Provider and Employer

February 1, 2026

REQUEST FOR BIDS – INSTALLATION OF A CROSSING ON GRASS LAKE ROAD IN ACCORDANCE WITH THE ATTACHED PLANS AND EGLE PERMIT.

Sealed bids will be received until **9:00 a.m. May 6, 2026**, at which time they will be publicly opened and read. Bids shall be received at the office of the Kalkaska County Road Commission, 1049 Island Lake Road, Kalkaska, MI 49646. Bids will be tabulated and a recommendation will be made to the Board of Road Commissioners.

This project has a Mandatory Pre-Bid Meeting on April 21, 2006 at 11:00 am. The meeting will begin at the Sharon Road over Maple Creek Crossing Site.

The Kalkaska County Road Commission requests bids for the following:

Installation of crossing on Grass Lake Road.

Bids must be submitted on Kalkaska County Road Commission's Contractor Bid Form.

All mix shall be 4EML as specified on bid form, PG 58-28 liquid asphalt that complies with the Kalkaska County Road Commission Special Provision for Acceptance of HMA Mixture.

The contractor will coordinate the work with the Kalkaska County Road Commission. Project shall be completed by **October 01, 2026** unless otherwise agreed to by the contractor and the Road Commission. Traffic control will be provided by the contractor, performed in accordance with the current Michigan Manual of Uniform Traffic Control Devices and shall be included in the unit prices on the bid forms. Mobilization will be included in the unit price for each pay item and will not be a separate pay item.

Bid price shall include mixing, hauling, placing and compacting the mix in accordance with the current MDOT Standard Specifications for Construction and the Kalkaska County Road Commission Special Provision for Acceptances of HMA Mixture. Bid price shall also include all pay items listed on the "Contractor Bid Form".

The Kalkaska County Road Commission reserves the right to adjust quantities, to accept or reject any or all bids, to waive any irregularity or defect in a bid, or to accept the bid, which, in the opinion of the Road Commission is in the best interest of the county. The successful bidder shall enter into a contract with and provided by the Road Commission. Label bid "**Grass Lake Road Construction Bid**" plainly on the outside of a sealed envelope.

John S. Rogers Manager

Project and Contracting Specifications

If the total bid amount exceeds \$350,000, a bid guarantee equivalent to five percent of the bid price is required. The bid guarantee must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute any required contractual documents within the specified timeframe.

Kalkaska County Road Commission cannot enter a contract for this project with a party listed on the General Services Administration's List of Parties Excluded from Federal Procurement for Non-procurement Programs in accordance with Executive Orders 12549 and 12689 (Debarment and Suspension).

Construction contractor and on-site crew must have experience constructing similar projects and supply to the engineer, **as part of their bid**, 3 or more examples of similar projects that were successfully constructed to specification, on schedule and within budget and list 1 to 2 references for each site including the project owner.

Contract Documents will be provided to the awarded bidder. The signed contract, insurance documentation, and required bonds will be returned to the Owner 10 days after the official contract award is received by the Contractor. Performance and Payment Bonds are required on contracts over \$350,000.

WHISTLEBLOWER PROTECTION. If the awarded contract is over the simplified acquisition threshold, \$350,000, all employees of the contractor as well as employees of sub-contractors over the simplified acquisition threshold are subject to the whistleblower rights and remedies in the pilot program on award recipient employee whistleblower protections established at 41 U.S.C. 4712 by section 828 of the National Defense Authorization Act for Fiscal Year 2013 (P.L. 112-239). Contractors awarded contracts over the simplified acquisition threshold, \$350,000, shall inform their employees in writing, in the predominant language of the workforce, of the employee whistleblower rights and protections under 41 U.S.C. 4712. The contractor shall insert this clause, including this paragraph (c), in all sub-contracts over the simplified acquisition threshold related to this contract.

Contractor shall comply with section 106(a) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. 7104(g)) (codified at 2 C.F.R. Part 175).

The Contractor must have a written safety plan for management of the project, which should specifically address safety of project personnel, associates, visitors, and volunteers.

Inadvertent Archaeological or Historical Discoveries. In the event any archaeological or historic materials are encountered during project activity, work in the immediate area must stop and the following actions taken: Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering. Take reasonable steps to ensure the confidentiality of the discovery sites; and take reasonable steps to restrict access to the site of discovery. The Contractor must notify the concerned Tribes and all appropriate county, state, and federal agencies, including the State Historic Preservation Office. Agencies and the Tribe(s) will discuss the possible measures to remove or avoid cultural material, and will reach an agreement with the recipient regarding actions to be taken and disposition of material. If Human remains are uncovered, appropriate law enforcement agencies must be notified first, and the above steps followed. If the remains are determined to be Native, consultation the affected Tribe(s) will take place in order to mitigate the final disposition of said remains.

Progress Clause

The Owner anticipates that construction can begin no earlier than April 10, 2026.

