

ROUGE RIVER COLLABORATIVE PUBLIC EDUCATION PLAN (PEP)



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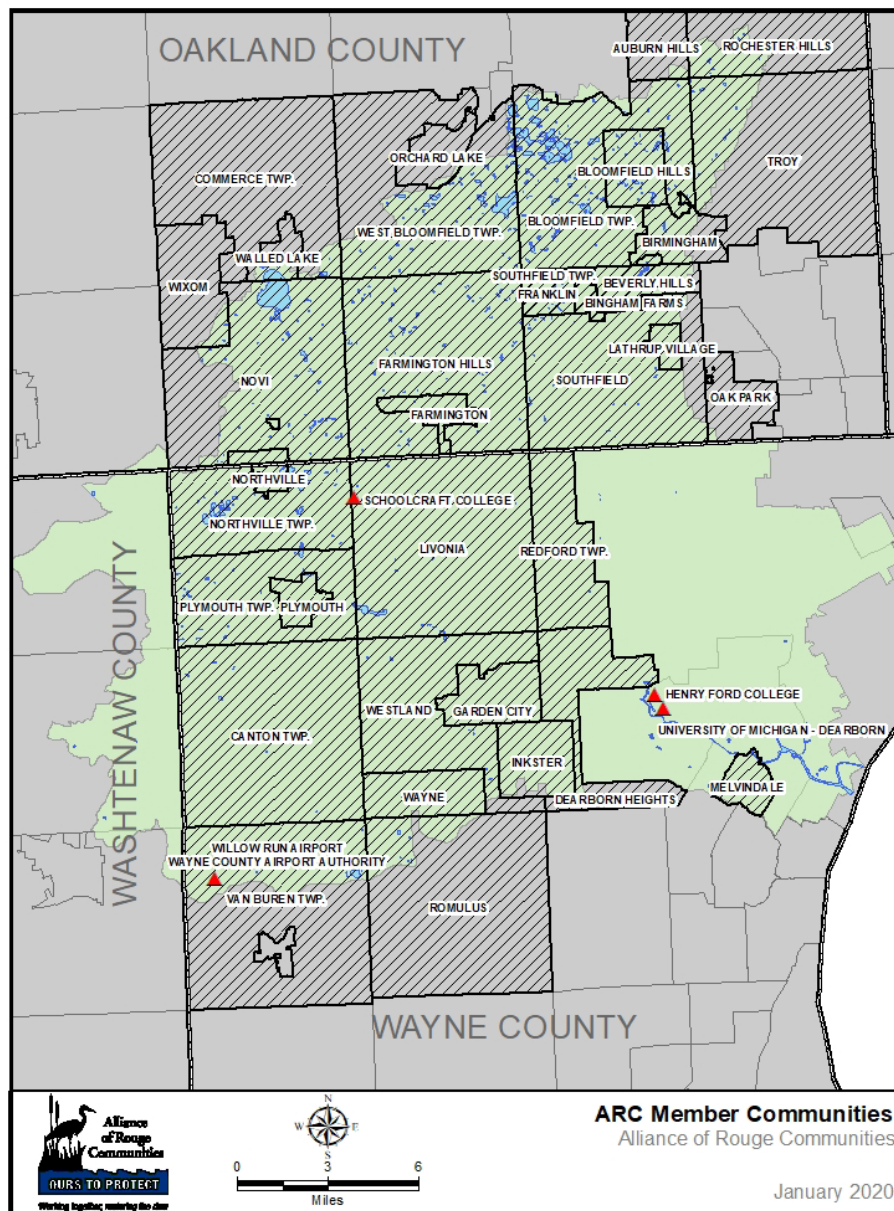
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Attachment A: Responsible Communities

INTRODUCTION

The Alliance of Rouge Communities (ARC), a 501(c)(3) organization, is a voluntary public watershed entity currently comprised of municipal governments, counties, schools, and cooperating partners (see Figure 1) as authorized by Part 312 (Watershed Alliances) of the Michigan Natural Resources and Environmental Protection Act (MCL 324.101 to 324.90106) as amended by Act No. 517, Public Acts of 2004. The purpose of the ARC is to provide an institutional mechanism to encourage watershed-wide cooperation and mutual support to meet water quality permit requirements and to restore beneficial uses of the Rouge River to the area residents.

