

**State of Michigan
Department of Environmental Quality**

Geological and Land Management Division
7953 Adobe Road
Kalamazoo MI, 49009-5026
616-567-3500

File No. 04-80-0013-P

Date: March 11, 2004

PUBLIC NOTICE

TechniSand Inc., 3840 Livingston Road, Bridgman, Michigan, 49106, has applied to this office for a permit under authority of Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. The applicant proposes to expand an existing 22.7-acre lake to 36 acres by excavating 260,000 cubic yards of sand. The purpose of the project is to complete the creation of a lake as part of a sand mining operation. The project site is located on the east side of Blue Star Memorial Highway, approximately 2 miles north of Hagar Shores Road. The project is located in T2S, R17W, Section 36, Covert Township, Van Buren County, Michigan, in accordance with plans attached to this notice.

THIS NOTICE IS NOT A PERMIT

The proposed project may also be regulated by one or more additional parts of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, that are administered by the Geological and Land Management Division (GLMD). The requirements of applicable parts are considered in determining if it is in the public interest to issue a permit.

When a permit application is received requesting authorization to work in or over the inland waters of the State of Michigan, pursuant to PART 301, INLAND LAKES AND STREAMS, OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, AS AMENDED, the Act provides that the department submit copies for review to the department of public health, the city, village or township, and the county where the project is to be located, the local soil conservation district, any local watershed council organized under Part 311, and the local port commission. Additional notification is provided to certain persons as required by statute or determined by the department.

Those persons wanting to make comments on the proposed project shall furnish this office with their written comments no later than 20 days from the date of this notice. Written comments will be made part of the record and should reference the above file number. Objections must be factual, specific, and fully describe the reasons upon which any objection is founded. Unless a written request is filed with the department within the 20-day public comment period, the department may make a decision on the application without a public hearing. The determination as to whether a permit will be issued or a public hearing held will be based on an evaluation of all relevant factors, including the public comments received and the effect of the proposed work on the public trust or interest, including navigation, fish, wildlife, and pollution.

cc: Resource Planning & Design
DNR, Wildlife-Plainwell
Van Buren Co. Clerk
Van Buren Co. Drain Comm.
TechniSand Inc, applicant
See file for adjacent property owners

DNR, Fisheries-Plainwell
Van Buren Co. Health Dept.
Covert Township Clerk
Van Buren Soil Conservation Dist.
History Division

AGENCY USE	US Army Corps of Engineers (USACE) Previous USACE Permit or File Number	Date Received	RECEIVED	Michigan Department of Environmental Quality (MDEQ) Land and Water Management Division, MDEQ File Number 04-80-0013 P	AGENCY USE
	USACE File Number		MAR 08 2004	Marina Operating Permit Number	
			ENVIRONMENTAL QUALITY GEOLOGICAL & LAND MANAGEMENT	Fee received \$ 2000 # 500098172	

Print in black or blue ink and complete all items in Sections 1 through 9 and those items in Sections 10 through 21 that apply to your proposed project.

1 PROJECT LOCATION INFORMATION

Refer to your property's legal description for the Township, Range, and Section information, and your property tax bill for your Property Tax Identification Number(s).

Address -0- Bluestar Highway		Township Name(s) Covert	Township(s) T2S	Range(s) R17W	Section(s) 36
City/Village NA	County(ies) Van Buren	Property Tax Identification Number(s) See Attached			
Name of Waterbody Unnamed Lake	Project Name or Job Number NA	Subdivision/Plat NA	Lot Number NA	Private Claim NA	
Project types (check all that apply) <input type="checkbox"/> private <input type="checkbox"/> public/government <input type="checkbox"/> building addition <input type="checkbox"/> new building or structure <input type="checkbox"/> other (explain)		<input type="checkbox"/> industrial <input checked="" type="checkbox"/> commercial <input type="checkbox"/> building renovation or restoration <input type="checkbox"/> river restoration		<input type="checkbox"/> multi-family <input type="checkbox"/> single-family	
The proposed project is on, within, or involves (check all that apply)					
<input type="checkbox"/> a stream		<input type="checkbox"/> a pond (less than 5 acres)		<input type="checkbox"/> a Great Lake or Section 10 Waters	
<input type="checkbox"/> a river		<input type="checkbox"/> a channel/canal		<input type="checkbox"/> a natural river	
<input type="checkbox"/> a ditch or drain		<input checked="" type="checkbox"/> an inland lake (more than 5 acres)		<input type="checkbox"/> a dam	
<input type="checkbox"/> a floodway area		<input type="checkbox"/> a 100-year floodplain		<input type="checkbox"/> a designated high risk erosion area	
				<input type="checkbox"/> a structure removal	
				<input type="checkbox"/> a designated critical dune area	
				<input type="checkbox"/> a wetland	
				<input type="checkbox"/> a utility crossing	
				<input type="checkbox"/> 500 feet of an existing waterbody	

