

EXHIBIT C(A-14)
Impact Statement

Written statement relative to project impacts on existing infrastructure (including traffic capacity of roads, streets, schools, and existing utilities) and project impacts on the natural environment as described and defined in Article 15 of this Ordinance.

A. In regard to project impacts on existing infrastructure, the following is provided:

The subject Project will only have direct ingress from and egress to M-22 at the intersection of N. Overlook road. The construction of the M-22 entrance will require a permit from the Traverse City office of MDOT. This intersection was expanded in 2006 in anticipation of the previously proposed residential development. Most campground guests will be arriving Thursday or Friday evening and departing Sunday afternoon. Vehicles moving in and out of the site will have minimal impact on existing traffic along M-22. Most guests will visit Northport and the surrounding area by car or shuttle vehicles. There will be a gated emergency exit/entrance at the south end of Indian Camp road, which will have no impact on traffic.

This is a seasonal resort, which will have no impact on local schools other than to increase the tax base for school funding. The Project will have an on-site wastewater treatment system and fresh water wells, and therefore will have no impact on local utilities. Electrical utility service is available to the site and natural gas will be brought to the site if locally available.

B. In regard to project impacts on the natural environment as described and defined in Article 15 of the Ordinance, the following is provided:

The subject property contains Environmentally Sensitive Areas as defined in the Ordinance, specifically Wetlands, Inland Streams, and Lake Michigan Shoreland. There are no Dunelands, Flood Plains and Floodways, Dominant Ridgeline, or Regulated Shoreline Bluffs as described in the Ordinance within the Timber Shores project area.

Wetlands

The property contains numerous forested wetlands as defined by the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended (NREPA). A comprehensive wetland delineation was performed by King & MacGregor Environmental, Inc. in 2019 and wetland boundaries were flagged and geo-referenced using sub-meter Global Positioning System (GPS) equipment. Post-field work processing of the GPS files resulted in the creation of an accurate map of the wetlands on the subject property proposed for the RV Resort. The Michigan Department of Environment, Great Lakes, and Energy (EGLE) conducted an on-site review and verified the location of wetland boundaries with a total combined wetland area of approximately 10.1 acres. The Wetland Identification Report from EGLE dated December 16, 2019 is included with this Exhibit.

The preparation of the proposed site plan had a primary focus of avoiding wetlands to the greatest practicable extent. In 2006, the Michigan Department of Environmental Quality (now EGLE) issued a permit to impact 0.96 acres of wetland for a proposed housing development. Due to the housing recession soon thereafter that project was not completed. The goal of the proposed Timber Shores RV Resort and Campground design was to have less than 1.0 acres of wetland impact. The current project design indicates unavoidable wetland impact of approximately 1.27 acres. We will continue to review this matter.

The Site Plan illustrates that the 1.27 acres of wetland impact will be mitigated by *restoring* approximately 3.24 acres (2.55:1 ratio) of wetland that was filled during the construction of the original Timber Shores Campground in the 1960s. As a result, the proposed Timber Shores RV Resort and Campground Project will result in *no net loss of wetland acreage*. The restoration ratio of two acres of replacement wetland to mitigate for each acre of wetland impacted (2:1) is the ratio required by the Wetland Protection section of P.A. 451, as amended for forested wetlands.

The wetlands that will be unavoidably impacted for the proposed Project are very small areas. The largest area of wetland to be impacted is for the proposed pond which is the epicenter of aquatic-based recreation at Timber Shores. Some of the wetlands on this property have been impacted by the original Timber Shores Campground and past logging of some areas has altered the habitat on this property. The wetlands are primarily fed by near-surface groundwater and do not contain surface water except for brief periods in early spring in some areas.

An Application for Permit will be submitted to EGLE seeking approval of the proposed wetland impacts and the restoration of wetlands for mitigation of unavoidable wetland impacts.

