

Section II: Plat and Plan Submission and Review Procedures



Part A.

PURPOSE & INTRODUCTION

1. All plats recorded with the Register of Deeds must conform to Act 288 of the Public Acts of 1967, as amended. Under this Act, the Water Resources Commissioner is responsible for ensuring that the drainage or stormwater management system of a subdivision is adequate for the development, and for protecting downstream landowners and resources. The procedures, standards and recommendations set forth in these Rules are designed for these purposes. Development (including redevelopment) of sites with impervious surfaces increases the rate and volume of stormwater runoff. Standard detention systems limit the rate of surface water runoff discharge but do not control the additional volume. In order to more closely mimic the natural hydrology of the undeveloped site, wherever feasible, based on a site's physical conditions, infiltration systems must be installed and integrated throughout the site by utilizing the infiltration BMPs listed within the rules.
2. In accordance with the provisions of Act 288, the Water Resources Commissioner has the authority, through the subdivision review process, to require that county drains and natural water courses, both inside and outside a plat, be improved to the standards established by the Water Resources Commissioner when necessary for the proper drainage of a proposed subdivision.
3. The Water Resources Commissioner will require water quantity controls and reduction of pollutant loading to improve water quality in accordance with the County's federally-mandated NPDES (National Pollutant Discharge Elimination System) stormwater permit to comply with the Clean Water Act and the Natural Resources Environmental Protection Act.
4. Under these rules, the Water Resources Commissioner will ensure that all stormwater facilities necessary for a proposed subdivision have an appropriate governmental unit responsible in perpetuity for performing maintenance or for overseeing the performance of maintenance by a private entity, such as a property owner's association. The appropriate forms may be obtained from the Water Resources Commissioner's Office. As specified in Act 288, the County Water Resources Commissioner may acquire jurisdiction over the drainage systems within subdivisions as deemed necessary for adequate operation and maintenance.
5. The general standards set forth herein will also be applied by the Water Resources Commissioner in the review of the following:
 - a. Site Condominium plans prepared under P.A. 59 of 1978, as amended, where local government ordinances require.
 - b. Mobile home plans prepared under P.A. 96 of 1987.
 - c. Applications for permits to discharge to a county drain under P.A. 40 of 1956, as amended.
 - d. Review of stormwater system plans in other classes of developments or re-developments, when requested by local governments.