In no case shall any work be commenced prior to receipt of formal notice of award by the Owner.

The Contractor shall prepare and submit a complete, detailed, and signed MDOT Form 1130, Progress Schedule, according to 12SP-101A.

The Progress Schedule shall include, at minimum, the controlling work items for the completion of the project, as well as the planned dates or work days that these work items will be controlling operations. All contract dates including open to traffic, project completion, interim completion and any other controlling dates in the contract, must be included in the progress schedule.

If the bidding Proposal specifies other controlling dates, these shall also be included in the Progress Schedule.

The Project shall be completed in its entirety including final site restoration and clean-up

On or before October 01, 2026

Once work begins, it shall be continuous and be complete within 90 calendar days

After award and prior to the start of work, the Contractor must attend a preconstruction meeting with the Engineer. The Engineer will determine the day, time and place for the preconstruction meeting. The meeting will be conducted after project award and may be rescheduled if there are delays in the award of the project. The named subcontractor(s) for Designated and/or Specialty Items, as shown in the Proposal, should attend the preconstruction meeting if such items materially affect the work schedule.

Liquidated Damages shall be assessed in accordance with Section 108.10 of the 2020 Standard Specifications.

Slope Restoration

Description.

This work shall consist of all labor, equipment, and materials required to provide screened topsoil, fertilizer, seed, and mulch on disturbed areas and newly graded surfaces of the project. The Work shall consist of preparing the foundation, machine grading to place the topsoil, fertilizing, seeding, and mulching areas as required.

Material.

Provide materials in accordance with Section 816 of the Standard Specifications for Construction.

Construction.

As directed by the Engineer, **Slope Restoration** may include, but is not limited to, the following work: placing and grading screened topsoil, fertilizer, seed, mulch, and mulch anchoring. All disturbed areas shall be restored.

Unless otherwise specified herein, all work shall be in accordance with sections 816, 911, and 917 of the Standard Specifications for Construction.

Supplier's certifications for all materials used for slope restoration shall be supplied to the Engineer prior to commencing slope restoration efforts. Engineer will verify that all materials adhere to Sections 816, 911, and 917 of the Standard Specifications for Construction prior to the commencement of slope restoration efforts. All certifications shall be supplied to the Engineer a minimum of 5 working days prior to scheduled date of starting slope restoration.

Hay Mulch will not be permitted unless otherwise directed by the Engineer.

Hydro Seeding may be an acceptable alternate method of slope restoration. All areas restored using this method shall receive straw mulch unless otherwise approved by the Engineer.

Any washouts or damage caused by rain or for reasons attributable to the Contractor's activity or failure to take proper precautions shall be cleaned up and repaired at the Contractor's expense within five (5) days of notice.

If weeds are determined by the Engineer to account for more than 10% of the area that slope restoration efforts are applied to, the Contractor shall provide weed control in accordance with Subsection 816.03 of the Standard Specifications for Construction. Additional payment will not be made for weed control.

Slope Restoration will be accepted when at least 85% vegetative coverage is achieved, unless otherwise approved by the Engineer.

If the seeded area does not reach the acceptable level of vegetative coverage, as defined in this special provision, at the end of the first growing season as defined as May 1st to October 1st, the Contractor is responsible to provide additional slope restoration in accordance with this special provision until slope restoration is accepted by the Engineer. Additional payment will not be made for these activities.

All waste generated shall be disposed of in accordance with subsection 205.03 of the Standard Specifications for Construction at the Contractor's expense. All disturbed areas shall be restored.

Only wildlife safe erosion control products that do not contain plastic mesh netting will be used during this project. Several products for soil erosion and control exist that do not contain plastic netting including net-less erosion control blankets (for example, made of excelsior), loose mulch, hydraulic mulch, soil binders, unreinforced silt fences, and straw bales. Others are made from natural fibers (such as jute) and loosely woven together in a manner that allows wildlife to wiggle free.

On-site personnel will be educated on EMR behavior, habitat use, protections, and conservation measures to be used for the project, and will review the species.

<https://www.fws.gov/sites/default/files/documents/EMRfactsheetSept2016.pdf> fact sheet

or watch MDNR's https://youtu.be/-PFnXe_e02w "60-Second Snakes: The Eastern Massasauga Rattlesnake" video.

Any observations of EMR will be reported to the Michigan Field Office within 24 hours.

Maintaining Traffic

General.

Traffic shall be maintained in accordance with Subsections 104.07C, 104.11 and Section 812 of the 2020 Standard Specifications, including any Supplemental Specifications, and as herein specified. Traffic shall be maintained using single lane closures. The Contractor shall coordinate his operations with Contractors performing work on other projects within or adjacent to the Construction Influence Area (CIA).

Construction Influence Area (CIA).

The CIA shall include the right-of-way of the following roadways, within the approximate limits described below:

Hoiles Drive from the furthest placed construction sign east and west of the project limits to the furthest placed construction sign north and south of the project limits.

