

STERLING RELIEF DRAIN
INTRA-COUNTY DRAINAGE BOARD
MARCH 13, 2023
10:45 A.M.
AGENDA

**NOTE: THIS MEETING WILL BE HELD IN PERSON WITH TELECONFERENCE
OPTION FOR PUBLIC**

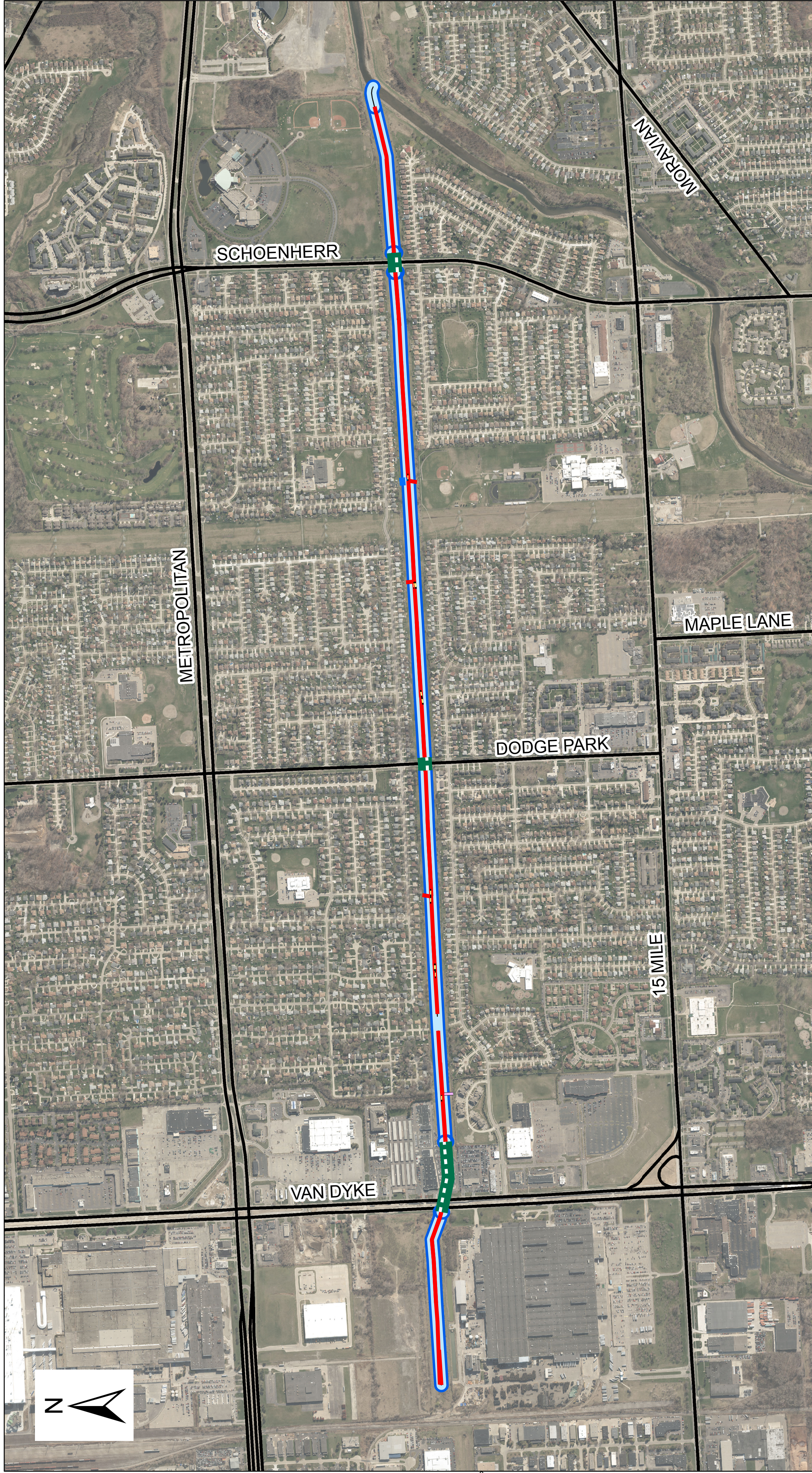
Call in Number: 1-224-990-0182

Access Code: 927 405 823

	Page
1. Call of meeting to order and roll call	
2. Approval of Agenda for March 13, 2023	
3. Approval of Minutes for February 14, 2022	3
4. Public Participation	
5. Native Prairie Project Fish & Wildlife Grant – Jeff Bednar	5
Motion: To approve the US Fish & Wildlife Service Habitat Grant Agreement for \$14,140 with a local cash and in-kind match of \$2,890.	
6. Consideration for approval of invoices (see attached)	13
7. Financial Report – Bruce Manning	14
8. Adjourn	