Figure 1: ARC Members



The Rouge River Collaborative Public Education Plan presents the watershed wide approach to educating the public on how their actions affect water quality. This plan was developed by the ARC through its Public Involvement and Education Committee (PIE) in response to the requirements of the State of Michigan’s Municipal Separate Storm Sewer System (MS4) permit. More specifically, this plan addresses the Public Education Program element of the permit.

ARC members and ARC staff continue to participate and collaborate with partners throughout the region, state and nation in an effort to coordinate stormwater permit related public education and other stormwater related initiatives when possible.

This plan will be implemented collaboratively by the ARC participating communities and partners through September 30, 2031 which is expected to be the end of the permit cycle. The list of permittees participating in this Plan can be found in Attachment A.

SECTION A – PROCEDURE FOR HIGH-PRIORITY, COMMUNITY-WIDE AND TARGETED ISSUES

The Rouge River Watershed communities have regularly conducted public opinion surveys to gauge the public’s knowledge of watershed-related issues and concerns. Surveys were conducted in 1992 and 1999 by the Rouge River National Wet Weather Demonstration Project and in 2004 by SEMCOG. In 2008 and 2022, the ARC also conducted a survey to assess the public’s opinion about the goals for the PEP. The survey asked the public:

- To rank the goals in order of importance
- To rank issues, such as flooding, streambank erosion and water quality in order of importance, and
- To discuss any concerns about the river

Using these past surveys, this plan outlines the priority, community-wide and targeted issues that are of most significance to the ARC communities. By focusing on those elements, the ARC will have the greatest impact on public education of watershed issues and will in turn have the greatest behavioral changes to reduce their effects in the Rouge River watershed.

In addition to public awareness, the PEP topics were prioritized based on known targeted issues within the watershed. Table 1 shows the applicable PEP Topics and their priority ranking for the ARC.

Table 1: PEP Topics and Priority

PEP TOPICS FROM MS4 PERMITS	PRIORITY RANKING
A. Promote public responsibility and stewardship in the Rouge River watershed	High
B. Inform and educate the public about the connection of the MS4 to area waterbodies and the potential impacts discharges could have on surface waters of the State	High
C. Educate the public on illicit discharges and promote public reporting of illicit discharges and improper disposal of materials into the MS4	High
D. Promote preferred cleaning materials and procedures for car, pavement, and power washing	Medium
E. Inform and educate the public on proper application and disposal of pesticides, herbicides, and fertilizers	High
F. Promote proper disposal practices for grass clippings, leaf litter, and animal wastes that may enter into the MS4	High
G. Identify and promote the availability, location, and requirements of facilities for collection or disposal of household hazardous wastes, travel trailer sanitary wastes, chemicals, and motor vehicle fluids	High
H. Inform and educate the public on proper septic system care and maintenance, and how to recognize system failure	High
I. Educate the public on, and promote the benefits of, green infrastructure and Low Impact Development	High
J. Identify and educate commercial, industrial, educational and institutional entities likely to contribute pollutants to stormwater runoff	Medium

SECTION B – ACTION STRATEGY

The ARC’s overall action strategy is to protect and maintain what is healthy, identify and restore what is degraded, and keep working together to continuously improve environmental conditions. The ARC will look to use cost-effective outreach methods and maintain the efficiency of activities by using currently available resources when possible and collaborating with other potential partners.

These activities are consistent with and help realize the goals of the RRWMP and address the *E. coli* and biota TMDLs within the Rouge River watershed.

SECTION C – COLLABORATIVE PEP BMP ACTIVITIES

Each PEP topic from the MS4 permit is addressed with various BMP activities and will be implemented in conjunction with the Collaborative IDEP. These action items are described below and include the target audience, key message, delivery mechanism, year and frequency implemented, and responsible party (or parties), measurable goal and measures of assessment.