Inland Streams

There are two streams as defined by the NREPA on the subject property; Ennis Creek and an unnamed drain, both of which outlet to Grand Traverse Bay. Ennis Creek outlets to the bay north of the Timber Shores property and the unnamed drain outlets to the bay near the south property line of the Project site.

Ennis Creek is protected by a Conservation Easement corridor that extends 50 feet each side of the creek through the Timber Shores property. This easement was granted to Leelanau Township in 2006 as part of the former proposed housing development. There are no intrusions proposed into the Ennis Creek Conservation Easement for the proposed project, but there are portions of a few campsites and portions of camp roads that extend into the 150-foot stream zone as defined in the Ordinance. There will be no building improvements or impervious pavement on any sites within the 150-foot set back area.

None of the sites or roadways proposed within the 150-foot stream zone impact wetlands. The landscape is relatively flat with sandy soils; therefore there should be no storm water runoff to Ennis Creek from the sites and roadways within the 150-foot stream zone. Best Management Practices will be implemented during construction to ensure there are no impacts to Ennis Creek.

The unnamed drain/stream that extends along the east side of the old railroad right-of-way and then curves along the south side of the Project site to its outlet in Grand Traverse Bay was apparently constructed many years ago, either by the railroad or during the development of the original Timber Shores project in the 1960s. This drain has minimal flow with the exception of seasonal runoff and is contained in an excavated ditch with steep banks in some portions.

There are campsites, roads, the main entrance road crossing, and some recreational activity areas proposed within the 150-foot stream zone along the drain/stream. Due to the location and nature of the drain/stream and measures that will be implemented to protect the watercourse during the construction and operational phase of the project, there are expected to be minimal negative impacts to the drain/stream flow or water quality.

Lake Michigan Shoreland

Lake Michigan Shoreland is defined in the Ordinance, in part, as “those areas lying within five hundred (500’) of the waterfront setback datum”. Other lands within this district as described in the Ordinance are “Environmental Areas” and “High Risk Areas” as defined in NREPA, none of which are located on the subject property.

The Lake Michigan Shoreland portion of the proposed Timber Shores RV Resort and Campground will be the epicenter of recreational activity at the Resort and, as it was in the past, the focal area for the amenities offered to guests at the Resort. Proposed infrastructure and resort uses proposed within the Shoreland zone include a restored sand beach with cabanas and beach umbrella chairs, a large pond with water recreation amenities, mini-golf, game plaza, main building, roads and parking, campsites, a boat launch and basin for kayaks, paddleboards, sailboats, and small motorized watercraft.

The Timber Shores project will be well buffered from adjacent properties by greenbelts and setbacks. Visibility from Grand Traverse Bay will be a view compatible with the many recreational facilities and developments in Leelanau County. The project site will not be visible from M-22 with the exception of the entrance road and signage adjacent to M-22.



GRETCHEN WHITMER
GOVERNOR

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



LIESL EICHLER CLARK
DIRECTOR

December 16, 2019

Mr. Fred Gordon
NM Investment Company, LLC
74 West Long Lake Road, Suite 101
Bloomfield Hills, Michigan 48304

Dear Mr. Gordon:

SUBJECT: Wetland Identification Report
Wetland Identification Site Name: 45-Timber Shores-Leelanau Township
MiWaters Submission Number: HNT-6HY4-EDGAN

The Department of Energy, Great Lakes, and Environment (EGLE) conducted a Level 3 Wetland Identification Review of approximately 67 acres on property (Property Tax Identification Numbers 00-111-002-00, -002-00, and -01) located in Town 31 North, Range 11 West, Sections 11 and 14, Leelanau Township, Leelanau County on October 15, 2019 (Figure 1). The wetland identification was conducted in accordance with Part 303, Wetlands Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA) and Rule 4 of Wetland Identification and Assessment (R 201.924) of the Administrative Rules of Part 303. This is a report of our findings in response to your Wetland Identification Program (WIP) application.