In addition, the CIA shall include the right-of-way of any intersecting roads adjacent to the work zone to the furthest placed construction sign.

Traffic Restrictions.

No work shall be permitted on Sundays, or during any holiday period as defined below:

Memorial Day from 3:00 pm, Friday, 05/22/26 to 6:00 am, Tuesday, 05/26/26
Independence Day from 3:00 pm, Wednesday, 07/02/26 to 6:00 am, Monday, 07/06/26
Labor Day from 3:00 pm, Friday, 09/04/26 to 6:00 am, Tuesday, 09/08/26

Access shall be provided for School Buses and Emergency Services at all times. Commercial and residential driveways shall remain accessible at all times. The Contractor shall maintain access to the residents within this project at all times through the use of the following:

WZD 100A	Ground Driven Sign Supports for Temp Signs
WZD 125-E	Temporary Traffic Control Devices
100-GEN-KEY	Typical Numbering Key
100-GEN-SPACING-CHARTS	"B", "D", and "L" Tables, Channelizing Device Spacing, Sign Border Key, and Roll-Ahead Spacing
102-GEN-NOTES	Traffic Control Typical Note Sheet
103-GEN-SIGNS	Traffic Control Typical Sign Sheet
110-TR-NFW-2L	Lane Closure Utilizing Traffic Regulators on a 2-Lane Undivided Roadway

Sign W5-18b will not be required. Lane closure will be limited to 1 mile in length.

Traffic Control Devices.

All traffic control devices and their usage shall conform to the Michigan Manual of Uniform Traffic Control Devices (MMUTCD), 2011 edition as revised, and as specified herein.

Utility Coordination Clause

The contractor shall cooperate and coordinate construction activities with the owners of utilities as stated in subsection 104.08 of the 2020 Standard Specifications. In addition, for the protection of underground utilities, the contractor shall follow the requirements in subsection 107.12 of the MDOT 2020 Standard Specifications. Contractor delay claims, resulting from a utility, will be determined based upon subsection 108.09 of the MDOT 2020 Standard Specifications.

Public Utilities

The following Public Utilities have facilities located within the Right-of-Way:

Great Lakes Energy Cooperative, 1323 Boyne Ave, Boyne City, MI 49712; Contact Person: Mike Chase.

AT&T, 514 E Mitchell, Petoskey, MI 49770: Jeff Collard, ph: 586-764-8260

The owners of existing service facilities that are within grading or structure limits will move them to locations designated by the Engineer or will remove them entirely from the highway Right-of-Way. Owners of Public Utilities will not be required by the County to move additional poles or structures in order to facilitate the operation of construction equipment unless it is determined by the Engineer that such poles or structures constitute a hazard to the public or are dangerous to the Contractor's operations.

For protection of underground utilities and in conformance with Public Act 174, 2013, the Contractor shall dial 811 a minimum of three full working days, excluding Saturdays, Sundays, and holidays prior to beginning each excavation in areas where public utilities have not been previously located. Members will thus far be routinely notified. This does not relieve the contractor of the responsibility of notifying utility owners who may not be a part of the "Miss-Dig" alert system.

Tree Clearing and Removal

This work consists of all tree removals and clearing of vegetation 3 inches or greater in diameter required for the project in accordance sections 201 and 202 of the Standard Specifications for Construction.

Due to the potential presence of state and federally protected species, complete all tree removals and vegetation clearing between October 1 and March 31.

The Kaskaska County Road Commission will remove vegetation and trees to below a 6 ft height during the winter months of 2025.

MICHIGAN
DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION
FOR
SOURCE OF STEEL AND IRON (BUY AMERICA)

CFS:JGG

1 of 2

APPR:LLR:KAS:10-19-23
FHWA:APPR:10-20-23

Delete subsection 105.10, on page 1-60 of the Standard Specifications for Construction, in its entirety and replace with the following:

105.10. Source of Steel and Iron. Provide steel and iron materials and products for permanent incorporation into the work that are produced only in the United States per Title 23 of the CFR Section 635.410, Buy America Requirements.

All steel and iron products and manufacturing processes of the steel and iron material in a product, including but not limited to the following steps; smelting, melting, rolling, extruding, machining, bending, grinding, drilling, welding, galvanizing, and coating, must occur within the United States. Provide manufacturer and/or fabricator certifications that all steel and iron products and manufacturing processes of the steel and iron material are compliant with Buy America requirements unless noted otherwise in this special provision.