PRE-APPLICATION MEETING

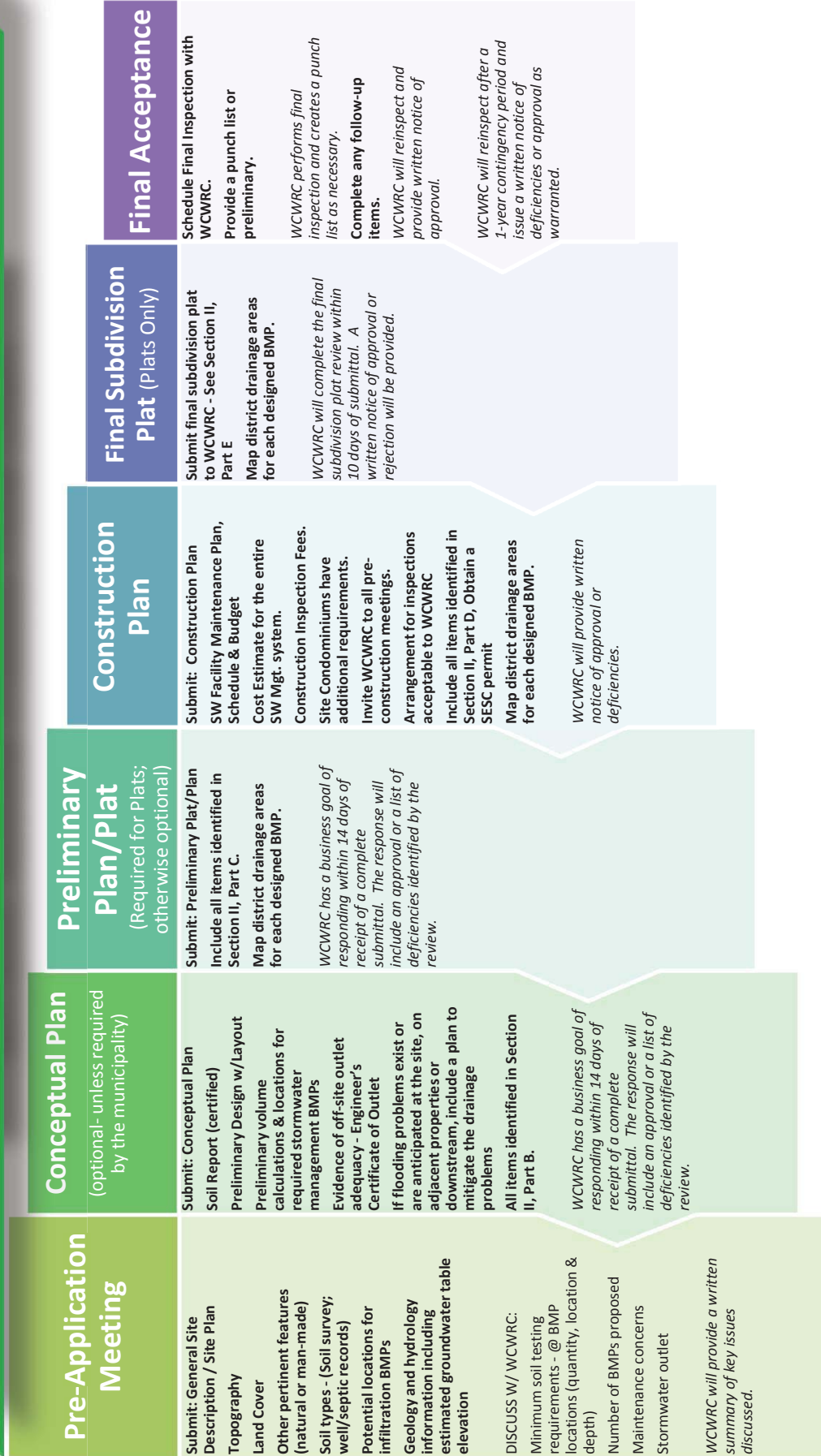
The Pre-Application Meeting is a required step for the design and construction of a site. The purpose of the meeting is to discuss the WCWRC rule requirements, changes and benefits of infiltration and green infrastructure, the minimum soil boring/test pit requirements, Best Management Practices (BMPs) proposed for use on the site, maintenance concerns, and the stormwater outlet. This meeting may allow for a faster, more cost-effective site design by identifying the stormwater management issues early in the process. Note: Projects/sites where the required infiltration volume cannot be achieved must increase the detention volume by up to an additional 20%.

The Property Owner / Applicant will provide the following general information about the proposed development site for review during the pre-application meeting with the Water Resources Commissioner's Office:

- General Site Description / Site Plan
- Topography
- Land Cover
- Other pertinent features (natural or man-made)
- Soil types - (Soil survey; well/septic records)
- Potential locations for infiltration BMPs
- Geology and hydrology information including estimated groundwater table elevation

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WCWRC Review Process Flow Chart



ADDITIONAL REQUIREMENTS IF NO INFILTRATION IS PROPOSED

Conceptual Plan
Design storage for 120% of "required volume"

Pre-Application Mtg.
Review entire site for infiltration potential.
Additional borings may be required

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Part B.

CONCEPTUAL PLAN REVIEW REQUIREMENTS

Conceptual plan submittal and review is not a required step for the design and construction of a site. However, if a developer chooses to pursue a conceptual plan review, it may allow for a faster, more cost-effective entitlement process by identifying potential stormwater management issues early in the design phase of the project, particularly for unique sites or downstream issues. If conceptual plans are submitted, they shall include the following required information and will be submitted prior to the preliminary plat or plan:

1. A brief drainage narrative describing the proposed stormwater management system.
 - a. On-site drainage infrastructure.
 - b. Off-site drainage patterns of adjacent properties.
 - c. Evidence of off-site outlet adequacy by means of certification. See Engineer's Certificate of Outlet, Appendix L.
2. A drainage area map must be submitted.
3. Calculations determining the detention or retention volume requirements for the development.
4. Proposed topography for the detention or retention basin(s) in one foot intervals.
5. Calculations verifying that the proposed topography provides the required detention or retention volumes.
6. Schematic layout for the proposed drainage collection system.
7. Soil types and location of proposed BMPs.
8. Existing natural features. (Worksheet 12).
9. Limits of disturbance (including consideration of topographical requirements for excavation).
10. If development is proposed in an area where flooding problems exist or are anticipated at the site, on adjacent properties or downstream, include a plan for how these issues will be addressed.

