



STATE OF MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

STANDARD PERMIT FOR PESTICIDE APPLICATION TO SURFACE WATERS OF THE STATE OF MICHIGAN

Permits are required by Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and Part 33, Aquatic Nuisance Control, of the NREPA (Part 33).

Permission is hereby granted, based on information supplied on the permit application and on the applicant's assurance of adherence to State requirements and this permit, to apply chemicals to the waters described herein for the control of aquatic plants and/or algae or swimmer's itch.

PERMIT NUMBER: 13-98-0130-0

DATE EFFECTIVE: 02/04/2013

This permit is valid only through December 31, 2013.

Permittee Name and Address

PLM Lake & Land Management Corp
8865 100th Street, SE
Alto, Michigan 49302

Name of Waterbody Affected

Blanch Lake

County(ies) in which Waters are Located

Newaygo

Authority granted by this permit is subject to the following conditions and limitations:

Section A. Authorizations and Coverage Provisions

1. Chemical Application

The applicant may apply only those specific chemical products that are approved by the DEQ in the areas identified on the attached approved treatment map. Please consult the chemical table entitled "Chemicals Approved For Use Under The Aquatic Nuisance Control Standard Permit". This table is updated as any new chemicals are approved. If only an active ingredient is listed in the table, consult the list of DEQ-approved aquatic pesticides and related products to determine if the brand name product you wish to use is approved. The chemical table and list of approved pesticides are available at www.michigan.gov/deqinlandlakes, or upon request.

The application of chemical pesticides to the areas identified on the approved treatment map is restricted to the stated maximum application rates listed in the table. This rate may be lower than the maximum allowed under the label. The maximum total amount of each chemical shall be based upon the actual area of treatment, the average depth of the treatment area, the treatment timing and location, plant or algae density, chemical concentration in the water, and the target species; or as otherwise indicated by the product label.

Certain pesticide labels require or strongly recommend the use of additives to aid herbicide uptake, improve effectiveness, and minimize non-target impacts.

2. Treatment Intervals

Each chemical approved for use has a minimum length of time required between each treatment in same area(s) of impact, in accordance with the federal product label.

3. Authorized Areas

Control of nuisance aquatic plants or algae is authorized only in areas as defined on the attached treatment map(s).

Areas where control of nuisance plants or algae is undertaken must be either under the legal control of the permittee or the party(ies) who has/have granted the permittee permission to do the treatment.

4. Special Conditions

Do not treat within the outlet setback indicated on the approved treatment map, if applicable. When there is no discharge from waterbody, an outlet setback is not required.

Follow all pesticide label instructions to protect self, others and the environment. The label is provided with the pesticide container. It explains how to use the pesticide safely, effectively, and may suggest ways to avoid unintended impacts to human health and the environment. Read and understand the label before mixing or applying any pesticide. Most labels list a toll-free number for consumers. Pesticide labels are federally-approved legal documents and their requirements are enforced under both federal and state laws. This permit incorporates the product labels in effect at the time of application by reference. Violation of a label requirement is considered a violation of this permit.

Do not damage native vegetation, native algae, or native macroalgae (e.g. Chara) beyond the five-foot depth contour or beyond 300 feet from shore, whichever is closer to shore.

Restrict treatment of emergent vegetation, such as lilies, cattails, arrowhead, pickerelweed, rushes, etc., to a 40 feet x 40 feet area for swimming and boat launching, and a 20 feet wide boat lane to reach open water, per residentially developed parcel.

The use of water dyes allowed on this permit excludes water dyes that are labeled as herbicides (e.g., Aquashade, Admiral, Pond Care Algae Blocker).

Do not treat within 500 feet of loons' nests between April 15 and August 15.

The use of Hydrothol 191 liquid and/or granular herbicide has been approved at a rate in excess of 0.3 parts per million (ppm). Treatment is suggested only by a certified pesticide applicator. Apply product evenly in narrow margins or stripes to control target plants so fish are not killed. Apply product from the shoreline out so fish are not trapped. Do not treat more than 10 percent of the waterbody at a time with doses greater than 1.0 part per million (54 pounds per acre foot granular or 1.4 gallons per acre foot liquid).

Treatment of wild celery (*Vallisneria americana*) with a chelated copper herbicide product shall not occur more than two times per year within the same treatment area.

Chemical treatment of offshore / undeveloped areas using diquat dibromide and / or Aquathol K is restricted to a one-time only treatment for exotic species control using a rate of 1 gal/acre, on or before June 15. "Offshore" areas are defined as those areas beyond the five-foot depth contour or 300 feet from shore, whichever is closer to shore.