BMP Identifier: 1

BMP Descriptor: Distribute pollution prevention literature on various topics through brochures, educational materials, and other media

Addresses PEP Topic:

A, B, C, D, E, F, G, H, I, J

Target Audience:

Public and businesses

Key Message:

The key message is to educate the public about the connection of the MS4s to area waterbodies and the potential impacts discharges could have and the importance of pollution prevention and watershed restoration and stewardship. It may also educate the public on reporting illicit discharges and improper disposal of materials into the Rouge River Watershed, promoting proper disposal practices, identify and promote facilities for collection or disposal of household hazardous wastes (including travel trailer sanitary wastes, chemicals and motor vehicle fluids). Items may also include information on septic system maintenance and how to recognize system failure and may promote preferred cleaning materials and procedures for car, pavement, and power washing. In addition, materials may inform and educate the public on proper application and disposal of pesticides, herbicides, and fertilizers and the proper disposal practices for grass clippings, leaf litter and animal waste that may enter the Rouge River. Materials may also include the benefits of green infrastructure and Low Impact Development and methods for managing riparian lands to protect water quality. It may also include educating commercial, industrial, educational, and institutional entities likely to contribute pollutants to stormwater runoff.

Delivery Mechanism:

ARC members will be provided copies of materials to be displayed at their facilities or used at community events or will be provided electronic material to use on their community website. With ARC member oversight, ARC staff will facilitate the selection, procurement and distribution of various watershed restoration and pollution prevention public education materials to support ARC member public education permit compliance. Materials will also be available to view on the ARC's website. The ARC will also promote its message through the ARC website and social media.

Year/Frequency BMP Implemented:

Current brochures and materials will be provided to ARC members throughout the permit cycle.

Responsible Party:

- ARC Staff will design/distribute materials and make available on the ARC website and develop and boost ARC facebook posts.
- Wayne, Oakland and Washtenaw Counties will assist with material content when appropriate.
- ARC members listed in Attachment A will assist with material content as part of the ARC's Public Involvement & Education Committee (PIE), distribute materials, link to the ARC's website and promote ARC facebook posts.

Measurable Goal:

- Four (4) new brochures/materials with one of the new brochures/material educating contractors likely to contribute pollutants to stormwater runoff.
- 24 posts annually during the permit cycle on the ARC Facebook page and boost 2 of the 24 posts annually to increase views.
- ARC Communities will make existing and new brochures and materials available for public events and at facilities such as city/township halls, libraries, etc., and provide a link to the ARC's website on their website.
- ARC website and Facebook page shall show an increase in views over the permit cycle.

Measures of Assessment:

- Number of materials distributed, topic, location of distribution and event name by the ARC and member communities.
- Number of posts/views on the ARC's website and number of Facebook posts boosted.
- Viewer numbers will be requested from electronic media companies when used.

BMP Identifier: 2

BMP Descriptor: Coordinate and distribute community articles and ad graphics on pollution prevention and watershed restoration and stewardship

Addresses PEP Topic:

A, B, C, D, E, F, G, H, I, J

Target Audience:

Public and businesses

Key Message:

Articles and ad graphics may include the following topics: The connection of the MS4s to area waterbodies and the potential impacts discharges could have. The importance of pollution prevention and watershed restoration and stewardship. Reporting illicit discharges and improper disposal of materials into the Rouge River Watershed, promoting proper disposal practices, identify and promote facilities for collection or disposal of household hazardous wastes (including travel trailer sanitary wastes, chemicals and motor vehicle fluids). Septic system maintenance and how to recognize system

failure and preferred cleaning materials and procedures for car, pavement, and power washing. Proper application and disposal of pesticides, herbicides, and fertilizers and the proper disposal practices for grass clippings, leaf litter and animal waste that may enter the Rouge River. Benefits of green infrastructure and Low Impact Development and methods for managing riparian lands to protect water quality. It may also include educating commercial, industrial, educational, and institutional entities likely to contribute pollutants to stormwater runoff.

Delivery Mechanism:

With ARC oversight, ARC staff will facilitate the selection (based on an annual theme) and distribution of various articles and/or ad graphics that support watershed restoration and pollution prevention public education themes. Other existing articles or ad graphics will be made available upon request by ARC members. Articles and ad graphics will also be posted on the ARC's website and through social media. ARC members will be encouraged to repost articles and ad graphics in their newsletters, websites and social media outlets.

Year/Frequency BMP Implemented:

- Annually, one article with corresponding ad graphic.