After reviewing items 1-10 above, the WCWRC will then determine if the submittal is sufficient for approval. The submittal must be complete, correct and feasible in order to be conceptually approved. If it is determined that the information submitted is insufficient, a letter will be issued noting the deficiencies as determined by the review.

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Part C.

PRELIMINARY PLAN SUBMITTAL & APPROVAL

1. SUBMITTAL REQUIREMENTS

These requirements have been developed in the context of preliminary plat submittal under the Michigan Land Division Act. For all other categories of land development, including site condominiums and site plans, it is recommended that the following information be submitted:

- a. A preliminary plan showing the layout of the area intended to be subdivided or developed. This plan will be prepared under the direction of, and sealed by, a registered professional engineer. The preliminary plan shall be drawn to a standard engineering scale on sheets not exceeding 24" x 36".
- b. Three copies of the preliminary plan, prepared in accordance with the rules set forth in this section, will be submitted together with a letter of transmittal requesting that the preliminary plan be reviewed and, if found satisfactory, approved. The names of the proprietor and design firm, with mailing addresses, e-mail address, fax and telephone numbers for each, will be included in the transmittal.
- c. Payment of applicable review fees is required before any review will commence. See the Fee Schedule, Section III, Part B.
- d. The proprietor will prepare a preliminary maintenance plan which must describe the mechanism to be established for long-term maintenance of the stormwater management system, and the responsible government agency for maintenance oversight if maintenance is to be performed by a private entity. Where jurisdiction exists, the Water Resources Commissioner may require that a county drainage district be established for future maintenance.
- e. Should the proprietor plan to subdivide or develop a given area, but wishes to begin with only a portion of the total area, the original preliminary plan must include the proposed general layout for the entire area. The first phase of the development will be clearly superimposed upon the overall plan in order to clearly illustrate the method of development that the proprietor intends to follow. Each subsequent plat or phase will follow the same procedure until the entire area controlled by the proprietor is developed.
- f. Final acceptance by the Water Resources

Commissioner of a plan for only one portion or phase of the subdivision does not ensure final acceptance of any subsequent phases or the overall general plat for the entire area; nor does it mandate that the overall general plat or plan be followed as originally proposed, if deviations or modifications acceptable to the Water Resources Commissioner are proposed.

- g. Preliminary plan approval shall remain in effect for one year. Extensions must be requested in writing.
- h. If development is proposed in an area where special drainage problems exist or are anticipated at the site, on adjacent properties or downstream, more stringent design requirements than are contained within Section II of these Rules may be required.

2. GENERAL INFORMATION REQUIREMENTS

All preliminary plans will include the following information:

- a. The location of the proposed development by means of a small location map.
- b. The township, city or village in which the parcel is situated.
- c. The section and part of section in which the parcel is situated.
- d. The number of acres to be developed.
- e. Contours, at one foot intervals or less with U.S.G.S. datum.
- f. The proposed drainage system for the development.
- g. The proposed street, alley and lot layouts and approximate dimensions.
- h. The location and description of all on-site and adjacent off-site features and easements (include liber/page) that may be relevant in determining the overall requirements for the subdivision. These features may include, but are not limited to the following:
 - Adjoining roads, subdivisions, and other developments
 - Schools, parks and cemeteries
 - Drains, sewers, water mains, septic fields and wells
 - High tension power lines, underground transmission lines, gas mains, pipelines, or other utilities
 - Railroads
 - Existing and proposed easements
 - Natural and artificial watercourses, wetlands and wetland boundaries, floodplains, lakes, bays and lagoons
 - Designated natural areas
 - Soils description in accordance with the USDA NRCS standard soils criteria
 - Any proposed environmental mitigation features
- i. Natural features that are located on the site shall be

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indicated, along with a description, and Worksheet 12, provided in Section IV of these Rules.

