



Land or Resource Use Restriction Overview

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Quality

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Objectives of Land or Resource Use Restrictions

- Reduce or restrict exposure to hazardous substances.
- Eliminate a potential exposure pathway.
- Assure the effectiveness and integrity of containment or exposure barriers.
- Provide for access.
- Assure the effectiveness and integrity of response activities undertaken at a property.

Restrictive Covenants

- Restrictive Covenants – Requirements Modified
- Conservation Easements
- Court Orders or Judicially Approved Settlement
- Conservation Easements and Judicially Approved Settlements must meet the requirements of a restrictive covenant.
 - Must contain all required elements of a restrictive covenant, and
 - Must be recorded with the register of deeds office

Institutional Controls

- Local ordinances or State Laws and regulations that:
 - Limit or prohibit the use of contaminated groundwater
 - Prohibit the raising of livestock
 - Prohibit the development in certain locations, or restrict property to certain uses (Zoning Ordinance)

Institutional Controls

- Under Part 201 A Local Ordinance must:
 - Be published and maintained in the same manner as a zoning ordinance.
 - Require the local unit of government to notify the department at least 30 days prior to adopting a modification to the ordinance or prior to lapsing or revocation of the ordinance.

Alternative Instruments

That may be used with department approval, but not limited to, include:

- License and license agreements
- Contracts with local, state or federal units of government
- Health codes or regulations
- Government permitting requirements

Alternate Mechanisms Under Part 213

- Any land or resources use restriction identified under Part 201 that is not explicitly referenced in Part 213 will be considered as an alternate mechanism under Part 213, subject to approval by the department.



Identifying Land or Resource Use Restrictions

ENVIRONMENTAL MAPPER

<http://web1.mcgi.state.mi.us/environmentalmapper/mcgi.aspx>

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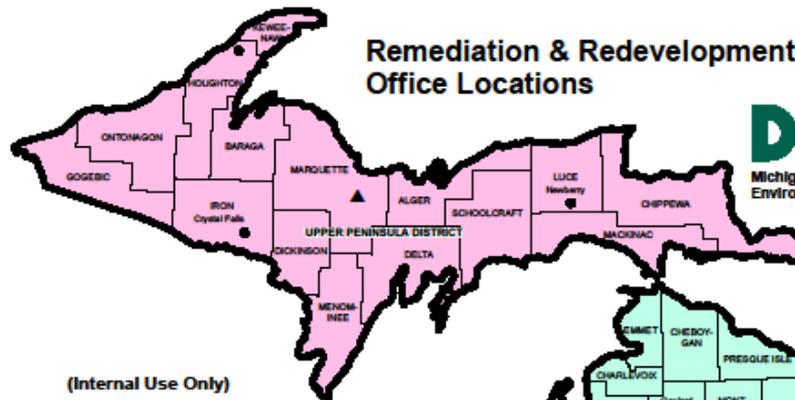
39 Communities with Groundwater Ordinances

City of Ypsilanti	City of Ludington
City of Grand Haven	City of Pontiac
City of Grand Rapids	City of Ionia
Village of Tekonsha	City of Clare
City of Rochester	Charter Township of Brighton
City of East Tawas	City of Hamtramck
City of Alpena (Part 213 Only)	City of Roseville
City of Evart	Bedford Township
Village of Spring Lake	Maple Ridge Township
City of Buchanan	Village of L'Anse
Cedar Creek Township	Village of Chatham
City of Muskegon	City of St. Joseph
Central Lake Township	Village of Schoolcraft
City of Frankfort	City of Charlevoix
City of Traverse City	Village of Dexter
City of Battle Creek	City of Scottville
City of Iron Mountain	Village of Bellaire
Village of Roscommon	Township of Sturgis
Village of Kalkaska	
Part 127/Local Health Codes	
Kalamazoo County	Lenawee County

State-Wide Consistency

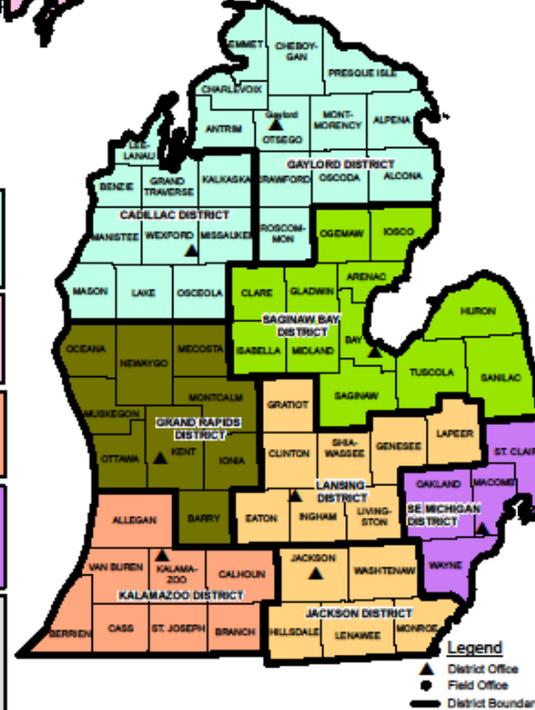
- **Institutional Control Technical Assistance and Program Support Team**
 - Developing guidance documents
 - Developing model documents and checklists
 - Developing a webpage for information access
 - Assist in the development of local ordinances
 - Performing outreach to local units of government and other interested groups

Remediation & Redevelopment Division Office Locations



(Internal Use Only)
**Institutional Controls TAPS Team
Members & Assignments**

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Office of Waste Management & Radiological Protection Ordinances & Restrictive Covenants Hazardous Waste Program Kimberly Tyson e-mail: tysonk@michigan.gov Phone: 517 284-6574 Solid Waste Program Margie Ring e-mail: ringm@michigan.gov Phone: 517 284-6592	Southeast Michigan District Office Emily Bertolini e-mail: bertolini@michigan.gov Phone: 586 753-3847 Superfund Program Ordinances & Restrictive Covenants Brad Emmsch e-mail: emmschb@michigan.gov Phone: 517-284-5092
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Legend
 ▲ District Office
 ● Field Office
 — District Boundary

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