2 DESCRIBE PROPOSED PROJECT AND ASSOCIATED ACTIVITIES, AND THE CONSTRUCTION SEQUENCE AND METHODS

Attach separate sheets, as needed, including necessary drawings, sketches, or plans.
Excavate approximately 260,000 cubic yards of sand by hydraulic and mechanical means to expand an existing lake to an approximate surface area of 36 acres, and to a maximum depth of 35 feet. The existing waterbody has been under construction since approximately 1983 as most recently authorized by MDEQ Permit#98-12-0018. Lake construction is a result of existing on-going sand mining operations.

3 APPLICANT, AGENT/CONTRACTOR, AND PROPERTY OWNER INFORMATION

The applicant can be either the property owner or the person or company that proposes to undertake the activity.
 If the applicant is a corporation, both the corporation and its owner must provide a written document authorizing the agent/contractor to act on their behalf.

Applicant (individual or corporate name) TechniSand Inc.	Agent/Contractor (firm name and contact person) Resource Planning & Design, LLC
Mailing Address 3840 Livingston Rd.	Address 105 W. Exchange St.
City Bridgman State MI Zip Code 49106	City Spring Lake State MI Zip Code 49456
Daytime Telephone Number with Area Code Please contact agent	Daytime Telephone Number with Area Code (616) 846-0620
Fax Please contact agent E-mail	Fax (616) 844-6079 E-mail
Is the applicant the sole owner of all property on which this project is to be constructed and all property involved or impacted by this project? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes (If No, provide a letter signed by the property owner authorizing the agent/contractor to act on his or her behalf or a copy of easements or right-of-ways. If multiple owners, please attach all property owners' names, mailing addresses, and telephone numbers.)	
Property Owner's Name (If different from applicant) NA	Mailing Address NA
Daytime Telephone Number with Area Code NA	City NA State NA Zip Code NA

4 PROPOSED PROJECT PURPOSE, INTENDED USE, AND ALTERNATIVES CONSIDERED (Attach additional sheets if necessary)

The purpose must include any new development or expansion of an existing land use.
 Include a description of alternatives considered to avoid or minimize resource impacts. Include factors such as, but not limited to, alternative construction technologies; alternative project layout and design; alternative locations; local land use regulations and infrastructure; and pertinent environmental and resource issues.
 For utility crossings, include both alternative routes and alternative construction methods.

Proposed activities involve the completion of lake creation as part of sand mining operations which have been conducted under permit for over two decades. Previous reviews by the MDEQ/L&WMD and GSD divisions have determined no significant impact to natural resources resulting from the proposed activities. Lake creation will create aquatic resources which otherwise did not exist prior to the permitted lake creation. Prudence dictates lake creation be completed in accordance with the existing permitted activities.

5 LOCATING YOUR PROJECT SITE

- Provide the requested information listed below that will help staff in locating your project site.
- Attach a copy of a map, such as a plat, county, or USGS topographic map, clearly showing the site location and include an arrow indicating the north direction.

Is there an access road to the project? No Yes (If Yes, type of road, check all that apply) private public improved unimproved

Name of roads at closest main intersection **SB US31/I-196 and Hagar Shores Road**

Directions from main intersection **Exit US 31/196 at the Hagar Shores Road exit. Travel west on Hagar Shores Rd to Bluestar Highway. Go north on Bluestar Hwy. approximately 2 miles to site entrance on east side on road.**

Style of house or other building on site ranch 2-story cape cod bi-level cottage/cabin pole barn none other (describe)

Color Color of adjacent property house and/or buildings

House number Address is visible on house garage mailbox sign other

Street name **Blue Star Hwy** Fire lane number Lot number

How can your site be identified if there is no visible address? **Sign at entry drive off Blue Star Hwy.**

Provide directions to the project site, with distances from the best and nearest visible landmark and waterbody

RECEIVED

MAR 08 2004

ENVIRONMENTAL QUALITY
GEOLOGICAL & LAND MANAGEMENT

Does project cross boundaries of two or more political jurisdictions? (City/Township, Township/Township, County/County, etc.)
 No Yes (If Yes, list jurisdiction names.)