Based on our on-site investigation which included a review of plants, hydrology, and soils, EGLE confirms, in part, the wetland boundary lines flagged by your consultant. Staff from EGLE also reviewed other pertinent information such as aerial imagery, soils survey data, topographic mapping data, and surface hydrology data.

EGLE staff located additional wetland areas totaling approximately 0.54 acre which brought the total combined area of mapped wetlands on site to approximately 10.1 acres. Wetland 53 in the north is a sinuous wetland winding through young forest. Wetland 25, located near the west boundary of the WIP review area, is a small swale wetland. Wetlands 22 and 1 are both larger areas of remnant, mixed hardwood-conifer forest wetland. Wetlands 23 and 76 are small wetlands dominated by shrub and herbaceous vegetation. Staff also located two additional, small wetland areas connecting several portions of what is now a combined, relatively large Wetland 2. All wetland areas showed evidence of sustained surface or near-surface hydrology occurring during the growing season and were associated with hydrophytic plant species and hydric soil.

The site map (Figure 2) of the WIP review area was created by combining information from your consultant and EGLE. The new map identifies areas containing regulated wetland and non-wetland land.

All wetlands on site are regulated by EGLE because of either or a combination of the following: a surface hydrologic connection to a stream/drain and/or Lake Michigan or proximity to a stream/drain and/or Lake Michigan. For all areas of regulated wetland shown on the site map, please be advised that any of the following activities require a permit under Part 303:

- a. Deposit or permit the placing of fill material in a regulated wetland.
- b. Dredge, remove, or permit the removal of soil or minerals from regulated wetland.
- c. Construct, operate, or maintain any use or development in a regulated wetland.
- d. Drain surface water from a regulated wetland.

For those areas identified as non-wetland land on the site map, EGLE lacks jurisdiction under Part 303 for activities occurring in those areas.

This Wetland Identification Report is limited to findings pursuant to Part 303 and does not constitute a determination of jurisdiction under other EGLE-administered programs. Any land use activities undertaken within the WIP review area may be subject to regulation pursuant to the NREPA under the following:

- Part 91, Soil Erosion and Sedimentation Control
- Part 301, Inland Lakes and Streams
- Part 325, Great Lakes Submerged Lands

Please be aware that this wetland identification report does not constitute a determination of jurisdiction under local ordinances or federal law. The United States Army Corps of Engineers (USACE) retains regulatory authority over certain wetlands pursuant to Section 404 of the Clean Water Act (CWA) and specifically those wetlands associated with traditionally navigable waters of the state. Navigable waters are generally the Great Lakes, their connecting waters, and river systems and lakes connected to these waters. In other areas of the state, EGLE is responsible for identification of wetland boundaries for purposes of compliance with the CWA under an agreement with the United States Environmental Protection Agency. Your review area is likely to be within those areas also regulated by the USACE. Additional information may be obtained by contacting the USACE at 313-226-2211.

You may request EGLE reassess the wetland boundaries and regulatory status of wetlands within any portion of the review area, should you disagree with the findings, within 60 days of the date of this report. A written request to reassess the Wetland

Mr. Fred Gordon
Page 3
December 16, 2019

Identification review area must be accompanied by supporting evidence with regard to wetland vegetation, soils, or hydrology different from, or in addition to, the information relied upon by EGLE staff in preparing this report. The request should be submitted to:

Wetland Identification Program
Department of Environment, Great Lakes, and Energy
Water Resources Division
P.O. Box 3045
Lansing, Michigan 48909-7950

Should you need to apply for a permit for future work at this site, please use the same site name, 45-Timber Shores-Leelanau Township, listed within the subject line of this letter when you are completing the application in MiWaters, EGLE's online permitting system.

The findings contained in this report do not convey, provide, or otherwise imply approval of any governing act, ordinance, or regulation, nor does it waive the obligation to acquire any applicable federal, state, county, or local approvals. This Wetland Identification Report is not a permit for any activity that requires a permit from EGLE.