- j. Soil borings and/or test pits will be required (see Section V, Part D) at the location of all infiltration facilities, including but not limited to:
 - Bioretention Systems
 - Rain Gardens
 - Pervious Pavement
 - Dry Wells
 - Structural Infiltration Beds
 - Subsurface Infiltration Beds
 - Infiltration Trenches
 - Vegetated Filter Strips
 - Bioswales
- k. Soil borings may be required at other locations including the sites of proposed retention/detention facilities, and as needed in areas where high groundwater tables exist.

3. DRAINAGE INFORMATION REQUIREMENTS

- a. Calculations used in designing all components of stormwater management systems must be submitted to the Water Resources Commissioner along with plans.
 - b. All preliminary plans will include the following required stormwater management information:
 - i. The overall stormwater management system for the proposed development with structure rim and invert elevations, culvert and storm sewer lengths and sizes as well as all surface stormwater conveyance top of bank and centerline elevations at 100' intervals. The preliminary plan must indicate how stormwater management will be provided and where the drainage will outlet.
 - ii. The location of any on-site and/or off-site stormwater management facilities and appropriate easements that will be dedicated to the entity responsible for future maintenance.
 - iii. A description of the drainage course that will be utilized as the stormwater outlet and evidence that it is adequate for the proposed discharge. It is noted that controlling flow to a rate that is equal to or below the pre-development rate may not be considered to be evidence of adequacy. **The Engineer's Certificate of Outlet, Appendix L**, must be provided including the signature and seal of the professional engineer responsible for determining adequacy.
 - iv. If no adequate watercourse exists to effectively handle the proposed discharge of stormwater additional measures must be taken. These measures may include volume control, acquisition of easements from downstream property owners, off-site stormwater infrastructure construction, etc. If easements are required, Typical Easement Language is provided in **Appendix I**.
 - v. A map, at the U.S.G.S. scale, showing the drainage boundary of the proposed development and its relationship with existing drainage patterns, including any drainage originating outside the development that limits flows onto or across the development. Such off-site drainage shall be quantified.
 - vi. Proposed topography for all areas, both off and on-site, to be disturbed by construction. The proposed topography will be provided in one-foot contour intervals. If off-site grading is required, provide evidence of appropriate easements.
 - vii. Any natural water courses and/or county drains passing through or adjacent to the proposed development, along with the following:
 - Area of upstream watershed
 - Preliminary calculations of runoff from the upstream area for both the 100-year and 2-year recurrence interval 24-hour design storms, for fully developed conditions according to the current land use plan for the area
 - Normal surface water elevation
 - 100-year recurrence interval water elevation
 - viii. Determination of stormwater infiltration requirements
 - ix. Calculations determining stormwater infiltration volume
 - x. Calculations determining first flush and bankfull detention volumes
 - xi. Calculations determining elevations of the first flush and bankfull detention volumes
 - xii. Map district drainage areas for designed BMPs.
- c. The increased volume of water discharged due to the development of the site must not create adverse impacts to downstream property owners and water courses. Adverse impacts may include, but are not limited to flooding, excessive soil saturation, crop damage, erosion, and/or degradation in water quality or habitat.
 - d. The proposed drainage plan will, in every way feasible, respect and conform to the natural drainage patterns within the site and the watershed in which it is located.
 - e. In general, the Water Resources Commissioner will not accept responsibility for roadside ditches serving public roads. The Washtenaw County Road Commission maintains these if they are within the right-of-way of a public road.



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- f. Proposed drainage should be consistent with any local stormwater management plans that may exist and/or comply with any ordinance in effect in the municipality/ies where the proposed development is located.

4. SUBDIVISION PRELIMINARY PLAT APPROVAL

- a. The Water Resources Commissioner will approve or reject a preliminary plat within 30 days of its submittal. If the proposed preliminary plat is not approved as originally submitted, the Commissioner will notify the proprietor in writing, setting forth the reasons for withholding approval, and will state the changes necessary to obtain approval. If the proposed preliminary plat as submitted meets all requirements, one approved copy of the preliminary plat will be returned to the proprietor. Approval of the preliminary plat is required before the Water Resources Commissioner will proceed with the review of final construction plans.
- b. Payment of all fees is required. See Section III.