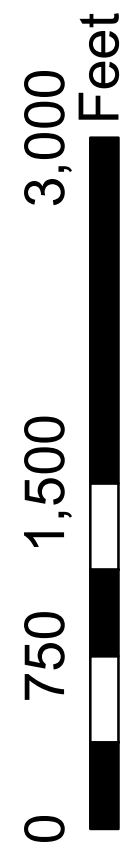
STERLING RELIEF

STERLING HEIGHTS



Legend

- Enclosed Gravity**
 - < 60" Dia (Red line)
 - >= 60" Dia (Blue line)
 - Multiple Pipes (Purple line)
 - Lateral Connection (Yellow line)
- Open Channel**
 - Ditch (Blue outline)
 - Pond (Blue dashed line)
- Culvert** (Green rectangle)



Drain Length (Feet/Miles):
15,747.52 / 2.98



An adjourned meeting of the Intra-County Drainage Board for the **STERLING RELIEF DRAIN** was held in the Office of the Macomb County Public Works Commissioner, 21777 Dunham Clinton Township, Michigan, on February 14, 2022, at 10:50 A.M.

PRESENT: Brian Baker, Acting Chair

 Joseph Romano, Member

 Bryan Santo, Member

ALSO PRESENT: Dan Acciavatti, Deputy Government Relations; Madison Tanghe, Administrative Coordinator; Don VanSyckel, Macomb County Board of Commissioners

PRESENT VIA TELECONFERENCE: Vince Astorino, Operations & Flow Manager; Jeff Bednar, Environmental Resources Manager; Steve Downing, Construction & Maintenance Manager; Norb Franz, Communications Manager; Bruce Manning, Financial Manager; Tom Stockel, Construction Supervisor

The meeting was called to order by the Acting Chair, Brian Baker. A motion was made by Mr. Santo, supported by Mr. Romano to approve the agenda as presented.

Adopted: YEAS: 3
 NAYS: 0

Minutes of the meeting of January 10, 2022 were presented. A motion was made by Mr. Romano, supported by Mr. Santo to approve the minutes as presented.

Adopted: YEAS: 3
 NAYS: 0

The meeting was opened to public participation, then closed, there being no comments from the public.

Mr. Bednar updated the board on the Red Run/Freedom Hill Project. The project was awarded to LJ Construction. They will be mobilizing starting today. Plans are to start on the Red Run side, doing all of the instream work in February and March. Then they will start working on the trail, grading and bringing aggregate in April/May. Plants should be planted in May/June. Then they will finish it off with concrete/asphalt work in June, then Fall plantings in September/October. MCPWO will be doing the inspection. Current construction schedule is that it will be wrapped up by Fall. We will be drafting up and sending out letters to notify the residents there.

Mr. Stockel updated the board with pictures from Ivy Street. We replaced the fence and a few months ago our inspector was out checking on the structures and noticed 2 sinkholes. One on each structure. The corrugated metal pipe is old, from the 1970's. We received 2 quotes. Robert Clancy Contracting was the low contractor. They repaired one for \$10,000 and the other for \$11,000. We replaced with concrete pipe and everything was put back together and restored.

A motion was made by Mr. Romano, supported by Mr. Santo to receive and file the project updates by Mr. Bednar and Mr. Stockel.

Adopted: YEAS: 3
 NAYS: 0

The Chair presented the invoices totaling \$22,075.00 to the board for review and approval.

A motion was made by Mr. Romano, supported by Mr. Santo to approve the invoices as presented.

Adopted: YEAS: 3
NAYS: 0

A motion to receive and file the financial report given by Mr. Manning was made by Mr. Santo and supported by Mr. Romano.