The findings contained in this report are binding on EGLE until December 16, 2022, a period of three years from the date of this Wetland Identification Report unless a reassessment has been conducted. Please contact me at 517-243-5002 or GyekisK@Michigan.gov or EGLE, P.O. Box 3045, Lansing, Michigan 48909-7950, if you have any questions regarding this report.

Sincerely,



Keto Gyekis
Wetland Identification Program Coordinator
Water Resources Division

Enclosures

cc: USACE
Benzie-Leelanau District Health Department
Leelanau County Soil Erosion Enforcement Agent (CEA)
Leelanau Township Clerk
Mr. Matthew MacGregor, King & MacGregor Environmental, Inc.
Mr. Joseph Haas, EGLE
Ms. Robyn Schmidt, EGLE

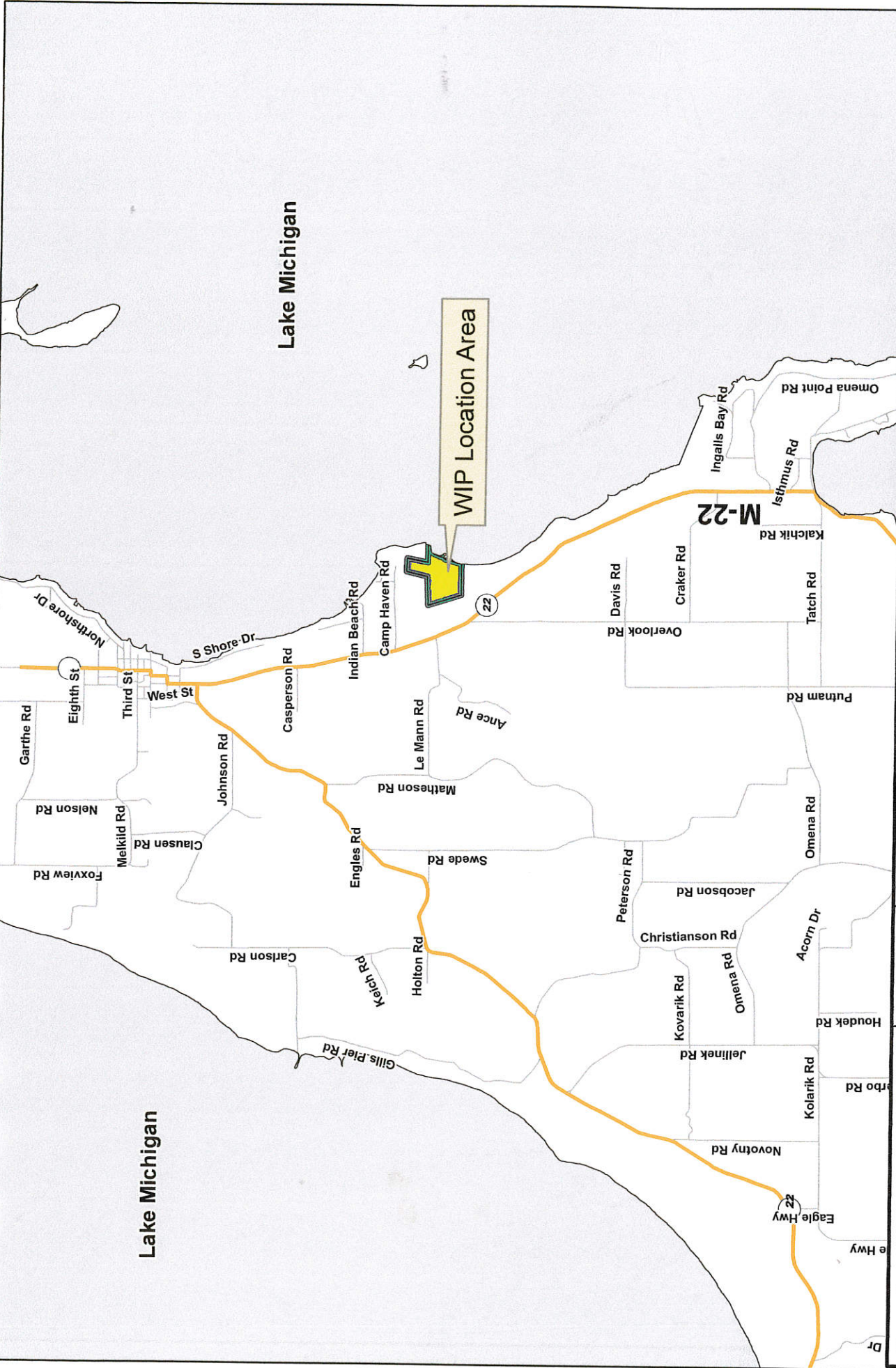
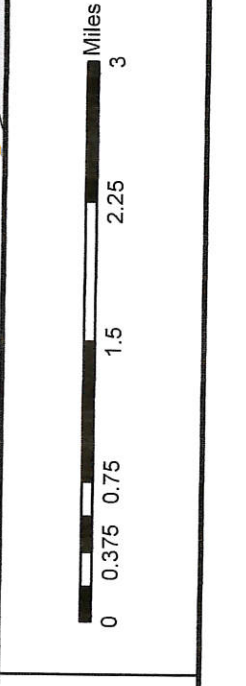
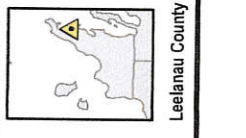
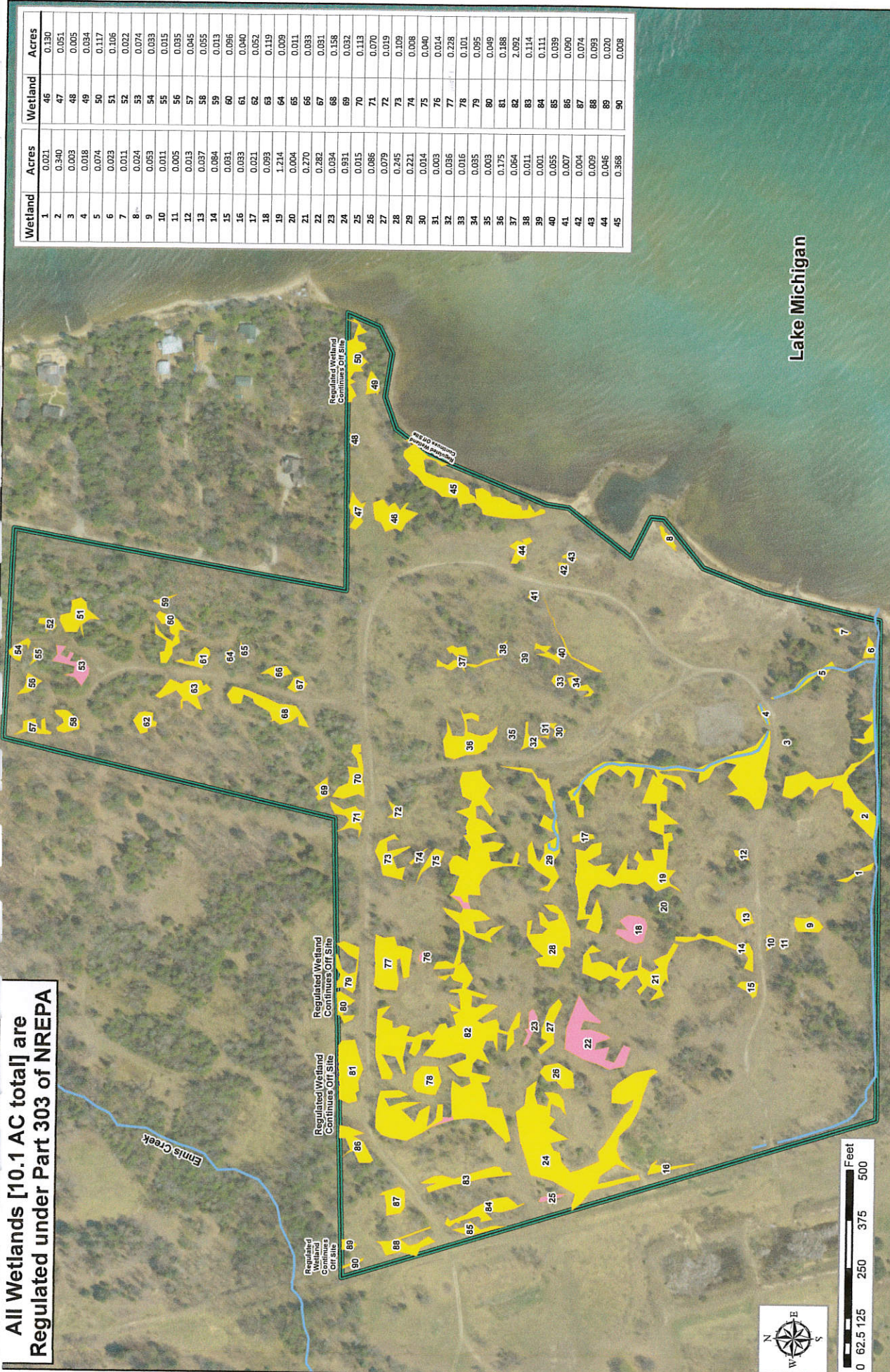