Examples of products that are subject to Buy America coverage include, but are not limited to, the following:

- A. Steel or iron products used in pavements, bridges, tunnels, or other structures, which include, but are not limited to, the following: fabricated structural steel, hot or cold rolled structural steel shapes, reinforcing steel, piling, high strength bolts, anchor bolts, dowel bars, permanently incorporated sheet piling, bridge bearings, cable wire/strand, pre-stressing/post-tensioning wire, motor/machinery brakes and other equipment for moveable structures.
- B. Guardrail, guardrail posts, end sections, terminals, cable guardrail.
- C. Steel fencing material, fence posts.
- D. Steel or iron pipe, conduit, grates, manhole covers, risers.
- E. Mast arms, poles, standards, trusses, supporting structural members for signs, luminaires, or traffic control systems.
- F. Steel or iron components of precast concrete products, such as reinforcing steel, wire mesh and pre-stressing or post-tensioning strands or cables.
- G. Left-in-place structural steel formwork, falsework, and earth retaining system elements.

Manufactured products that are predominantly steel and/or iron must comply with this

special provision.

Predominately iron and/or steel means the cost of the iron and steel content exceeds 50 percent of the total cost of all its components. The cost of iron and steel is the cost of the iron or steel mill products (such as bar, billet, slab, wire, plate, sheet, etc.), castings, or forgings utilized in the manufacture of the product and a good faith estimate of the cost of iron or steel components.

Provide step certification for all steel and iron related pay items, materials, products, and components as specified on the Department website. The Department will maintain a list of these pay items, materials, products, and/or components on the following website.

<https://www.michigan.gov/mdot/-/media/Project/Websites/MDOT/Business/Construction/Standard-Specifications-Construction/CFS-Reference/BuyAmericaStepCertPayItems.pdf>

Step certification is defined as the certification by the respective manufacturer or fabricator for their specific process (step) that the product, material, or component was fabricated, manufactured, and/or processed in the United States. The step certification documentation for these pre-defined pay items, materials, products, and/or components is to be submitted to the Engineer in a package covering each step prior to delivery or concurrent with material delivery on-site. Approved certification is required prior to incorporation of the materials into the project.

The above requirements do not preclude a minimal use of foreign steel and iron, provided the total invoice cost of foreign steel and iron permanently incorporated into the project does not exceed 0.1 percent of the total contract amount or \$2,500 whichever is greater. The Department defines the total invoice cost as the total value of the foreign steel and iron materials delivered to the project. The Department defines the total contract amount to be the original contract amount at time of award plus any cost increases during construction with the exception of incentive payments.

MDOT/Consultant fabrication facility inspectors are not responsible for approving the incorporation of foreign steel/iron prior to fabrication. It is the responsibility of the fabricator to notify and coordinate with the Contractor for all potential inclusion of foreign steel/iron in fabricated products.

For each item subject to meeting Buy America requirements, that doesn't fully meet Buy America requirements, the following documentation must be provided by the Contractor to verify the foreign steel value. This documentation is to be placed in the project files to ensure that the threshold is not exceeded:

- Pay Item,
- Description of associated foreign steel/iron material, product, or component,
- Cost of associated foreign steel/iron material, product, or component, and
- Cumulative list of all non-compliant Buy America items with the total dollar amount.

The minimal use of foreign steel/iron under the minimal usage amount will be approved by the Engineer. The use of foreign steel/iron under the minimal usage amount does not need to be approved by the FHWA. This amount is not considered a waiver to the Buy America requirements. The Contractor must ensure that the minimal usage amount is not exceeded.

MICHIGAN
DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION
FOR
EASTERN MASSASAUGA RATTLESNAKE

ENV:JDG

1 of 2

APPR:DWS:MJO:03-18-20
FHWA:APPR:03-18-20

a. Description. Contractors are advised that the project area has a known population of the Eastern Massasauga Rattlesnake or is within its known range. This species is listed as federally threatened under the U. S. Endangered Species Act of 1973 (Act). Taking (killing, harming, or disturbing in any manner) of Eastern Massasauga Rattlesnake without a federal permit from the U.S. Fish and Wildlife Service is prohibited under federal law. The Act provides enforcement authority to the U.S. Fish and Wildlife Service and contains severe penalties for violations. The Contractor is liable to the Department for any penalties imposed for violations to the Act due to the Contractor's failure to comply with this special provision. Fines and penalties range up to \$50,000 and 1 year in prison. Violation of any requirement listed below can lead to an immediate work stoppage in Eastern Massasauga Rattlesnake habitat. FHWA is required under federal law to assure MDOT is compliant with these provisions or risk losing federal funding for the project. This special provision addresses education, notification and intentional take requirements of the Contractor and their workers to protect the Eastern Massasauga Rattlesnake as required under the Act.

b. Materials. None specified.

c. Construction. Adhere to the following requirements:

1. Prior to construction, all Contractor staff working onsite must read the attached fact sheet (2 of 2). The purpose of the fact sheet is to provide the Contractor easy identification tips, notification that a venomous snake may be onsite, and raise awareness regarding its protected legal status.

2. Immediately report any possible Eastern Massasauga Rattlesnake sightings to the Engineer.

3. Intentionally 'take' is prohibited.

d. Measurement and Payment. All costs associated with complying with this special provision will not be paid for separately but will be considered to have been included in other pay items in the contract.