Responsible Party:

- ARC Staff will coordinate existing material and develop new materials.
- Wayne, Oakland and Washtenaw Counties will assist with material content and coordination when appropriate.
- ARC members listed in Attachment A will assist with material content when appropriate, distribute materials, link to the ARC's website, and promote ARC facebook posts.

Measurable Goal:

- 8 new articles and 8 ad graphics.

Measures of Assessment:

- List of articles/ad graphics with title, topic and date distributed by ARC members listed in Attachment A.
- List of articles/ad graphics promoted on the ARC's website and Facebook page.
- Number of views on the ARC's website and Facebook page.

BMP Identifier: 3

BMP Descriptor: Provide static displays and posters on pollution prevention and watershed restoration and stewardship

Addresses PEP Topics:

A, B, C, D, E, F, G, H, I

Target Audience:

Public, businesses and schools

Key Message:

Displays and posters may include the following topics: The connection of the MS4 to area waterbodies and the potential impacts discharges could have. The importance of pollution prevention and watershed restoration and stewardship. Reporting illicit discharges and improper disposal of materials into the Rouge River Watershed, promoting proper disposal practices, identify and promote facilities for collection or disposal of household hazardous wastes (including travel trailer sanitary wastes, chemicals and motor vehicle fluids). Septic system maintenance and how to recognize system failure and preferred cleaning materials and procedures for car, pavement, and power washing. Proper application and disposal of pesticides, herbicides, and fertilizers and the proper disposal practices for grass clippings, leaf litter and animal waste that may enter the Rouge River. Benefits of green infrastructure, Low Impact Development, and methods for managing riparian lands to protect water quality.

Delivery Mechanism:

The ARC will update existing and/or create new static displays during the permit cycle. The ARC may create new static displays using SEMCOGs "What You Can Do . . ." series or other topic that will be made available for loan to ARC member communities to use at their facilities or community events in each of the subwatersheds. ARC staff may also be requested to staff displays at community events. The ARC Staff may create new displays if a particular topic is deemed necessary. The ARC created four (4) seasonal posters covering a variety of PEP Topics which will be provided to community organizations within the Rouge River Watershed.

Year/Frequency BMP Implemented:

The ARC's seasonal posters will be distributed during the permit cycle for display at community organizations like schools, recreation centers and libraries. Two (2) static displays will be created during the permit cycle related to the key message. ARC Staff will promote the use of displays at community events and facilities throughout the watershed during the permit cycle.

Responsible Party:

- ARC Staff will update/create static displays.
- Wayne, Oakland and Washtenaw Counties will assist with material content and coordination when appropriate.
- ARC members listed in Attachment A will assist with material content when appropriate and display posters and static displays at facilities and promote static displays at watershed events.

Measurable Goal:

- Create two (2) static displays during the permit cycle.
- Host static displays at 24 ARC member community events per year. Each ARC member listed in Attachment A will host a static display at least five times during the permit cycle and distribute brochures/materials while hosting the display.
- Distribute 1,000 posters to community organizations like schools/rec centers or libraries during the permit cycle.

Measures of Assessment:

- Name of display, date, location and title of events that static displays were used.
- Number of posters distributed and name of community organizations where displayed.
- Number and topic of static displays created during the permit cycle.

BMP Identifier:

4

BMP Descriptor:

Promote environmental hotlines to educate the public on illicit discharges and promote public reporting of illicit discharges and improper disposal of materials into the MS4

Addresses PEP Topic:

A, B, C, E, G, J

Target Audience:

Public, municipal employees and businesses

Key Message:

The message will educate the public about the connection of the MS4s to area waterbodies and the potential impacts discharges could have and the importance of pollution prevention and watershed restoration and stewardship. Promote awareness of environmental contaminants and encourage the reporting of observed and/or suspected pollutant sources. It will also include informing the public of collection/disposal sites of household hazardous waste, travel trailer sanitary wastes, chemicals and motor vehicle fluids along with proper disposal practices for grass clippings, leaf litter, and animal wastes.

Delivery Mechanism:

The environmental hotline numbers and collection/disposal information will be advertised by ARC members through available outlets such as the ARC website, county and local community websites, social media, through hotline brochure distribution, as well as being displayed on other topical brochures, distributed at display events and training sessions, electronic media, and other outlets.