Adopted: YEAS: 3
NAYS: 0

Mr. Downing added that there was a potential sinkhole on the western side of the drain. He has reached out to Brent Bashaw from Sterling Heights, and will follow up with him. Mr. Bednar and Mr. Downing have reviewed the drain records and believe it is part of the local system. It does not appear that it was put in when Sterling Relief was established. It is located at the Western extent on Ivy Street, within 50 feet of the fence line.

There being no further business, it was moved by Mr. Romano, supported by Mr. Santo, that the meeting of the Sterling Relief Drain Board be adjourned.

Adopted: YEAS: 3
NAYS: 0

The meeting was adjourned at 10:59 A.M.



Brian Baker, Acting Chair
Macomb County Public Works Chief Deputy

STATE OF MICHIGAN
COUNTY OF MACOMB

I certify that the foregoing is a true and correct copy of proceedings taken by the Intra-County Drainage Board for the Drainage District shown on the attached set of minutes, on February 14, 2022 the original of which is on file in the Public Works Commissioner's Office. Public notice of the meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1975, including, in the case of a special or rescheduled meeting or a meeting secured for more than 36 hours, notice by posting at least 18 hours prior to the time set for the meeting.



Brian Baker, Acting Chair
Macomb County Public Works Chief Deputy

DATED: 02/15/22



Candice S. Miller

Public Works Commissioner
Macomb County

Memo

To: Sterling Relief Drain Drainage Board

From: Jeffrey H. Bednar, P.E.
Environmental Resources Manager

Date: March 8, 2023

Re: Request for Approval of U.S. Fish & Wildlife Service Grant Agreement

The attached agreement with the United States Fish & Wildlife Service (US FWS) specifies the cost share for a native prairie planting project on the western portion of the Sterling Relief Drain. The total project cost is estimated at \$14,140 with a landowner (Sterling Relief Drain) cost of \$2,890 in cash and in-kind match.

The project will convert approximately 17 acres of mowed turf grass in the western 0.8 miles of the Sterling Relief Drain right-of-way to native grass and pollinator habitat. This is the area of the drain that is fully enclosed and the land surface is currently maintained as mowed turf grass. This prairie conversion will continue the habitat improvements begun in recent restoration projects at the east stretch of the drain as well as the Red Run corridor along Freedom Hill. Along with improving stormwater infiltration, these projects provide habitat for migratory birds, butterflies and other pollinators as part of the Great Lakes Restoration Initiative (GLRI) program goals.

As part of the required cost share, MCPWO will perform site preparation by mowing and spraying the area. An additional establishment mow will be required at the end of the first growing season. The agreement mandates a 10 year maintenance period which could include annual maintenance mowing and spot invasive/weed growth control.

It is anticipated that the initial treatment will be contracted by MCPWO at an estimated cost of \$1,190. If necessary, an additional treatment will occur under the US FWS share of the project. The native seeds are provided by the US FWS, Partners for Fish and Wildlife Program.

This agreement will not preclude any future daylight or retrofit projects for the Sterling Relief Drain.

Staff requests authorization to execute the project agreement, including the required cost share. Upon authorization, the project will begin this spring.

**PARTNERS FOR FISH AND WILDLIFE PROGRAM
LANDOWNER AGREEMENT**

This Landowner Agreement (Agreement) dated January 23, 2023, between Macomb County Public Works Commission (Landowner), and the U.S. Fish and Wildlife Service (USFWS) is entered into pursuant to authority contained in the Partners for Fish and Wildlife Act (P.L. 109-294), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) and the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-j), as amended. This project was selected for funding because the Landowner(s) share(s) a common objective with the USFWS to restore habitat for the benefit of Federal trust species on private lands, and the project supports priority actions identified in the Regional Partners for Fish and Wildlife (Partners) Program Strategic Plan.

Macomb County Public Works Commission, 21777 Dunham Rd, Clinton Twp, Michigan 48036, hereby agrees to participate with the USFWS in conducting certain wildlife management practices on lands owned or managed in Sterling Heights Township, Macomb County, in the State of Michigan, described as follows: all of, or within, Township 2 North, Range 12 East, Section 29, 30.