Eastern Massasauga Rattlesnake (*Sistrurus catenatus*)

Protected as federally threatened



Photos courtesy of the Michigan Department of Natural Resources and Michigan State University

This species is suspected to occur at or near the work site. Please have staff read the following information.

What Does an Eastern Massasauga Rattlesnake Look Like?

The eastern massasauga rattlesnake is a thick-bodied and short venomous snake. Adults typically measure 18 to 30 inches long. This species is gray to grayish-brown with dark blotches bordered by white down the middle of its back. The head is thick and triangular and has an obvious neck. Like many venomous snakes, the massasauga has vertical slitted pupils like a cat and heat sensing pits below the eyes. A rattle is present on the tail that "buzzes" as a warning signal, although they may strike without rattling. This is the only rattlesnake in Michigan.

Where Does It Live?

These snakes prefer wet areas, such as marshes, wet prairies, wet woods, and along rivers and lakes. They also use adjacent upland during parts of the year, especially in the summer. They hibernate during the winter in crayfish burrows, under logs and tree roots, and in small mammal burrows.

What Should You Do If You See a Massasauga Rattlesnake?

Massasaugas are shy and try to avoid confrontation but that does not mean they won't bite to protect themselves. Never try to handle, chase, provoke, or threaten a snake. When in potential snake habitat, wear thick boots that cover your ankles, long pants, and do not reach into thickets or under logs. If you hear the buzzing of a rattle stay calm and back away from the sound slowly. The snake will leave if you give it space.

If an eastern massasauga rattlesnake is found at a Michigan Department of Transportation (MDOT) project, the construction engineer should be contacted immediately. The construction engineer should then contact the MDOT ecologist at 517-335-2633.

How is the Massasauga Protected Under the Law?

The eastern massasauga rattlesnake is protected under federal law by the Endangered Species Act. This status prohibits harming or harassing the species along with policies to protect the species habitat.

For More Information:

60-Second Snakes: The Eastern Massasauga Rattlesnake
www.youtube.com/watch?v=-PFnXe_e02w

Photos

http://animaldiversity.org/site/accounts/pictures/Sistrurus_catenatus.html

General Information

<http://mnfi.anr.msu.edu/emr>



NOTICE OF AUTHORIZATION

Permit Number: WRP042605 v. 1

Date Issued: September 16, 2024

Site Name: 40 - Kalkaska CRC - Grass Lake Road over Manistee River

Expiration Date: September 16, 2029

The Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division, P.O. Box 30458, Lansing, Michigan 48909-7958, under provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended: specifically:

- Part 31, Floodplain Regulatory Authority of the Water Resources Protection.
- Part 301, Inland Lakes and Streams.
- Part 303, Wetlands Protection.
- Part 315, Dam Safety.
- Part 323, Shorelands Protection and Management.
- Part 325, Great Lakes Submerged Lands.
- Part 353, Sand Dunes Protection and Management.

Authorized activity:

Remove the existing 24-foot long by 4-foot span by 4-foot rise corrugated metal pipe culvert and construct a 31-foot long by 20.58-foot span by 5.25-foot rise corrugated metal box culvert with wingwalls, and a 2-foot recess. Below the 100-year floodplain, remove 60-cubic yards of material and fill 50-cubic yards of material for a net cut of 10-cubic yards. Place a total of .02 acres of fill within wetland.

To be conducted at property located in: Kalkaska County, Waterbody: Manistee River
Section 13, Town 27N, Range 06W, Excelsior Township

Permittee:

John Rogers
Kalkaska County Road Commission
1049 Island Lake Drive
Kalkaska, Michigan 49646

Issued by:

Luke Golden
Cadillac District Office
Water Resources Division
989-370-1569

*This notice must be displayed at the site of work.
Laminating this notice or utilizing sheet protectors is recommended.*
Please refer to the above permit number with any questions or concerns.

EGLE
WRP042605 v1.0
Approved
Issued On:09/16/2024
Expires On:09/16/2029



MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
WATER RESOURCES DIVISION PERMIT

Issued To:

John Rogers
Kalkaska County Road Commission
1049 Island Lake Drive
Kalkaska, Michigan 49646

Permit No: WRP042605 v.1
Submission No.: HQ5-HDZP-N08V0
Site Name: 40 - Kalkaska CRC - Grass Lake Road over Manistee River
Issued: September 16, 2024
Revised:
Expires: September 16, 2029

This permit is being issued by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Water Resources Division (WRD), under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA); specifically:

- Part 301, Inland Lakes and Streams
- Part 303, Wetlands Protection
- Part 315, Dam Safety
- Part 31, Water Resources Protection (Floodplain Regulatory Authority)
- Part 323, Shorelands Protection and Management
- Part 325, Great Lakes Submerged Lands
- Part 353, Sand Dunes Protection and Management

EGLE certifies that the activities authorized under this permit are in compliance with the State Coastal Zone Management Program and certifies without conditions under the Federal Clean Water Act, Section 401 that the discharge from the activities authorized under this permit will comply with Michigan’s water quality requirements in Part 31, Water Resources Protection, of the NREPA and associated administrative rules, where applicable.