Year/Frequency BMP Implemented:

Continuously promoted and distributed annually.

Responsible Party:

- ARC Staff will promote the environmental hotline through materials and on the ARC website and facebook page.
- Wayne, Oakland and Wastenaw Counties will distribute materials promoting the environmental hotline and link to the ARC's website.
- ARC members listed in Attachment A will distribute materials promoting the environmental hotline, link to the ARC's website and promote ARC facebook posts.

Measurable Goal:

- Distribute 500 pieces of materials annually with hotline numbers referenced.
- Boost 2 Facebook posts annually on reporting illegal dumping, illicit discharges or the environmental hotline.
- ARC members listed in Attachment A will make available on their community website or other outlet a contact or mechanism for community members to report pollution complaints or illicit discharges.

Measures of Assessment:

- Number of materials distributed with hotline number referenced.
- Number of views on ARC website and number of Facebook posts boosted.

BMP Identifier: 5

BMP Descriptor: Distribution of "homeowner" materials to promote the importance of pollution prevention and watershed restoration and stewardship

Addresses PEP Topics:

A, B, C, D, E, F, G, H, I

Target Audience:

Public

Key Message:

The ARC will distribute an educational materials for homeowners which will include topics regarding the connection of the MS4 to area waterbodies and the potential impacts discharges could have. The importance of pollution prevention and watershed restoration and stewardship. Reporting illicit discharges and improper disposal of materials into the Rouge River Watershed, promoting proper disposal practices, identify and promote facilities for collection or disposal of household hazardous wastes (including travel trailer sanitary wastes, chemicals and motor vehicle fluids). Septic system maintenance and how to recognize system failure and preferred cleaning materials and procedures for car, pavement, and power washing. Proper application and disposal of pesticides, herbicides, and fertilizers and the proper disposal practices for grass clippings, leaf litter and animal waste that may enter the Rouge River. Benefits of green infrastructure and Low Impact Development and methods for managing riparian lands to protect water quality.

Delivery Mechanism:

The educational materials will be available to ARC members and the public through the ARC website and the ARC's Facebook. An educational homeowner brochure and/or giveaways will be distributed and made available to community organizations such as recreation/community centers and libraries.

Year/Frequency BMP Implemented:

- 1 distribution event per year for 5 years.

Responsible Party:

- ARC Staff will distribute materials to ARC member communities and organizations.
- Wayne, Oakland and Washtenaw Counties will assist with coordination when appropriate.
- ARC members listed in Attachment A will assist with coordination, distribute materials, link to the ARC's website, and promote ARC Facebook posts.

Measurable Goal:

- Distribute 500 copies of the brochure or giveaways to organizations 5 times during the permit cycle.

Measures of Assessment:

- Name and number of materials distributed to ARC community organizations.
- Name and number of materials distributed to new home owners by ARC member communities.
- Number of views on ARC website and Facebook.

BMP Identifier: 6

BMP Descriptor: Develop and promote educational workshops and presentations

Addresses PEP Topic:

A, B, C, D, E, F, G, H, I, J

Target Audience:

Public and businesses

Key Message:

The key message of the workshops and presentations could include the connection of the MS4 to area waterbodies and the potential impacts discharges could have. The importance of pollution prevention and watershed restoration and stewardship. Reporting illicit discharges and improper disposal of materials into the Rouge River Watershed, promoting proper disposal practices, identify and promote facilities for collection or disposal of household hazardous wastes (including travel trailer sanitary wastes, chemicals and motor vehicle fluids). Septic system maintenance and how to recognize system failure and preferred cleaning materials and procedures for car, pavement, and power washing. Proper application and disposal of pesticides, herbicides, and fertilizers and the proper disposal practices for grass clippings, leaf litter and animal waste that may enter the Rouge River. Benefits of green infrastructure and Low Impact Development and methods for managing riparian lands to protect water quality. It may also include educating commercial, industrial, and educational institutional entities likely to contribute pollutants to stormwater runoff.