6 List all other federal, interstate, state, or local agencies authorizations required for the proposed activity, including all approvals or denials received.

Agency	Type approval	Identification number	Date applied	Date approved / denied	If denied, reason for denial
MDEQ/GLMD	Part 637 Sand Mining	TS-NP-104-A7		Expires 12/31/2005	
MDEQ/L&WMD	Part 301 and 303	98-12-0018		Approved 4/1/99	

7 If a permit is issued, date activity will commence (M/D/Y) **Continueing**

Has any construction activity commenced or been completed in a regulated area? No Yes
If Yes, identify the portion(s) underway or completed on drawings or attach project specifications and give completion date(s) (M/D/Y)

Proposed completion date (M/D/Y) **12/31/2009**

Were the regulated activities conducted under a MDEQ permit?
 No Yes
If Yes, list the MDEQ permit number **98-12-0018 & TS-NP-104-A7**

Are you aware of any unresolved violations of environmental law or litigation involving the property? No Yes (If Yes, please explain)

8 PUBLIC NOTIFICATION (Attach additional sheets if necessary)

- Complete information for all adjacent and impacted property owners and the lake association or established lake board including the contact person's name.
- If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.

Property Owner's Name Mailing Address City State Zip Code
See attached list of adjacent property owners.

Name of Established Lake Board or Lake Association Mailing Address City State Zip Code
and the Contact Person's Name Telephone Number

9 APPLICANT'S CERTIFICATION READ CAREFULLY BEFORE SIGNING

I am applying for a permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, that it is true and accurate, and, to the best of my knowledge, is in compliance with the State Coastal Zone Management Program and the National Flood Insurance Program. I understand that there are penalties for submitting false information and that any permit issued pursuant to this application may be revoked if information on this application is untrue. I certify that I have the authority to undertake the activities proposed in this application. By signing this application, I agree to allow representatives of the MDEQ and the USACE to enter upon said property in order to inspect the proposed activity site and the completed project. I understand that I must obtain all other necessary local, county, state, or federal permits and that the granting of other permits by local, county, state, or federal agencies does not release me from the requirements of obtaining the permit requested herein before commencing the activity. I understand that the payment of the application fee does not guarantee the issuance of a permit.

- All applicants must complete all the items in Sections 1 through 9 on pages 1 and 2 of this application.
- Complete those items in Sections 10 through 21 that apply to your project. It is necessary to submit only those pages where you have provided information.
- Please list here the application page numbers being submitted and a brief description of other attachments included with your application.

Pages 1,2, 3 and 4; list of adjacent property owners; site plan and associated cross sections; hydrogeological update by Lakeshore Environmental; list of Property Tax Identification Numbers for project site.

- Property Owner
- Agent/Contractor
- Corporation - Title **Plant Manager**

Printed Name **Robert Ledyard**

Signature *Robert Ledyard* Date **3/3/04**



10 PROJECTS IMPACTING WETLANDS OR FLOODPLAINS OR LOCATED ON AN INLAND LAKE OR STREAM OR A GREAT LAKE

- Check boxes A through N that may be applicable to your project and provide the requested information.
- If your project may affect wetlands, also complete Section 12. If your project may impact regulated *floodplains*, also complete Section 13.
- Provide an overall site plan showing existing lakes, streams, wetlands, and other water features; existing *structures*; and the location of all proposed *structures*, land change activities and *soil erosion and sedimentation control measures*. Please review sample drawings for guidance in completing site-specific drawings for your project.
- On a Great Lake use IGLD 85 surveyed converted from observed still water elevation. On inland waters, NGVD 29 local datum other
Observed water elevation (ft) _____, date of observation (M/D/Y) _____

A. PROJECTS REQUIRING FILL (See All Sample Drawings)

- To calculate volume in cubic yards (cu yd), multiply the average length in feet (ft) times the average width (ft) times the average depth (ft) and divide by 27.
- Attach both plan and *cross-section* views to scale showing maximum and average fill dimensions.