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Part D.

CONSTRUCTION PLAN SUBMITTAL & APPROVAL

All final plans shall include all the required Conceptual Plan Information, Preliminary Plan Information and the following information:

1. SUBMITTAL REQUIREMENTS

- a. For all projects to be reviewed by the Water Resources Commissioner, the proprietor will submit construction plans with a letter of transmittal requesting review and a permit application, if required.
- b. For platted subdivisions, review of construction plans by the Water Resources Commissioner will not proceed until preliminary plat approval has been granted. The Land Division Act gives no time limit in which final construction plans must be reviewed. The Water Resources Commissioner's office will review these plans in the shortest possible time based on the current work load.
- c. For all other developments, if a preliminary plan was not reviewed and approved by the Water Resources Commissioner, all aspects of **Preliminary Plan Submittal and Approval, Section II, Part C**, must also be adhered to during the construction plan review.
- d. If development is proposed in an area where special drainage problems exist or are anticipated at the site, on adjacent properties or downstream, more stringent design requirements than are contained within Section IV of these Rules may be required.
- e. Payment of applicable review fees is required before any review will commence. See the **Fee Schedule, Section III, Part B**.

2. CONSTRUCTION PLAN REQUIREMENTS

The Water Resources Commissioner will review construction plans to assure that adequate storm drainage will be provided and that the proposed stormwater management system provides adequately for water quantity and quality management to ensure protection of property owners, lands, and watercourses within both the proposed development and downstream.

- a. The names of the proprietor and design firm, with mailing addresses, e-mail address, and fax and telephone numbers for each, shall be included with the transmittal. Plans will be prepared under the direction

of, and sealed by, a registered Professional Engineer and will be in accordance with Section IV & V of these Rules.

- b. Two complete sets of construction plans are required, drawn to scale no smaller than 1"=50', and on sheets no larger than 24" x 36". The plans shall be drawn to standard engineering scales. The construction plan submittal shall include all required information listed in Part B & C of this section, as well as the following, where applicable:
 - i. The property legal description, the total acreage, and a project location map. If the project is to be completed in phases, the number of acres in each phase shall also be included. Note: the legal description shall be referenced to a Public Land Survey System (PLSS) corner.
 - ii. The proposed project layout with all dimensions, including the proposed drainage system for the project.
 - iii. All easements necessary for operation and maintenance of the stormwater management system including access easements.
 - iv. Calculations used in designing all components of stormwater management systems including the following and all items stated under **Conceptual Plan Review Requirements, Section II, Part B**:
 - Number of acres, calculated to the nearest tenth of an acre, contributing to each specific inlet/outlet.
 - Hydraulic gradient elevation, for both the 10-year and 100-year recurrence interval storm events (may be waived if there is no surcharging).
 - Maximum flow in cubic feet per second for both the 10-year and 100-year recurrence interval storm events.
 - Flow velocities for the 10-year recurrence interval storm event.
 - Channel sizing calculations for surface flow.
 - v. Topographical maps, as one-foot contour intervals or less on a NAVD88 vertical, showing existing and proposed grades, as well as off-site topography for at least 150' of the adjoining property. Maps will also show all existing watercourses, lakes and wetlands, and the extent of all off-site drainage areas contributing flow to the development.
 - vi. Locations of all drain fields as approved by the Washtenaw County Environmental Health Division and of all expansion areas. Drain fields shall not be located within drainage easements.
 - vii. Plans, profiles and details of all other utilities proposed on the site including water main,

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sanitary sewer and all other municipal, private and franchised utilities. In addition, the liber and page shall be provided for any existing drainage easements on the parcel(s) being developed, including county drains.

