



Marvin Heinonen <marvheino@gmail.com>

DEQ Public Notice for Tom Logue Proposed Project

1 message

Hansen, Linda (DEQ) <HansenL6@michigan.gov>

Wed, Oct 11, 2017 at 4:39 PM

To: "marvheino@gmail.com" <marvheino@gmail.com>

Cc: "ksheinon_40@yahoo.com" <ksheinon_40@yahoo.com>, "mdurocher123@gmail.com" <mdurocher123@gmail.com>, "stantonassessor@gmail.com" <stantonassessor@gmail.com>, "Pennala, Virginia (DEQ)" <PENNALAV@michigan.gov>

Hello Marvin,

I am sending you this email so that you can provide clarification and additional information at your meeting tonight, regarding the DEQ Public Notice that was sent out. Feel free to read this out loud at your meeting to the attendees:

- A Mr. Tom Logue of Torch Lake Industries, Inc. has applied for a permit with the MI Department of Environmental Quality to dredge stamp sands from Lake Superior, along the lakeshore stretching from the north side of the Graveraet River, all the way up to the Portage North Entry.
- Once DEQ received a complete permit application from Mr. Logue, state law requires that a description of the proposed project be sent to all of those property owners who are adjacent to the project area to give them notice. **That is what the "Public Notice" is, that was sent out to shoreline owners and local government on Oct 2nd.** It is intended to:

1. Give official notice of a proposed project to all adjacent property owners and local governments so they can be aware of it while the project is still under review by DEQ (well before any permit decision has been made).
2. Give adjacent property owners and local governments opportunity to provide input and comments on the record to DEQ, which will be taken into consideration by DEQ as part of the permit application process.
3. Give adjacent property owners and local governments the opportunity to request a formal Public Hearing in which the public, DEQ and the applicant can be brought together to provide further comments on the record to DEQ, and for the permit applicant to answer questions if possible, before a permit decision is made.

➤ Again – the "Public Notice" is meant to give notice and opportunity for comment before any permit decision is made. The issuance of Public Notice means that a permit decision has not yet been reached by DEQ.

- **According to State Law**, the public has 20 days from the date of the Public Notice to give DEQ their comments in writing (either by mail, email or through the online system called "MiWaters" that is referred to in the notice). The 20 day timeline is set in law and DEQ staff does not get to choose it.
- DEQ has received concerns that not all property owners who own shoreline property within the project area received the Public Notice. Details on this are as follows:

- It is the responsibility of the permit applicant to give the correct list of property owner mailing addresses to DEQ for use in Public Noticing. The applicant indicates they obtained the list via thorough review from Houghton County Equalization.
 - The property owner mailing list that was supplied to DEQ for distributing the Public Notice was sent back to Mary Durocher (Stanton Township Assessor's Office). If she finds that there are several shoreline property owners that were left off the list, she indicated that she will provide those to the applicant and DEQ.
 - DEQ will then look into re-issuing Public Notice for an additional 20 days if need be, and ensure the proper addresses are used. This is not something we typically can do but are willing to do it if we can if that many people were left off the notice.
 - ***NOTE:** The only publicly available mailing addresses are those associated with where tax bills are sent (i.e. primary residence addresses). If a property located along the Lake Superior shoreline is a summer home and NOT a primary address – then they will not receive the letter in the mail there (it will go where their tax bill goes). This issue is a problem but it cannot be helped. That is why DEQ sends notice to local government and posts public notices online so people can access them from anywhere. **This factor may contribute to the reason why many people did not receive public notices in the mail.**
- Per the Public Notice document – the public has the right to request a Public Hearing at this time. They must do so in writing with MI DEQ. A Public Hearing is beneficial in that:
 - It extends the public comment period in a way that the law allows for.
 - It allows a venue for verbal comments to be added to the official record.
 - The permit applicant indicated he is willing to be present to answer questions in person.

The following is the contact person at MI DEQ who is handling the permit application. Feel free to email or call her with questions and/or formal comments:

Linda D. Hansen, PE PWS

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