(Check all that apply) floodplain fill wetland fill riprap seawall, bulkhead, or revetment bridge or culvert
 boat launch off-shore swim area beach sanding boatwell crib dock other _____

Fill dimensions (ft) Fill volume (cu yd) Maximum water depth in fill area (ft)
 Length width maximum depth

Type of clean fill pea stone sand gravel wood chips other _____ Will filter fabric be used under proposed fill?
 No Yes (If Yes, type) _____

Source of clean fill on-site, If on-site, show location on site plan commercial other, If other, attach description of location

Fill will extend _____ feet into the water from the shoreline and upland _____ feet out of the water.

B. PROJECTS REQUIRING DREDGING OR EXCAVATION (See All Sample Drawings)

- To calculate volume in cubic yards (cu yd), multiply the average length in feet (ft) times the average width (ft) times the average depth (ft) and divide by 27.
- Attach both plan and *cross-section* views to scale showing maximum and average dredge or excavation dimensions.
- The applicant will be notified if sediment sampling will be required.

(Check all that apply) floodplain excavation wetland dredge or draining seawall, bulkhead, or revetment
 navigation boat well boat launch other sand mining

Dredge volume (cu yd) Method and equipment for dredging
 ~260,000 cubic yards hydraulic and mechanical

Has proposed dredge material been tested for contaminants? No Yes (If Yes, attach testing results)

Has this same area been previously dredged? No Yes (If Yes, provide date and permit number, if available) 98-12-0018 (M/D/Y) ~20 years
 If Yes, are you proposing to enlarge the previously dredged area No Yes

Is long-term maintenance dredging planned? No Yes (If Yes, when and how much?)

C. PROJECTS REQUIRING RIPRAP (See Sample Drawings 2, 3, 8, 12, 14, 17, 22, and 23. Others may apply)

Riprap waterward of the <input type="checkbox"/> shoreline OR <input type="checkbox"/> ordinary high water mark	Dimensions (ft)	length	width	depth	Volume (cu yd)

Riprap landward of the <input type="checkbox"/> shoreline OR <input type="checkbox"/> ordinary high water mark	Dimensions (ft)	length	width	depth	Volume (cu yd)

Type of riprap field stone angular rock other _____

Will filter fabric be used under proposed riprap? No Yes (If Yes, type)

RECEIVED

D. SHORE PROTECTION PROJECTS (See Sample Drawings 2, 3, and 17)

(check all that apply) riprap seawall/bulkhead revetment

MAR 08 2004

E. DOCK - PIER - MOORING PILINGS (See Sample Drawing 10)

Type open pile filled crib Seasonal structure? No Yes

Proposed structure dimensions (ft) length width Dimensions of nearest adjacent structures (ft) length width

F. BOAT WELL (No Sample Drawing available)

Type of bank stabilization wood steel concrete vinyl riprap other

Boat well dimensions (ft) Number of boats
 Length width depth

Volume of backfill behind Distances of boat well
 sidewall stabilization (cu yd) from adjacent property lines (ft)

G. BOAT LAUNCH (No Sample Drawing available)

(check all that apply) new existing public private commercial Type of material concrete wood stone other

Overall boat launch dimensions (ft) Boat launch dimensions (ft) below ordinary high water mark
 Length width depth length width depth

Distances of launch Number of skid piers Skid pier dimensions (ft)
 from both property lines (ft) width length

H. BOAT HOIST (No Sample Drawing available)

(Check all that apply) seasonal permanent cradle side lifter other located on seawall dock bottomlands

I. BOARDWALKS AND DECKS IN WETLANDS OR FLOODPLAINS (See Sample Drawings 5 and 6)

(Check all that apply) boardwalk deck wetlands floodplain Boardwalk or deck is on fill piling

ENVIRONMENTAL QUALITY
GEOLOGICAL & LAND MANAGEMENT

Resource Planning & Design, LLC

Environmental Planners & Consultants

105 W. Exchange, Spring Lake, MI 49456

Phone (616) 846-0620 Fax (616) 844-6079

March 3, 2004

Attention: PCU
Department of Environmental Quality
Geological & Land Management Division
P. O. Box 30204
Lansing, MI 48909-7704

Re: Lake Construction, TechniSand, Inc., Nadeau Property, Covert Township, VanBuren County,
MI MDEQ Permit No. 98-12-0018

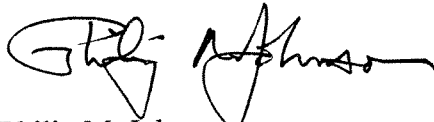
Dear PCU:

Enclosed is an application which involves the continued creation of an approximate 36 acre lake as permitted under the above-referenced permit (copy enclosed). The existing lake has now been expanded to approximately 23 acres since issuance of the active permit in April 1999.