- viii. Calculations, design data and criteria used for sizing all infiltration facilities, drainage structures, channels and retention/detention facilities including curve numbers or weighted runoff coefficient calculations.
- ix. Plans and details of proposed infiltration facilities with soil borings to verify that the facilities will function per the proposed design.
- x. Plans and details of proposed retention/detention facilities. Soil borings may be required at the sites of these facilities.
- xi. Plans, profiles and details of all road and storm sewers. The storm sewer details will include type and class and size of the pipe, length of run, percent of slope, invert elevations, rim elevations, and profile of the hydraulic gradient, as specified in this section of these Rules.
- xii. Storm sewer calculations indicating the number of acres, calculated to the nearest tenth of an acre, contributing to each specific inlet/outlet, the calculated hydraulic gradient elevation, maximum flow in cfs and the flow velocities for enclosed systems.
- xiii. A drainage area map, overlaid onto a copy of the site grading plan, which clearly shows the areas tributary to each inlet and/or retention/detention facility.
- xiv. Plans, profiles, district drainage areas and details of all stormwater management system including but not limited to the following:
 - Bioretention Systems
 - Rain Gardens
 - Pervious Pavement
 - Dry Wells
 - Structural Infiltration Basins
 - Subsurface Infiltration Beds
 - Infiltration Trenches
 - Vegetated Filter Strips
 - Bioswales
 - Green Roofs
 - Water Reuse
 - Retention/Detention Facilities
- xv. Details of all drainage structures including but not limited to the following:
 - Manholes
 - Catch basins
 - Inlets
 - Outlet structures
 - Overflow structures
 - Check dams
- xvi. Plans and details of the proposed soil erosion and sedimentation control measures, both temporary during construction and permanent.
- xvii. All construction specifications for the stormwater management facilities.
- xviii. Stormwater management system maintenance plan providing for proactive maintenance tasks, schedule of maintenance tasks, annual budget and responsible parties.
- xix. Verification that all necessary easements have been obtained and are in proper format for recording with the County Clerk/Register of Deeds Office.
- xx. For developments that require county drain and drainage district establishment, all information as specified in **Section II, Part E**, including fees and financial security.
- xxi. An overall plan showing all proposed storm drainage facilities with drainage easements shall be submitted. This sheet shall be overlaid on the overall road and utility plan and drawn to a scale no smaller than 1"=100'.

For platted subdivisions only: Platted subdivisions may receive final construction plan approval but shall not receive final plat approval until all requirements for establishment of a county drainage district are met. In such cases, the following items must be submitted prior to final plan approval in lieu of establishment of a county drain and drainage district:

- a. A cost estimate of the stormwater infrastructure to be prepared by the professional engineer responsible for the design.
- b. All permit applications and associated fees required for the completion of the construction.
- c. Construction inspection deposits equal to 10% of the cost estimate for the stormwater infrastructure but not less than \$2,500.00.

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3. CONSTRUCTION PLAN APPROVAL

- a. When plans have been completed with computer aided design technology, copies of the electronic files of the final plan set shall be provided for those items that specifically relate to the storm drainage facilities and information required in these Rules. These items include, but are not limited to, storm sewers, swales, infiltration facilities, retention/detention facilities, grading plans, etc., as well as all available information such as complete site layout, sanitary sewer and water main plans, easements and topographic surveys. Note: Provide portable document format (pdf) versions of the final plan set.
- b. A stormwater facility maintenance plan, schedule and budget shall be submitted. This will be used in estimating the costs that will be associated with system maintenance.
- c. A cost estimate of the entire stormwater management system shall be submitted. This estimate shall include, but is not limited to the cost of all grading, construction, soil erosion control and materials. All fees associated with construction inspection, contingencies and letters of credit will be based on this estimate.
- d. Construction inspection deposits equal to 10% of the cost estimate for the stormwater infrastructure but not less than \$2,500.00
- e. For site condominiums, all items outlined in **Section II, Part E**, regarding final approval must be completed prior to approval of construction plans. Complete master deed documents, including by-laws and Exhibit B Drawings (D-size; 24"x36") must be submitted for the Water Resources Commissioner's review and approval prior to recording.
- f. The Water Resources Commissioner shall be invited to all pre-construction meetings with other agencies, utility companies and contractors. Prior to approval of the final construction plans, the proprietor will make arrangements acceptable to the Water Resources Commissioner for inspection during construction (including submittal of inspection reports) and for final verification of the construction by a Michigan registered professional engineer. These arrangements will include an inspection schedule that defines the specific junctures during construction when on-site inspection and written verification by a professional engineer will occur. **See Appendix E, Engineer's Certificate of Construction.**
- g. A soil erosion permit under "The Michigan Soil Erosion and Sedimentation Control Act," P.A. 451, Part 91 of 1994, as amended, will be obtained from the appropriate agency prior to any construction.
- h. Approval of construction plans by the Water Resources

Commissioner's office is valid for one calendar year. If an extension beyond this period is needed, the proprietor will submit a written request to the Water Resources Commissioner for an extension. The Water Resources Commissioner may grant a one year extension of the approval. This extension may require updated or additional information if needed, and/or design modifications to meet the most current Rules of the Washtenaw County Water Resources Commissioner.