Delivery Mechanism:

ARC staff will determine topics, coordinate content and speakers to provide six (6) workshops during the permit cycle. Workshop topics will vary based on annual education themes and/or needs as determined by the ARC. Workshops and presentations to business associations, chamber of commerce, business organizations, and focus groups could also be included. ARC members may host and participate in these workshops and presentations.

Year/Frequency BMP Implemented:

- 1 workshop per year for 6 years.

Responsible Party:

- ARC staff will coordinate topics and speakers and staff workshops and presentations when appropriate.
- ARC staff will promote events on the ARC website and Facebook page.
- Wayne, Oakland and Washtenaw Counties will assist in planning and coordinating and promote workshops and presentations when appropriate.
- ARC members listed in Attachment A will assist in planning and coordinating workshops and presentations when appropriate and promote and/or host workshops and presentations.

Measurable Goal:

- Six (6) workshops/ presentations.
- Each workshop/presentation shall average at least 15 participants.

Measures of Assessment:

- Documentation of attendees and communities or type of businesses represented at workshops/presentations.
- Materials handed out and documentation of topics presented.
- Results of surveys conducted at the end of workshop and presentation.
- Report of ARC member communities that hosted and promoted workshops/presentations.

BMP Identifier: 7

BMP Descriptor: Promote and support volunteer activities

Addresses PEP Topic:

A, B, C, D, E, F, G, H, I, J

Target Audience:

Public, businesses and schools

Key Message:

Promoting the importance of volunteer activities in the Rouge River Watershed such as river days, Rouge clean-up events, workdays, water festivals, and green schools programs will encourage public responsibility and stewardship in the Rouge River.

Delivery Mechanism:

The ARC members, Wayne, Oakland and Washtenaw County, and other partners will promote and implement Rouge River awareness and restoration activities such as Rouge clean-up events, river days, workdays, water festivals and green schools programs through websites, social media, distribution of materials and presentations. ARC members are encouraged to promote events that are held throughout the watershed.

Year/Frequency BMP Implemented:

- ARC members will promote volunteer activities annually.

Responsible Party:

- ARC staff will promote activities on the ARC website and Facebook page.
- Wayne, Oakland and Washtenaw Counties will assist in planning and coordinating and promote volunteer activities when appropriate.
- ARC members listed in Attachment A will assist in planning and coordinating volunteer activities when appropriate and promote and/or host volunteer activities.

Measurable Goal:

- Support workdays during the permit cycle.

Measures of Assessment:

- Number of views on ARC website and Facebook annually.
- Report of ARC member communities that hosted or participated in events.

BMP Identifier: 8

BMP Descriptor: Promotion of and support for volunteer monitoring activities within the Rouge River Watershed

Addresses PEP Topics:

A, B, C, I, J

Target Audience:

Public and businesses

Key Message:

Promote the importance of pollution prevention and watershed restoration and stewardship through volunteer monitoring. This monitoring may include general macroinvertebrates, stoneflies, and frogs and toads, and/or fish. Volunteer monitoring will provide education, build stewardship, and provide valuable data for the protection and restoration of the Rouge River.

Delivery Mechanism:

The ARC and Wayne, Oakland and Washtenaw Counties will promote and support watershed-wide volunteer monitoring programs through websites, social media, distribution of materials, and presentations. ARC members will actively promote public and business participation and will host monitoring activities at their facilities when appropriate.

Year/Frequency BMP Implemented:

- Annually promote volunteer monitoring events or other like programs.

Responsible Party:

- ARC staff will assist with planning and coordinating volunteer monitoring activities or other like programs and promote on the ARC website and Facebook page.
- Wayne, Oakland and Washtenaw Counties will assist in planning, coordinating and promote monitoring activities or other like programs when appropriate.
- ARC members listed in Attachment A will assist in planning and coordinating monitoring activities when appropriate and promote and/or host monitoring activities.

Measurable Goal:

- Support volunteer monitoring events during the permit cycle.

Measures of Assessment:

- Number of views on ARC website and Facebook annually.

- Report showing ARC member communities that hosted/participated/promoted events.

SECTION D – PROCEDURE FOR EVALUATING AND DETERMINING EFFECTIVENESS

The ARC will conduct two public awareness surveys during the permit cycle and compare it to the previous survey results to evaluate changes in public awareness/behavior. After comparing the results from the surveys, the ARC PIE Committee will determine if any modifications should be made to the PEP to address ineffective implementation.