The existing lake is ground water dependant and has been created entirely on uplands with no impact, connection, or outlet to any other water resource (wetlands, rivers, drains, lakes, streams, floodplains etc.). There have been no modifications to the authorized mining process from that currently under active permit and no changes are proposed to the permitted scope of the project.

A copy of this request has been sent to Mr. Kameron Jordan MDEQ Kalamazoo District office. Should you require any additional information which may assist you in processing this request please contact me.

Sincerely,
RESOURCE PLANNING & DESIGN, LLC



Philip M. Johnson

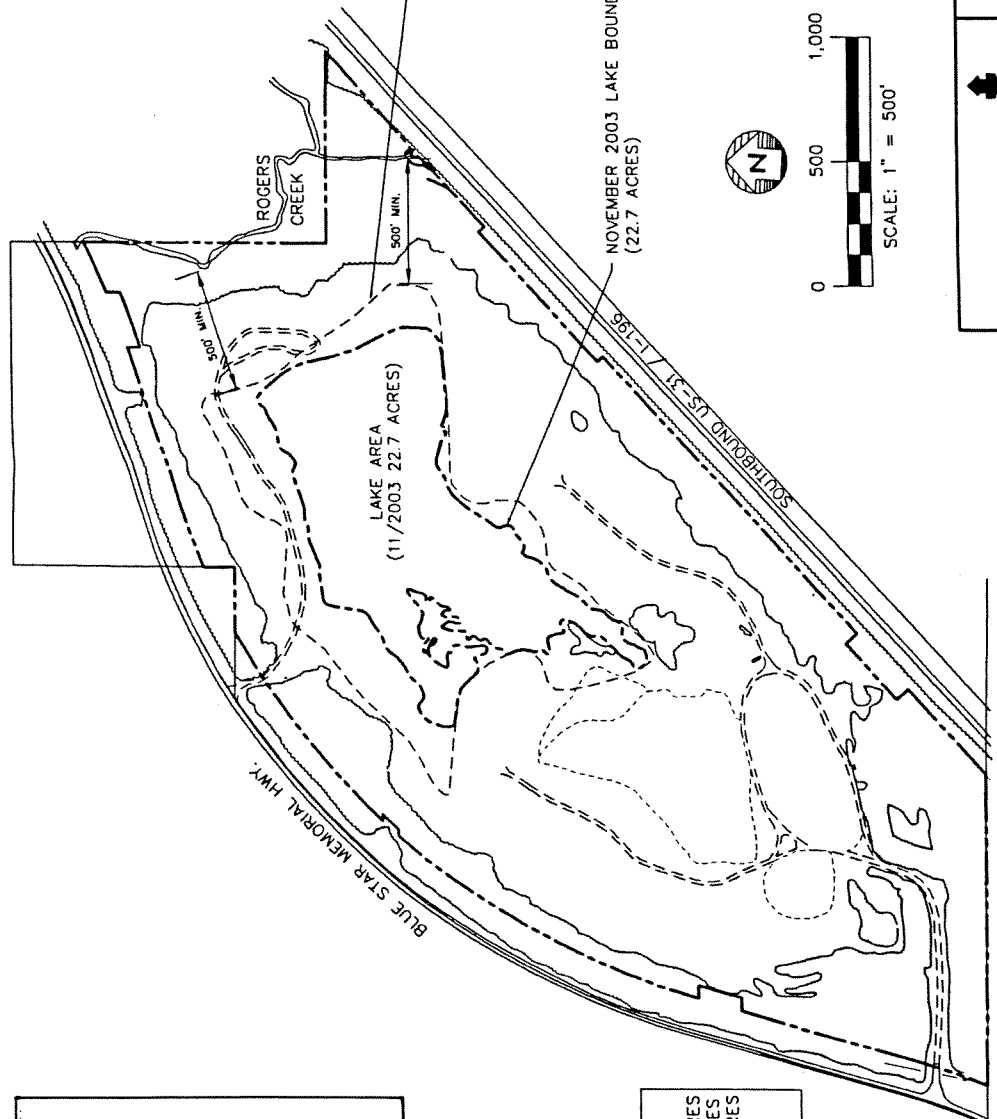
cc: Mr. Robert Ledyard, TechniSand, Inc.
Mr. Kameron Jordan, MDEQ Kalamazoo District
Mr. Kurt Koella, Lakeshore Environmental, Inc.