- i. Payment of all fees is a prerequisite for approval.

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Part E.

FINAL SUBDIVISION PLAT SUBMISSION & APPROVAL

Final subdivision plat review will be completed by the Water Resources Commissioner's office within 10 days of submission by the proprietor. If the plat is not acceptable, a written notice of rejection and the reasons there for will be given to the proprietor. If the Water Resources Commissioner approves the plat, s/he will affix his/her signature to it and the plat will be executed. As a condition of final plat approval, the Water Resources Commissioner will require the following:

1. The municipal governing body in which the proposed development is located must approve the preliminary plat. Evidence of this approval shall be submitted to the Water Resources Commissioner's office with the final plat.
2. Before approval of the final plat, it must be demonstrated that all necessary Wetland, Floodplain, Inland Lakes and Streams, Erosion Control or other needed state, federal or local permits are in place.
3. A satisfactory agreement that assures long-term maintenance of all drainage improvements will be in place before submission of the final plat. Documentation of maintenance agreement shall be supplied to the Water Resources Commissioner.
4. Complete subdivision agreement (including deed restrictions) must be submitted for the Water Resources Commissioner's review and approval prior to recording. These agreements must include the appropriate easement language for the development. See **Appendix I, Typical Easement Language**.
5. Portable document format (pdf) drawings of the as-built stormwater management system will be submitted to the Water Resources Commissioner along with the final plat, or upon completion of system construction.
6. The proprietor will post a contingency deposit in an amount of not less than 10% of the approved construction cost estimate of the stormwater facilities. This contingency deposit will be held for one year after the date of completion of construction and a final inspection of the stormwater facilities is performed by the Water Resources Commissioner, or until construction and soil stabilization is complete on all lots in the development, whichever time period is longer.
 - a. This deposit may be in the form of cash, or a letter of credit. A letter of credit established as a contingency

deposit shall not have an expiration date and will contain the following clause regarding the expiration of the letter or the account:

"This letter of credit shall expire upon receipt of a written statement by the Washtenaw County Water Resources Commissioner that the stormwater management system in the above-mentioned development has received final approval by the Washtenaw County Water Resources Commissioner."

- b. Depending on the nature of the deposit, it will be returned to the proprietor or allowed to expire provided that all stormwater facilities are clean, unobstructed and in good working order and that the Water Resources Commissioner has received all required documents, certificates, and as-built drawings. It is the proprietor's responsibility to request a final inspection.
7. The following procedure shall apply when stormwater management facilities are constructed prior to submission of the Final Plat:
 - a. If the proprietor desires to construct the stormwater management facilities before submission of the final plat, construction plans as required in Section II, Part D will be submitted to, and approved by the Water Resources Commissioner's office before any work commences.
 - b. A construction inspection deposit equal to 10% of the cost estimate but not less than \$2,500.00 shall be submitted prior to construction plan approval. The proprietor will be responsible for inspection costs incurred by the Water Resources Commissioner.
 - c. If the drainage work involves crossing, tapping into, or other work within an existing county drain or its easement, a permit application must be submitted and approved by the Office of the Water Resources Commissioner prior to construction. This permit application will be accompanied by any necessary release of rights-of-way in recordable form, executed by all owners of interest. Prior to construction, copies of any required state, federal or local permits shall be submitted to the Water Resources Commissioner.
 8. The following procedure shall apply when stormwater management facilities are constructed after submission of the Final Plat:
 - a. If the proprietor desires to have the plat recorded before completing the drainage improvements, he or she will enter into an agreement with the Water Resources Commissioner and post a cash deposit, or letter of credit in an amount sufficient to complete construction of the stormwater management facilities, as determined by

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the proprietor's engineer and approved by the Water Resources Commissioner. See "Sample Agreement" **Appendix J**.