Figure 1.
EGLE Wetland Identification Location
Timber Shores
Leelanau Township
Leelanau County
HNT-6HY4-EDGAN



All Wetlands [10.1 AC total] are Regulated under Part 303 of NREPA



Wetland	Acres	Wetland	Acres
1	0.021	46	0.130
2	0.340	47	0.051
3	0.003	48	0.005
4	0.018	49	0.034
5	0.074	50	0.117
6	0.023	51	0.106
7	0.011	52	0.022
8	0.024	53	0.074
9	0.053	54	0.033
10	0.011	55	0.015
11	0.005	56	0.035
12	0.013	57	0.045
13	0.037	58	0.055
14	0.084	59	0.013
15	0.031	60	0.096
16	0.033	61	0.040
17	0.021	62	0.052
18	0.093	63	0.119
19	1.214	64	0.009
20	0.004	65	0.011
21	0.270	66	0.033
22	0.282	67	0.031
23	0.034	68	0.158
24	0.931	69	0.032
25	0.015	70	0.113
26	0.086	71	0.070
27	0.079	72	0.019
28	0.245	73	0.109
29	0.221	74	0.008
30	0.014	75	0.040
31	0.003	76	0.014
32	0.056	77	0.228
33	0.016	78	0.101
34	0.035	79	0.095
35	0.003	80	0.049
36	0.175	81	0.188
37	0.064	82	2.092
38	0.011	83	0.114
39	0.001	84	0.111
40	0.055	85	0.039
41	0.007	86	0.090
42	0.004	87	0.074
43	0.009	88	0.059
44	0.046	89	0.020
45	0.368	90	0.008

Figure 2.
EGLE Wetland Identification Detail
Timber Shores
Leelanau Township
HNT-6HY4-EDGAN

EGLE Regulated Wetlands, Original Delineation [9.6 acres total]
 Additional Regulated Wetlands Delineated by EGLE [0.5 acre total]
 WIP Review Area Boundary
 Stream

Leelanau County

This drawing showing those wetlands that are regulated and not containing wetland is an approximation of the boundaries flagged on-site.

This drawing does not authorize or permit activities requiring a permit in accordance with Part 303 of the Act, 1994 PA 451, as amended.