In signing this Agreement, the Landowner(s) join(s) as a participant in a wildlife habitat improvement program and grants to the USFWS authority to complete the habitat improvement project or the Landowner(s) may personally carry out management activities with financial or material support as described in attached Exhibits. Any donation of supplies or equipment to the Landowner for carrying out the habitat improvements is included in Exhibits. The activities conducted pursuant to this Agreement are not to replace, supplement or otherwise contribute to any mitigation or compensation that may be required of the Landowner(s) or other parties as a result of any mandated requirements.

The term of this Agreement (also referred to as the habitat retention period) will be completed on 1/23/2033. This Agreement may be modified at any time by mutual written consent of the parties. It may be terminated by either party upon 30 days advance written notice to the other party(ies). However, if the Landowner(s) terminate(s) the Agreement before its expiration, or if the Landowner(s) should materially default on these commitments, then the Landowner(s) agree(s) to reimburse the USFWS prior to final termination for the prorated costs of all habitat improvements placed on the land through this Agreement. For these purposes, the total cost of the habitat improvements to the United States is agreed to be \$2,550.00.

Landowner:

The Landowner(s) or his/her land manager, with legal authority over land management decisions, guarantee(s) ownership of the above-described land and warrants that there are no outstanding rights that interfere with this Landowner Agreement.

The Landowner(s) agree(s) to allow access (with advance notice) to the USFWS and the other cooperating partners to implement the project described in the work plan, and to monitor project success.

The Landowner(s) retain(s) all rights to control trespass and retains all responsibility for taxes, assessments, and damage claims.

At the end of the habitat retention period, the habitat improvement project will become the sole property

and complete responsibility of the Landowner(s). There shall be no obligation to the USFWS after the term of the Agreement has expired.

The Landowner(s) agree(s) to allow the USFWS to serve as his “agent” to secure the State of Michigan wetland permit, all other necessary permits the Landowner(s) are responsible to obtain. Technical advice and support will be provided by participating agencies in the application for the permit(s). The Landowner(s) agree(s) to identify USFWS’ contribution to the project during public presentations, reports, or other information published about the project, as appropriate.

The Landowner(s) will be free to remove any structure at his/her own expense at the termination of the Agreement; however, the Agreement does not supersede any Local, State, or Federal regulation that would apply to the removal of any such structure(s).

The Landowner(s) will not be responsible for replacing wildlife habitat improvements that are damaged or destroyed by severe acts of nature.

USFWS:

The USFWS will work with the Landowner(s) and any other cooperators signing this Agreement, throughout the entire Agreement term to support actions needed to ensure that the project is designed and constructed per the Agreement and functions as intended.

The USFWS, its agents, or assignees will provide advanced notice prior to accessing the Landowner(s) property to implement the project described in the work plan, and to monitor project success.

The USFWS assumes no liability for damage or injury other than that caused by its own negligence, on the above acreage. The USFWS does not assume jurisdiction over the premises by this Agreement.

EXHIBIT A

The habitat improvements described below are agreed to by **Macomb County Public Works Commission**, (Landowner) and the USFWS in a Landowner Agreement dated **1/23/2023**.

Landowner Information:

Name: Macomb County Public Works Commission
Address: 21777 Dunham Rd
City: Clinton Twp State: Michigan Zip code: 48036
Point of Contact: Danielle Devlin
Telephone Number(s): 586-493-0681
Email: danielle.devlin@macombgov.org

Project Location:

County: Macomb Township Name: Sterling Heights Township Township: 2N, Range: 12E, Section(s):29, 30 State: MI
Field 1: Latitude: 42.5573510 Longitude: -83.0790067
Field 2: Latitude: 42.5574459 Longitude: -83.0755501
Field 3: Latitude: 42.5576489 Longitude: -83.0666353
Attached are maps and aerial photographs
Wetland acres: , NWSG acres: 17, CSG acres: , other habitat acres/units (describe):

Description of Habitat Improvement Project and Objectives (see attached maps and drawings):

This project was funded through the U.S. Fish and Wildlife Service, Partners for Fish and Wildlife Program and the Great Lakes Restoration Initiative. The role of the Service is to provide financial assistance and to provide technical assistance to design and implement projects through the Partners for Fish and Wildlife Program. Specifically, the PFW Biologist provided cost share and technical assistance to design and oversee restoration of 17 acres of native grass and pollinator habitat in Macomb County, Michigan. The project will improve habitat for migratory birds, butterflies, and other pollinators. This project contributes toward achieving our goals in the Glacial Wetlands and Grasslands Focus Area and the Western Lake Erie Watershed.