- b. A letter of credit established as completion assurance will contain the following clause regarding the expiration of the letter:

"It is a condition of this letter of credit that it shall be automatically renewed for additional periods of one (1) year for the present or each future expiration date, unless at least 60 days prior to such date, the Washtenaw County Water Resources Commissioner is notified in writing via certified mail, that the credit will not be renewed for such an additional period."

- c. Under this agreement, the time of completion of construction of stormwater management facilities will not extend for a period greater than one year from the original date of the agreement. If after this period the improvements are not completed, the

Water Resources Commissioner may exercise the right, under the terms of the letter of credit, to use proceeds of the proprietor's deposit to fulfill the proprietor's obligation under such agreement, at such time and in such manner as the Water Resources Commissioner may determine.

- d. The financial assurance mechanism shall remain in place until construction and soil stabilization over 80% of the development is complete. Thereafter, the Water Resources Commissioner may refund portions of the original deposit as the work progresses. However, the amount of deposit retained by the Commissioner will at no time be reduced to less than the cost for completion of the remaining work, by the Water Resources Commissioner's Office.

- 9. Payment of all fees and necessary securities is a prerequisite for approval.
- 10. A final plat, when submitted to the Water Resources Commissioner for signature, will include the Water Resources Commissioner's Certificate. The form of this certificate is as follows:

County Water Resources Commissioner's Certificate



Approved on _____, as complying with Section 192 of Act 288, P.A. of 1967, and the applicable rules and regulations published by my office in the County of Washtenaw.

Evan N. Pratt, P.E.
Water Resources Commissioner

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Part F.

DRAINS UNDER THE JURISDICTION OF THE WATER RESOURCES COMMISSIONER

1. Drainage districts will not be altered when designing development drainage, except as provided under Sections 425 and 433 of Act 40, Public Act 1956 as amended.
2. Existing county drain easements will be indicated on plans and final plats and will be designated as “_____” (County) Drain. In addition, the liber and page shall be provided for any existing drainage easements on the parcel(s) being developed. County drain easements prior to 1956 were not required by statute to be recorded immediately; therefore, it may be necessary to check the permanent records of the Water Resources Commissioner’s Office to see if a drain easement is in existence on the subject property.
3. Proposed modifications to county drains will require a permit application to the Office of the Water Resources Commissioner. State, federal and local permits may also be necessary.
4. A permit will be obtained from the Water Resources Commissioner prior to any work that affects a county drain, including tapping into or crossing. The permit must be obtained prior to construction plan approval.
 - a. Detailed construction plans along with the appropriate review fees shall be submitted for review with the permit application. These shall be prepared in accordance with **Section II, Part D.**
 - b. Payment of all fees is prerequisite for approval.
 - c. Upon receipt of an approved permit, the permittee must contact the Water Resources Commissioner 2 business days prior to the start of construction.
 - d. All work shall be completed in accordance with the plans and specifications approved by the Water Resources Commissioner.
 - e. A cash deposit in an amount satisfactory to the Water Resources Commissioner shall be deposited to insure satisfactory completion of the project in accordance with the approved plans. The permittee shall contact the Water Resources Commissioner to perform an inspection of the permitted activity.
 - f. The Water Resources Commissioner shall be notified in writing within 10 days of completion of an approved project.
 - g. Authority granted by a permit from the Water Resources Commissioner does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee’s obligation to acquire any federal, state, county, or local approval or authorization necessary to conduct the activity.

Part G.

APPEAL PROCEDURE

1. If the proprietor wishes to appeal a decision made by the Water Resources Commissioner, a written appeal may be filed within 14 calendar days of that decision. If an appeal is filed with the Water Resources Commissioner’s office, an informal hearing will be scheduled within 21 calendar days from the date of the filing.
2. The informal hearing will allow the proprietor an opportunity to submit additional information or re-emphasize previously submitted data. The Water Resources Commissioner will then review the information and make a final decision, within 21 days of the informal hearing, and forward this final decision to the proprietor by first class mail.