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

Authorized Activity:

Remove the existing 24-foot long by 4-foot span by 4-foot rise corrugated metal pipe culvert and construct a 31-foot long by 20.58-foot span by 5.25-foot rise corrugated metal box culvert with wingwalls, and a 2-foot recess. Below the 100-year floodplain, remove 60-cubic yards of material and fill 50-cubic yards of material for a net cut of 10-cubic yards. Place a total of .02 acres of fill within wetland.

Waterbody Affected: Manistee River
Property Location: Kalkaska County, Excelsior Township, Town/Range/Section 27N/06W/13,
Property Tax No.

EGLE
WRP042605 v1.0
Approved
Issued On:09/16/2024
Expires On:09/16/2029

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 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 2013 PA 174 (Act 174) and comply with each of the requirements of Act 174.
- 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 EGLE within one week after the completion of the activity authorized by this permit.
- J. This permit shall not be assigned or transferred without the written approval of EGLE.
- 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 of the NREPA, and wetlands).
- M. In issuing this permit, EGLE 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, EGLE 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, 1969 PA 306, as amended, 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, EGLE 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.

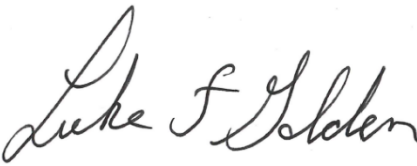
- P. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity from EGLE. Such revision request shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by EGLE prior to being implemented.
- Q. This permit may be transferred to another person upon written approval of EGLE. The permittee must submit a written request to EGLE to transfer the permit to the new owner. The new owner must also submit a written request to EGLE to accept transfer. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties that includes all the above information may be provided to EGLE. EGLE 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 (CEA).
- 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 water body 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 Michigan Department of Natural Resources, Fisheries Division.
- Y. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
1. All work shall be completed in accordance with plans attached; kept on file at EGLE's, WRD, Transportation Review Unit.
 2. Authority granted by this permit does not waive compliance requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA. Any discharge of sediment into waters of the state and/or off the road right-of-way is a violation of this permit, Part 91, and Part 31, Water Resources Protection, of the NREPA. A violation of these parts subjects the permittee to potential fines and penalties.
 3. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.

4. The permittee is responsible for acquiring all necessary easements or rights-of-way before commencing any work authorized by this permit. All construction operations relating to, or part of this project shall be confined to the existing right-of-way limits or other acquired easements.
5. Temporary soil erosion and sedimentation control measures shall be installed before or upon commencement of the earth change and shall be maintained daily. Temporary soil erosion and sedimentation control measures shall be maintained until permanent soil erosion and sedimentation control measures are in place and the area is stabilized. Permanent soil erosion and sedimentation control measures for all slopes, channels, ditches, or any disturbed area shall be installed within five (5) calendar days after final grading, or the final earth change has been completed.
6. All raw areas in uplands resulting from the permitted construction activity shall be effectively stabilized with sod and/or seed and mulch (or other technology specified by this permit or project plans) in a sufficient quantity and manner to prevent erosion and any potential siltation to surface waters or wetlands. Temporary stabilization measures shall be installed before or upon commencement of the permitted activity and shall be maintained until permanent measures are in place. Permanent measures shall be in place within five (5) days of achieving final grade.
7. All raw earth within 100 feet of a lake, stream, or wetland that is not brought to final stabilization by the end of the active growing season shall be temporarily stabilized with mulch blankets in accordance with the following dates: September 20th for the Upper Peninsula, October 1st for the Lower Peninsula north of US-10, and October 10th for the Lower Peninsula south of US-10.
8. This 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.
9. 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 EGLE, will be for a five-year period beginning at the date of issuance. If the project is not completed by the expiration date, a new permit must be sought.
10. All dredge/excavated spoils including organic and inorganic soils, vegetation, and other material removed shall be placed on upland (non-wetland, non-floodplain or non-bottomland), prepared for stabilization, revegetated and reseeded with native Michigan species appropriate to the site, and mulched in such a manner so as to prevent and ensure against erosion of any material into any waterbody, wetland, or floodplain.

