



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
LANSING



LIESL EICHLER CLARK  
DIRECTOR

July 19, 2022

VIA EMAIL

Gerald Quick

[REDACTED]  
Camden, Michigan 49232

Dear Gerald Quick:

After reviewing the enclosed Environmental Permit Panel's Meeting Summary and Recommendations regarding the Petition for Permit Application Review received on February 24, 2022, following is my decision:

Department of Environment, Great Lakes, and Energy's (EGLE) Water Resources Division staff will conduct a site visit to review the extent of wetlands on-site. After the site inspection, EGLE will work with you to determine whether there is a compromise that avoids and minimizes impacts in accordance with statutory requirements. Potential points of compromise include:

- A smaller dredge footprint to allow for boat navigation and mooring and to avoid or minimize impacts to wetland resources near the shoreline
- Navigation channels along each dock
- Boardwalks or long docks to reach deeper water

If you have additional questions regarding this matter, please contact Aaron Keatley, Chief Deputy Director, at 517-284-6709 or [KeatleyA@Michigan.gov](mailto:KeatleyA@Michigan.gov).

Sincerely,

Liesl Eichler Clark  
Director  
517-284-6700

Enclosure

cc/enc: Todd Janzen  
Lori Myott, Environmental Permit Review Commission  
Matt Germane, Environmental Permit Review Commission  
Lei Meng, Environmental Permit Review Commission  
Robert Reichel, Department of Attorney General  
Aaron Keatley, Chief Deputy Director, EGLE  
James Clift, Deputy Director, EGLE  
Teresa Seidel, EGLE  
Brad Pagratis, EGLE  
Dale Shaw, EGLE

MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

**ENVIRONMENTAL PERMIT PANEL**  
Petition for Permit Application Review  
Meeting Summary and Recommendations

*This information is required by Section 1315 of Part 13 (Permits) of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended*

<b>1. MEETING DATE</b>  April 8, 2022	
<b>2. MEETING LOCATION</b>  Michigan Department of Environment, Great Lakes, and Energy (EGLE), Constitution Hall, Lee Walker Conference Room, Lansing.	
<b>3. PETITIONER</b>  Gerald Quick	
<b>4. ENVIRONMENTAL PERMIT PANEL MEMBERS</b>  Lori Myott (Chair), Matt Germane, Lei Meng	
<b>5. EGLE STAFF</b>  <u>Water Resources Division</u> Christopher Conn Kathryn Kirkpatrick Tiffany Myers  <u>Panel Staff:</u> Robert Reichel Brad Pagratis Dale Shaw Stephanie Fredline Meredith Prince	
<b>6. DOCUMENTS SUBMITTED TO THE PANEL</b>	
<b>Submitter</b>	<b>Description</b>
Petitioner	<ol style="list-style-type: none"><li>1. Dehaven Petition - includes several attachments submitted with the petition.</li><li>2. Exhibits 1-40</li><li>3. LkeDiane 1955</li><li>4. 2021 east</li><li>5. 2021 muck</li><li>6. 2021 muck2</li><li>7. 2021 north</li><li>8. 2021 shoreline</li></ol>

<p>Water Resources Division, EGLE</p>	<ol style="list-style-type: none"> <li>9. Application HPA....</li> <li>10. Attachment EPRC issues</li> <li>11. Authorization Letter RK ECM</li> <li>12. Benefits of Dredging</li> <li>13. Committee Request EPRC FORM</li> <li>14. Cultural_eutrophication</li> <li>15. Dredge benefits EPA IL</li> <li>16. Dredge benefits USACE</li> <li>17. Dredging Benefits</li> <li>18. EPRC Proposed issues</li> <li>19. Eutrophication</li> <li>20. Janzen.EPRC.brief.v.2.0</li> <li>21. Lake Life cycle</li> <li>22. Lake Two Types of Eutrophication</li> <li>23. Photo Shoreline 1-8</li> <li>24. Proposed Cross Sections</li> <li>25. Proposed Site Details</li> <li>26. Shallow lake vs algae</li> <li>27. Shoreline 4</li> <li>28. Study Stagnant Shallow Lakes</li> <li>29. Topo 1914, 1944, 1963, 1973, &amp; 2016</li> <li>30. WOTUS 2015</li> <li>31. WRP009940 Dredge example</li> <li>32. WRP013969 Dredge example</li> <li>33. WRP014511 Approved dredging Diane</li> <li>34. WRP014511 Signed Permit with Approved Plans</li> <li>35. WRP018700 Dredging Part 301</li> </ol> <ol style="list-style-type: none"> <li>1. Gerald Quick EPRC Statement Final</li> <li>2. MDNR FishDiv comments</li> </ol>
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**7. SUMMARY OF DISCUSSION**

This hearing focused on the proposed permit application to dredge bottomlands of Lake Diane to improve navigational access for three property owners. The key areas of dispute includes impact of the proposed dredging activity on the wetland ecosystem and on the lake access, navigation, and habitats.

The petitioners and EGLE were given an equal, specified amount of time to summarize their case and add any information not already available to the panel. During the discussion, it was clear that emergent wetlands existing on the north edge of Lake Diana were not included in the Petitioners original proposal. The original proposed dredging area will likely have an impact on the wetland ecosystem. The panel also realized that the exact boundary of wetlands was not clear and needs further validation.

In the mean time, the alternative proposed by the EGLE with decreased dredging area would not sufficiently address the Petitioners needs for lake access and navigation. Reduced dredging area might require more frequent maintenance due to the natural deposition of lake sediments.

After extensive discussion, the panel recommends EGLE to conduct a site visit to verify the wetland delineation. This is very important for the determination of dredging area. Once the clear boundary of wetlands is determined, the dredging area should be further away from the wetlands in order to avoid the impact to the wetlands. The panel also recommends EGLE work with the petitioners to determine a reasonable dredging area that could avoid the influence to regulated wetlands, minimize the extent of future “maintenance dredging” and satisfy the petitioners needs for lake access and navigation.

**8. PANEL RECOMMENDATIONS TO RESOLVE PERMIT APPLICATION CONCERNS**

The Panel recommends EGLE conduct a site visit to verify the wetland delineation. The Panel also recommends a compromise with the applicant where EGLE could consider an expanded area for dredging to avoid frequent maintenance (repeated dredging) and avoid impact to regulated wetlands.

**9. ADDITIONAL PANEL RECOMMENDATIONS** *(Not required)*