



## CITY COUNCIL REPORT

November 5, 2007

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Asst. City Manager/Economic Development Services  
Steven J. Vandette, City Engineer *[Signature]*

SUBJECT: MDEQ Approval of Troy's Soil Erosion and Sedimentation Program

After working with the Michigan Department of Environmental Quality (MDEQ) for several years to update the City's Soil Erosion and Sedimentation Control (SESC) Ordinance and recertify our permit and inspection programs, we are happy to report that the MDEQ has given its approval to our Soil Erosion and Sedimentation Control Program (see attached). Since 2001 when the MDEQ notified Troy of their recertification audit, the Engineering Department has worked diligently to update the City's program and achieve the goals and objectives set forth by the MDEQ for an acceptable soil erosion control program.

Although under Michigan Department of Environmental Quality (DEQ) regulations, local Soil Erosion and Sedimentation Control (SESC) programs are required to be audited every five (5) years, it has taken nearly that long to go through MDEQ's audit process. The task was complicated by several factors including several MDEQ staff changes resulting in inconsistent rules and requirements and the need to completely rewrite the city's Soil Erosion and Sedimentation Control ordinance, Chapter 86, to conform to new state environmental laws that took effect in 1994 and 2001 after the previous ordinance was adopted.

New permits, inspection and enforcement procedures also had to be designed and adopted, which required the building community to learn many new rules and regulations of this new program. Frequently, builders commented on how different and somewhat more rigorous our requirements were as compared to other communities. That comment was absolutely true, considering that very few of our surrounding communities have updated their programs and gone through the MDEQ audit process. Given the slow rate at which the MDEQ conducts its audits, it may be several more years until other communities come into compliance with Act 451 of Public Acts of 1994, as amended in 2001, of the Natural Resources and Environmental Protection Act, Part 91, which pertains to Soil Erosion and Sedimentation Control. Meanwhile, the Troy Engineering Department will be working with other communities and will present to the Metro Detroit Chapter of the American Public Works Association information on Troy's experience with the MDEQ and how they can update their Soil Erosion and Sedimentation Control Programs.

I'd like to take this opportunity to thank all those that contributed significantly to updating Troy's program and achieving MDEQ certification: Jennifer Lawson, Environmental Specialist; Lance Oakley, Engineering Technician; Joe Lietaert, Inspector Supervisor; Dane Lawicki, Eng. Specialist, Janet Parsons, Clerk-Typist; Mike Bastien, Engineering Assistant; and Spalding DeDecker Associates, Consulting Engineers.



DEPARTMENT OF ENVIRONMENTAL QUALITY  
SOUTHEAST MICHIGAN DISTRICT OFFICE



JENNIFER M. GRANHOLM  
GOVERNOR

STEVEN E. CHESTER  
DIRECTOR

September 17, 2007

Mr. Steven Vandette, P.E.  
City of Troy  
500 W Big Beaver Road  
Troy, Michigan 48084

Dear Mr. Vandette:

A review of the City of Troy Municipal Enforcing Agency (MEA) Soil Erosion and Sedimentation Control (SESC) Program was conducted by the Department of Environmental Quality (DEQ), Water Bureau (WB), on September 4, 2007. The review was conducted pursuant to Section 9106(3) of Part 91, SESC, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

Based on the review of the City of Troy MEA SESC Program on September 4, 2007, the City of Troy MEA SESC Program is granted "approved" status.

It is important that the City of Troy not assume that the granting of the approved status is the end of the process for program improvement. Findings of the most recent follow-up review are detailed in Enclosure 1.

The WB appreciates the action taken by the City of Troy to comply with the requirements of Part 91. If you have any questions, please contact me or Cheryl Petroski at [Petrosc1@michigan.gov](mailto:Petrosc1@michigan.gov).

Sincerely,

Hae-Jin Yoon  
District Supervisor  
Southeast Michigan District Office  
Water Bureau  
586-753-3750

Enclosure

cc: Ms. Cheryl Petroski, WB  
Mr. Dick Mikula, DEQ - WB



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