11. During removal or repair of the existing structure, every precaution shall be taken to prevent debris from entering any watercourse. Any debris reaching the watercourse during the removal and/or reconstruction of the structure shall be immediately retrieved from the water. All material shall be disposed of in an acceptable manner consistent with local, state, and federal regulations.
12. Prior to the removal of the existing structures, cofferdams of steel sheet piling, gravel bags, clean stone, coarse aggregate, concrete or other acceptable barriers shall be installed to isolate all construction activity from the water. The barriers shall be maintained in good working order throughout the duration of the project. Upon project completion, the accumulated materials shall be removed and disposed of at an upland site.
13. All cofferdam and temporary steel sheet pile shall then be removed in its entirety, unless specifically shown to be left in plan on the accepted plans. Cofferdam and sheet pile that is left in place shall be cut off at the elevation shown on the plans and shall be a minimum of one foot below the stream bottom.
14. The existing structure shall be kept open to pass the stream flow during removal of the existing road fill.
15. The placement of the new culvert and the initial placement of fill in the stream shall be done immediately after removal of the existing culvert. The placement shall be conducted in such a manner that all flow is immediately passed through the new culverts, allowing the major placement of fill to be done in the dry or in still water where erosion and sedimentation will be minimized. The fill material used in this initial placement shall be washed gravel, coarse aggregate, or rock and shall be placed at both ends of the culvert to a level above normal water level before backfill material is placed.
16. The culvert shall be installed to align with the center line of the existing stream at both the inlet and outlet ends and must be **recessed into the stream bed** to provide a natural channel substrate throughout the structure, as shown on the approved plans.
17. Road fill side slopes shall not be steeper than 1-on-2 (1 vertical to 2 horizontal) except where headwalls of reinforced concrete, mortar masonry, dry masonry, or other acceptable methods are used.
18. Areas to be protected by riprap shall be cleared of brush and debris. All grades shall be shaped and compacted to the required cross section. Geotextile liner shall be placed on the prepared grades. The riprap installation shall not damage the geotextile liner.

19. Any fill shall consist of clean inert material.
20. Any alterations to the existing road grade elevations other than that shown on the plans will require prior approval from the WRD.
21. Road fill side slopes terminating in the stream and any raw streambanks resulting from the construction shall be stabilized with temporary measures in accordance with appropriate Best Management Practices based on site conditions, and if necessary, may be riprapped extending above the Ordinary High-Water Mark, before or upon commencement of the permitted activity. Temporary stabilization measures shall be maintained until permanent measures are in place.
22. All other road fill slopes, ditches, and other raw areas draining directly to the stream may be protected with riprap, sod and/or seed and mulch as may be necessary to provide effective erosion protection. The placement of riprap shall be limited to the minimum necessary to ensure proper stabilization of the side slopes and fill in the immediate vicinity of the structure.
23. All riprap shall be properly sized and graded based on wave action and velocity and shall consist of natural field stone or rock (free of paint, soil or other fines, asphalt, soluble chemicals, or organic material). Broken concrete is allowed.
24. If the project, or any portion of the project, is stopped and lies incomplete for any length of time other than that encountered in a normal work week, every precaution shall be taken to protect the incomplete work from erosion, including the placement of temporary gravel bag riprap, temporary seed and mulch, or other acceptable temporary protection.
25. No work shall be done in the stream during periods of above-normal flows except as necessary to prevent erosion.
- 26. No work or dredging within the water authorized by this permit is allowed from October 1st to March 31st due to critical spawning, migration, and/or recreational use periods.**
- 27. Prior to the start of construction, all adjacent non-work wetland areas shall be protected by properly trenched sedimentation barrier to prevent sediment from entering the wetland. Orange construction fencing shall be installed as needed to prohibit construction personnel and equipment from entering or performing work in these areas. Fence shall be maintained daily throughout the construction process. Upon project completion, the accumulated materials shall be removed and disposed of at an upland site, the sedimentation barrier shall then be removed in its entirety and the area restored to its original configuration and cover.**

28. Stormwater shall not directly outlet to the stream.

Issued by: 
Luke Golden
Cadillac District Office
Water Resources Division
989-370-1569

THIS PERMIT MUST BE SIGNED BY THE PERMITTEE TO BE VALID.

I hereby assure that I have read, am familiar with, and agree to adhere to the terms and conditions of this permit.

Permittee Signature

Date

cc: Excelsior Township Clerk
Kalkaska County Drain Commissioner
Kalkaska County CEA
Becky Rivard, Huron Engineering and Surveying



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



M. SCOTT BOWEN
DIRECTOR

November 20, 2024

John Rogers
Kalkaska County Road Commission
1049 Island Lake Road
Kalkaska, Michigan 49646

Dear John Rogers:

Enclosed are your Natural River Zoning Permits, UM2024018U and UM2024019U, for your projects on the Manistee River system, located in T25N, R5W, Section 13 of Garfield Township, Kalkaska County and T25N, R7W, Section 1 of Garfield Township, Kalkaska County, respectively. Permit UM2024018U authorizes the replacement of the Grass Lake Road crossing of the North Branch of the Manistee River. Permit UM2024019U authorizes the replacement of the W Sharon Road crossing of Maple Creek. Please carefully review the conditions associated with this approval. Any proposed change in the authorized project must be reviewed by this office.

Please note that any future construction within 400 feet of the river that is not authorized by this permit requires a separate Natural River Permit.