Enclosures

RECEIVED
MAR 08 2004
ENVIRONMENTAL QUALITY
GEOLOGICAL & LAND MANAGEMENT

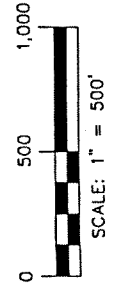
MAR 0 8 2004

RECEIVED



LEGEND

- NOVEMBER 2003 LAKE BOUNDARY (22.70 ACRES)
- PROPOSED LAKE BOUNDARY (APPROX. 36 ACRES / MDEQ PERMIT #98-12-0018)



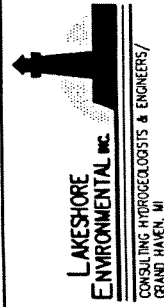
MADEAU-LAKES

2003 & PROPOSED LAKE BOUNDARIES

TECHNISAND CORPORATION
MADEAU PROPERTY

SEC. 36, T2S R18W, COVERT TWP., VANBUREN COUNTY

FIGURE 2 04-605 VRO30504 MARCH 2004

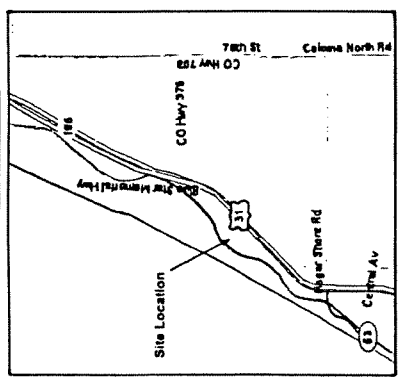


LAKESHORE ENVIRONMENTAL INC.
CONSULTING HYDROGEOLOGISTS & ENGINEERS/
GRAND HAVEN, MI

IN COOPERATION WITH

RESOURCE PLANNING & DESIGN, LLC
ENVIRONMENTAL PLANNERS & CONSULTANTS
SPRING LAKE, MICHIGAN

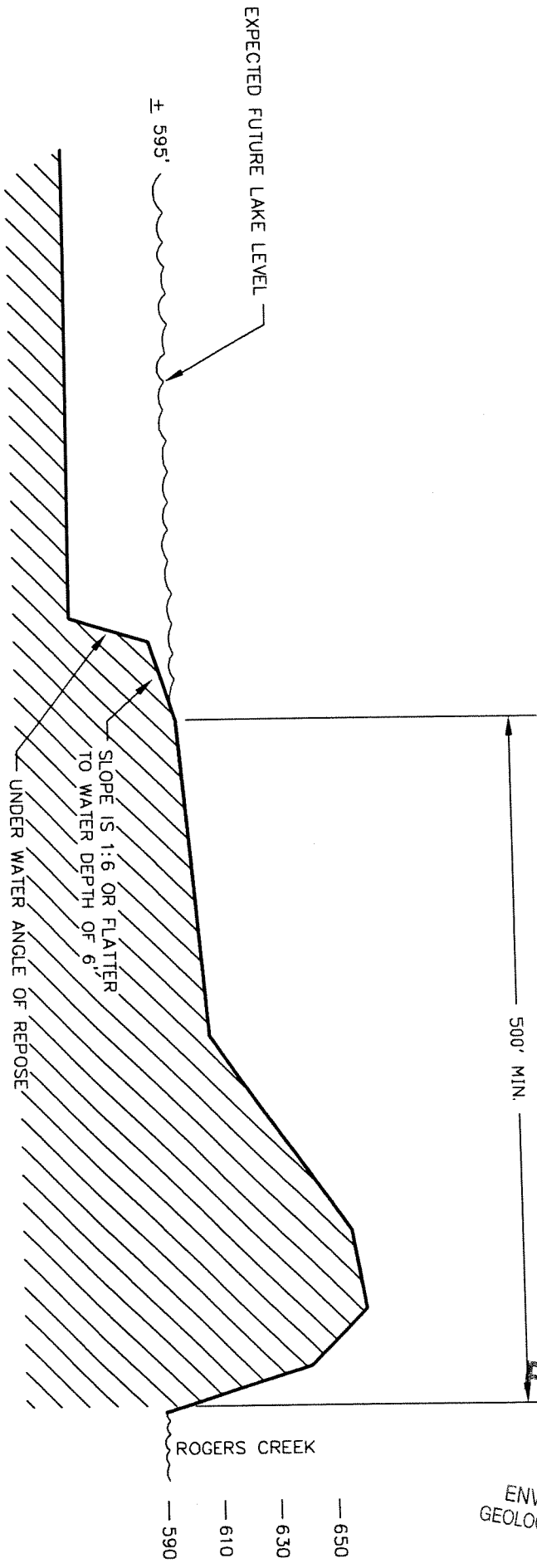
LOCATION MAP



NOTES

- PROPOSED LAKE = 36.00 ACRES
 - 11/2003 LAKE AREA = 22.70 ACRES
 - REMAINING AREA = 13.30 ACRES
- EST. LAKE EXCAVATION QUANTITIES = ~260,000 cyds.

RECEIVED
 MAR 08 2004
 ENVIRONMENTAL QUALITY
 GEOLOGICAL & LAND MANAGEMENT



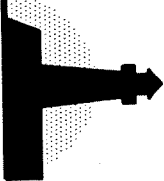
TYPICAL CROSS SECTION
 NOT TO SCALE

TYP-CS

RESOURCE PLANNING & DESIGN, LLC
 ENVIRONMENTAL PLANNERS & CONSULTANTS
 SPRING LAKE, MICHIGAN

IN COOPERATION WITH:

LAKESHORE ENVIRONMENTAL INC.



CONSULTING HYDROGEOLOGISTS & ENGINEERS/
 GRAND HAVEN, MI

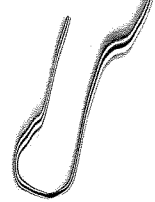
TYPICAL CROSS SECTION

TECHNISAND CORPORATION

NADEAU PROPERTY
 SECTION 36, T2S R18W, COVERT TWP., VANBUREN COUNTY

FIGURE 04-605 VRO30504 MARCH 2004

PROPERTY TAX ID # FOR SUBJECT PARCEL
80-07-086-002-01



LIST OF ADJACENT PROPERTY OWNERS
TechniSand Corporation