In addition to analyzing the survey results, the ARC will use the evaluations that are done at many workshops, presentations, workdays, water festivals and other activities hosted by ARC member communities and partners. This will allow the ARC to make any necessary adjustments to the information presented at the ARC supported workshops and presentations during the permit cycle.

The ARC will prepare a progress report for the Collaborative PEP plan to accompany the permittees' individual progress reports. The report will summarize the status of meeting the goals outlined in this plan. The Collaborative PEP progress report is anticipated to be completed by February 28 every two years beginning in 2026. Each report will cover activities completed in the previous two calendar years. Lastly, continued participation in regional partnership activities will allow the ARC Staff to make recommendations if these partnerships provide avenues to assist with implementing and improving the PEP.

ATTACHMENT A

Responsible Communities and Partners

This Collaborative PEP is submitted on behalf of the below listed MS4 permit holders with support from the ARC Staff and its cooperating partners that participate in the Storm Water Education Program facilitated by the Alliance of Rouge Communities (ARC).

RESPONSIBLE PARTY	SPECIFIC BMP IDENTIFIER
ARC Staff (under contract to the ARC)	1, 2, 3, 4, 5, 6, 7, 8
Communities	
Beverly Hills, Village of	1, 2, 3, 4, 5, 6, 7, 8
Bingham Farms, Village of	1, 2, 3, 4, 5, 6, 7, 8
Birmingham	1, 2, 3, 4, 5, 6, 7, 8
Bloomfield Hills	1, 2, 3, 4, 5, 6, 7, 8
Bloomfield Twp.	1, 2, 3, 4, 5, 6, 7, 8
Canton Twp.	1, 2, 3, 4, 5, 6, 7, 8
Dearborn Heights	1, 2, 3, 4, 5, 6, 7, 8
Farmington	1, 2, 3, 4, 5, 6, 7, 8
Farmington Hills	1, 2, 3, 4, 5, 6, 7, 8
Franklin, Village of	1, 2, 3, 4, 5, 6, 7, 8
Garden City	1, 2, 3, 4, 5, 6, 7, 8
Inkster	1, 2, 3, 4, 5, 6, 7, 8
Lathrup Village	1, 2, 3, 4, 5, 6, 7, 8
Livonia	1, 2, 3, 4, 5, 6, 7, 8
Melvindale	1, 2, 3, 4, 5, 6, 7, 8
Northville	1, 2, 3, 4, 5, 6, 7, 8
Northville Twp.	1, 2, 3, 4, 5, 6, 7, 8
Novi	1, 2, 3, 4, 5, 6, 7, 8
Oak Park	1, 2, 3, 4, 5, 6, 7, 8
Orchard Lake Village	1, 2, 3, 4, 5, 6, 7, 8
Plymouth	1, 2, 3, 4, 5, 6, 7, 8
Plymouth Twp.	1, 2, 3, 4, 5, 6, 7, 8
Redford Twp.	1, 2, 3, 4, 5, 6, 7, 8
Southfield	1, 2, 3, 4, 5, 6, 7, 8
Troy	1, 2, 3, 4, 5, 6, 7, 8
Walled Lake	1, 2, 3, 4, 5, 6, 7, 8
Wayne	1, 2, 3, 4, 5, 6, 7, 8
Westland	1, 2, 3, 4, 5, 6, 7, 8
West Bloomfield Twp.	1, 2, 3, 4, 5, 6, 7, 8
Wixom	
Counties	
Wayne County	1, 2, 3, 4, 5, 6, 7, 8
Oakland County*	1, 2, 3, 4, 5, 6, 7, 8
Washtenaw County*	1, 2, 3, 4, 5, 6, 7, 8
Schools	
Henry Ford College	1, 2, 3, 4, 5, 6, 7, 8
Schoolcraft College	1, 2, 3, 4, 5, 6, 7, 8
University of Michigan – Dearborn*	1, 2, 3, 4, 5, 6, 7, 8
Willow Run Airport (Wayne County Airport Authority)	1, 2, 3, 4, 5

*Participating but this plan is not part of their pending permit application.