Sincerely,

Brian Bury
Natural Rivers Administrator
Fisheries Division
989-370-7543

Enclosures

Cc: Luke Golden, Department of Environment, Great Lakes and Energy
Laura Hendriks, Kalkaska County Soil Erosion Agent
Todd Jones, Garfield Township Supervisor
Rebecca Rivard, Huron Engineering and Surveying, Inc.



Michigan Department of Natural Resources - Fisheries Division

NATURAL RIVER UTILITY / PUBLIC AGENCY PERMIT

Issued under authority of Public Act 451, Part 305, Natural Rivers, of 1994 as amended. Failure to comply with the conditions of this permit shall be cause for revocation of this permit and may result in initiation of enforcement action.

PERMITTEE/PROPERTY INFORMATION		
Permit No.: UM2024018U	Date of Issue: 11/18/2024	Permit Expiration Date: 11/18/2026
Name of permittee: Kalkaska County Road Commission	Telephone Number of Permittee: (231) 258-2242	
Address: 1049 Island Lake Rd	Property Address: Grass Lake Rd	
City, State, and Zipcode: Kalkaska, MI 49646	Property City, State, and Zipcode: Kalkaska, MI 49646	
County / Town - Range / Township Name / Section / QQ (Tributary / River Name): Kalkaska / 25N - 05W / Garfield / 13 / Upper Manistee - North Branch of the Manistee River		Property Tax No.:
Subdivision / Lot #: None		
Description of Use: Remove the existing culvert at the Grass Lake Road crossing of the North Branch of the Manistee River. Install 31.5 linear feet of 20.6-foot by 3.25 alumumin box culvert with full invert, headwalls, and wingwalls. Place a maximum of 50 square yards of natural field stone riprap.		

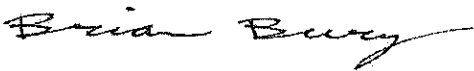
CERTIFICATION

I hereby certify that I have inspected the site of the approved use as described above and find that the site inspection confirms all information contained in the approved application for permit, variance, or specific use, including conditions attached to such approval.

Inspection Date: 08/07/2024	Applicant/Agent Present During Inspection: No
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This zoning permit is approved subject to the following conditions:

- 1. All rock riprap shall be field stone. No angular quarried rock or broken concrete shall be used.**
- 2. Construction shall correspond to the attached site plan dated, Approved November 19, 2024.**
- 3. Unless authorized by this permit or by an existing easement, vegetation may not be cut, cleared or mowed within 150 feet of the North Branch of the Manistee River on State land or within 75' of the river on private land.**
- 4. All other required state and local permits must be secured prior to commencing construction.**

Zoning Administrator: 	Telephone Number: 989-370-7543	Date: 11/19/2024
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LIABILITY. Permittee hereby releases, waives, discharges and covenants not to sue, the State of Michigan, its departments, officers, employees and agents, from and all liability to Permittee, its officers, employees and agents, for all losses, injury, death or damage, and any claims or demands therefore, on account of injury to persons or property, or resulting in death of Permittee, its officers, employees or agents, whether caused by the State of Michigan, its departments, officers, employees or agents, in reference to the activities of this permit

IDEMNIFICATION. Permittee hereby covenants and agrees to idemnify and save harmless, the State of Michigan, its departments officers, employees and agents, from any and all claims and demands, for all loss, injury, death or damage, that any person or entity may have or make, in any manner, arising out of any occurrence related to (1) this permit; (2) the activities authorized by this permit; and (3) the use or occupancy of the premises which are the subject of this permit, as well as any other state-owned lands. This indemnification and save harmless agreement shall extend to all loss, injury, death or damage, proximity caused or arising out of the negligence of the State of Michigan, its departments, officers, employees and agents.

I have read the terms and conditions contained in this permit. By commencing construction, I agree to abide by same and assume all obligations contained herein. I understand that issuance of this permit does not revoke, annul, cancel, or in any way impair or interfere with existing provisions of law, ordinances, or any rules, regulations, or premises or with any private restrictions placed upon property by covenant or deed.

Michigan Department of Transportation Specifications

All work will be completed in accordance with the Michigan Department of Transportation (MDOT) 2020 Standard Specifications for Construction, as amended, and as here-in modified. The specifications can be found at the following website.

<https://www.michigan.gov/mdot/0,1607,7-151-9622---,00.html>

Kalkaska County Road Commission

1049 Island Lake Road
Kalkaska, MI 49646
Telephone: 231.258.2242
Facsimile: 231.258.8205

The Kalkaska County Road Commission is an Equal Opportunity Provider and Employer

Grass Lake Rd Crossing Lump Sum Bid _____

The Proposed Structure will be purchased by the Kalkaska County Road Commission and delivered to site.

BIDDER: *[Indicate correct name of bidding entity]*

By: _____
[Signature]

_____ *[Printed name]*

Address for giving notices:

Telephone Number: _____

Fax Number: _____

Contact Name and e-mail address: _____