Native Grass and Wildflower Establishment:

Macomb County Public Works Commission owns the Sterling Relief Drain Right-of-Way, which includes a partially enclosed, partially open drain system. They have begun efforts to create usable habitat in these areas by planting wet meadow mixes in the open, saturated areas. To increase the habitat value of the property, 17 acres of the enclosed (upland) areas will be converted from mowed lawn to native warm season grass and wildflowers to provide nesting habitat for migratory songbirds, monarch butterflies, and other pollinators. For site preparation, the landowner will have fields mowed and sprayed once with glyphosate in spring 2023. The U.S. Fish and Wildlife Service will pay for 1 glyphosate application prior to planting. The fields will be planted to 17 acres of a mixture of Big Bluestem, Indian grass, Little Bluestem and Side Oats Grama at 3.0 lbs. (PLS) per acre and wildflowers at 2.5 lbs./acre. The U.S. Fish

and Wildlife Service will order the native grass and wildflower seed and contract the planting of the field by June 2023. Pollinator Partnership is providing funding for the purchase of the native seed for this project. The landowner will be responsible for mowing the planted field once in 2023 after August 15th to control unwanted weeds and allow the native grass and forbs a better opportunity to become established on the project sites.

The USFWS will provide management advice to the Landowner during the life of the contract. Contact USFWS representative listed on the Landowner Agreement if you have any questions on the habitat restoration.

USFWS will:

1. Review, design and oversee completion of the project as described above and in attached documents.
2. Provide 17 acres of native grass and wildflower seed to the contractor for planting of the site in June 2023.
3. Reimburse the contractor (selected by Landowner and USFWS) for itemized project costs for spraying 17 acres.
4. Reimburse the contractor (selected by Landowner and USFWS) for itemized project costs for planting 17 acres of NWSG and wildflowers.
5. Upon completion of each portion of the project, conduct a final inspection with the landowner and contractors and review maintenance and management requirements with the Landowner. The USFWS can provide management advice to the Landowner(s) during the life of the contract.

The Landowner will:

1. Complete site prep by mowing and spraying the 17 acres of field once in spring 2023.
2. Mow 17 acres of field in August of 2023 per the recommendation from the USFWS after the planting of native grass and wildflowers.
3. Maintain grasslands for the length of the contract (10 years).
4. Assume all responsibility for all maintenance activities (mowing, brush control, and exotic/invasive species control) associated with the grassland project.
5. Contact the Service representative listed on the Habitat Development Agreement if you have any questions on habitat management. The Service can provide management advice to the landowner during the life of the contract.

Budget Table:

Object Class Categories^a	Landowner Share of Project	USFWS Share of Project*	Pollinator Partnership	Total Est. Project Cost
Supplies				
NWSG- spray	\$1,190.00	\$0.00	\$0.00	\$1,190.00
NWSG- seed	\$0.00	\$0.00	\$8,700.00	\$8,700.00
Contractual				
NWSG-spray	\$0.00	\$1,190.00	\$0.00	\$1,190.00
NWSG-plant	\$0.00	\$1,360.00	\$0.00	\$1,360.00
Other				
In-Kind (mowing)	\$1,700.00 (mow 2x)	\$0.00	\$0.00	\$1,700.00
Total Cost	\$2,890.00	\$2,550.00	\$8,700.00	\$14,140.00

^a The total cost-share by the Cooperator, USFWS and Landowner must remain the same; however allocations by category may be redistributed upon prior approval by the USFWS.

*Funding for the USFWS share of the project came from **GLRI-22 \$2,550.00**.