Nadeau Property
Section 36, Covert Township

Van Buren County

Parcel Number	Owner	Address
80-07-086-019-01	Wayne A. Rendell	45187 Blue Star Highway, Coloma, MI 49038
80-07-100-000-00	Thunder Mountain Heights Association Corporation	
	c/o Donald Peters	5456 Alpine Ridge, Stevensville, MI 49127
80-07-086-007-00	Alfred R. Schetlizki	82211 45 th Avenue, Coloma, MI 49038
80-07-086-005-00	Dwight Scheltrown	82141 45 th Avenue, Coloma, MI 49038
80-07-086-003-00	Carl T. and Rhonda McCrary	45190 82 nd Street, Coloma, MI 49038
80-07-031-041-00	State Highway Commission	Coloma TSC 3880 Red Arrow Hwy, Benton Harbor, MI 49022
80-07-086-008-10	John D. Snow	45240 82 nd Street, Coloma, MI 49038
80-07-086-001-00	Margery H. Thomas	45280 Blue Star Highway, Coloma, MI 49038
80-07-086-017-00	Highland Land Company	44780 Blue Star Highway, Coloma, MI 49038
80-07-086-017-00	Highland Land Company	44780 Blue Star Highway, Coloma, MI 49038

Berrien County

Parcel Number	Owner	Address
11-10-001-001-004	Robert Cheek	P.O. Box 67, Watervliet, MI 49098
11-10-001-001-05-5	Robert Cheek	P.O. Box 67, Watervliet, MI 49098
11-10-0890-0012-00-4	Joseph Gaipa	1051 Zoschke Road, Benton Harbor, MI 49022
11-10-0890-0013-00-1	Robert Mullauer	7212 Willobee Street, Coloma, MI 49038
11-10-0890-0014-00-7	John Laratta	7214 Willobee Street, Coloma, MI 49038
11-10-0890-0015-00-3	Delia Tally	7224 Willobee Street, Coloma, MI 49038
11-10-0890-0016-00-0	Robert Schmitt	7238 Willobee Street, Coloma, MI 49038
11-10-0890-0017-00-6	Nick Johnston	7235 Willobee Street, Coloma, MI 49038

RECEIVED

MAR 08 2004

ENVIRONMENTAL QUALITY
GEOLOGICAL & LAND MANAGEMENT