Any work to be completed may be modified with the mutual agreement of the aforementioned parties. If there are any questions regarding the Partners for Wildlife Landowner Agreement or Exhibits, please contact the:

U.S. Fish and Wildlife Service

Name: Erica Roberts

Station: Michigan Private Lands Office

Address: 2651 Coolidge Road, Suite 101, East Lansing, MI 48823

Phone: (517) 242-9446

E-mail: erica_roberts@fws.gov



U.S. Fish & Wildlife Service

Michigan Private Lands Office
Partners for Fish and Wildlife Program



Macomb County
Sterling Heights Township
T2N R12E S30, 29

Macomb County Public Works Native Prairie Planting Project

17 acres total planting area



 NWSG and Forbs Planting



<u>Funding Source</u>	<u>Apportionment</u>	<u>Manager</u>	<u>Vendor</u>	<u>Amount</u>	<u>Invoice Detail</u>	<u>Project Summary</u>	<u>Project Balance</u>
Sterling Relief	Chapter 20 State of MI - 3.29% Macomb County - 7.79% Sterling Heights - 88.93%						
		Bednar	Cardno, Inc.	\$ 1,366.51	Invoice #329580 - 04.01.22	Invasive Species Treatment - Grant	\$ 137,483.49
		Manning	Macomb County Treasurer	\$ 1,926.54	Invoice #22-236 - 06.29.22	Personnel Reimbursement 10/2021 - 05/2022	
		Acciavatti	Cross Brothers Excavating	\$ 590.00	Invoice #6314 - 09.08.22	Drain Cleanout	
		Acciavatti	Cross Brothers Excavating	\$ 2,045.00	Invoice #6339 - 10.07.22	Drain Clean Out	
		Stockel	Taylor Made Fence	\$ 1,000.00	Invoice #5436 - 10.17.22	Fence Replacement	
		Manning	Macomb County Treasurer	\$ 3,003.00	Invoice #22-339 - 11.07.22	25% Personnel Cost Cross Charge - Equipment Fund	
		Stockel	Active Tree Experts, Inc.	\$ 2,100.00	Invoice #5204 - 9.30.22	Tree Removal - Drain Match	
		Acciavatti	CBX	\$ 810.00	Invoice #6395 - 11.19.22	Drain Cleanout	
		Bednar	Cardno, Inc.	\$ 4,761.05	Invoice #331309 - 05.06.22	Invasive Species Treatment - Grant Funded	\$ 132,722.44
		Acciavatti	Cross Brothers Excavating	\$ 535.00	Invoice #6413 - 12.15.22	Drain Cleanout - Culvert & Gate	
		Acciavatti	Cross Brothers Excavating	\$ 755.00	Invoice #6414 - 12.15.22	Drain Cleanout - Culvert & Gate	
		Acciavatti	Cross Brothers Excavating	\$ 810.00	Invoice #6438 - 01.09.23	Drain Cleanout	
		Manning	Macomb County Treasurer	\$ 1,025.64	Invoice #23-016 - 01.24.23	Personnel Reimbursement - 4th Quarter	
		Acciavatti	Cross Brothers Excavating	\$ 3,270.00	Invoice #6452 - 02.02.23	Drain Cleanout	
		Bednar	Stantec	\$ 29,800.70	Invoice #2004373 - 11.16.22	Invasive Species Treatment - Grant Funded	
		Bednar	Stantec	\$ 1,457.45	Invoice #2034261 - 01.27.23	Invasive Species Treatment - Grant Funded	
		Bednar	Stantec	\$ 1,372.59	Invoice #2034261 - 01.27.23	Culvert Cutting	
		Bednar	Stantec	\$ 8,616.90	Invoice #333314 - 01.27.23	Invasive Species Treatment - Grant Funded	
		Acciavatti	Cross Brothers Excavating	\$ 645.00	Invoice #6458 - 02.16.23	Drain Cleanout	
		Total		\$ 65,890.38			

YTD Trial Balance

Fund: Sterling Relief

As of Fiscal Period: Oct 1, 2022-Feb 28, 2023

	O&M Balance 9/30/2022	O&M	Total 2/28/2023
Cash - Operating	225,090	11,273	236,363
Accounts Receivable			0
Assets			0
Liabilities			0
Revenues		21,510	21,510
Expenditures		10,237	10,237
Equity	225,090		236,363