Chemical treatment of shoreline areas with contact herbicides and algaecides is limited to a maximum 100 feet of frontage per residential property. Treatment of non-native aquatic vegetation with selective herbicides or low-dose contact herbicides with or without algaecides, may exceed this limit where necessary. Treatment in excess of 100 feet of frontage per residential property using low-dose contact

herbicides with or without algaecides is restricted to a one-time only treatment using a rate of 1 gal/acre, on or before June 15.

Diquat dibromide products are listed on the Michigan Department of Agriculture's restricted use pesticide list. You must be a certified applicator to purchase and use these products in waters of the state, except for small ponds that have no outflow and are under the control of the user.

Application of pesticides containing the ingredient imazapyr can be made only by federal or state agencies, such as Water Management District personnel, municipal officials and the U. S. Army Corps of Engineers, or those applicators that are licensed or certified as aquatic pest control applicators and are authorized by the state or local government.

Application of 2,4-D granular herbicide in shallow areas may result in disproportionate product concentration, which could result in unacceptable impacts to non-target organisms. The application rate must be adjusted as necessary to compensate. Consult the product label to ensure proper application.

Do not apply granular endothall or granular 2,4-D products within 75 feet of any active drinking water well or within 250 feet of wells less than 30 feet deep. Distances are measured from the well location not from the shoreline. Wells and isolation distances are not necessarily shown on the treatment map. Prior to treatment, locate the water wells and observe the appropriate isolation requirements. If well location and/or depth are unknown, then assume the full 250-foot isolation distance.

If the waterbody (excluding ponds) has been treated with the chemical fluridone within the previous two years, then the following requirements are in effect:

- The permittee must provide the DEQ with an accurate map or written description of the exact locations where each herbicide and algaecide were applied within 5 business days of the completion of each treatment. The map must indicate total treatment acreage, chemical(s), amount(s), target species, treatment date, and permit number. The map must be submitted to the DEQ by e-mail to DEQ-WRD-ANC@michigan.gov.
- Aquatic vegetation survey requirements as specified by the previous fluridone permit are incorporated by reference.

5. Notification and Posting Requirements

The applicant is required to notify, in writing, an owner of any waterfront property within 100 feet of the area of impact, not less than seven days, and not more than 45 days, before the initial chemical treatment. Requirements for written notification are provided in Section 324.3310(h) of Part 33. If the owner is not the occupant of the waterfront property or the dwelling located on the property, then the owner is responsible for notifying the occupant.

Notice of the chemical application must be posted prior to each chemical application, in accordance with Section 324.3310(d) of Part 33. Alternate posting may be reviewed on a case-by-case basis by DEQ upon written request from the applicant. Water use restrictions listed on the label for the specific product (i.e., trade name) used shall be included on the posting sign. In addition, a 24-hour water use restriction for swimming/entry shall be indicated on the signs for all chemical applications, except for copper-based algae treatments and dyes when approved for use as a tracer or marker. An example posting sign is available for download at www.michigan.gov/deqinlandlakes.

Upon receipt of notification from the DEQ, the permittee may be required to do any of the following:

- Conduct the chemical treatment only when a DEQ representative is present.
- Notify the DEQ a minimum of three working days prior to application of chemical(s).
- For a permittee who is a licensed commercial pesticide applicator but who does not have a DEQ-approved Emergency Notification Procedure on file with the Aquatic Nuisance Control Program, submit an accurate map or written description of the exact locations where each herbicide was applied to the DEQ within 24 hours of the completion of each treatment.
- In addition to the normally required notification, also notify other person(s) specified by the DEQ.

- Notify Ms. Joanne Williams, Michigan Loon Watch Coordinator, by e-mail (michiganloons@yahoo.com, copy DEQ-WRD-ANC@michigan.gov) a minimum of two working days prior to the initial application of chemicals to this waterbody. Notification must include the name and county of the waterbody, the anticipated treatment schedule for the season, and a telephone number where you can be contacted.
- Satisfy additional reporting requirements (instead of, or in addition to, the requirements listed below in Section C).
- Any other requirements determined by the DEQ as necessary to protect the natural resources or the public health, to prevent economic loss or impairment of recreational uses, to protect non-target organisms, or to help ensure control of the aquatic nuisance.

Section B. Permit Amendments

The DEQ may make minor revisions to this permit to minimize the impacts to the natural resources, public health and safety, or to improve aquatic nuisance control. The permittee may request amendment if the proposed revisions do not involve a change in the scope of the project and the permittee requests the revisions in writing. A revision that involves a change in the scope of the original project requires submittal of a new permit application. As part of the amendment request, the permittee shall include all of the following information: (a) the proposed changes to the permit; (b) an explanation of the necessity for the proposed changes; (c) maps that clearly delineate any proposed changes to the area of impact (only invasive species treatment areas may be added); and (d) additional information that would help the DEQ reach a decision on the permit amendment. A standard amendment form is available at www.michigan.gov/deqinlandlakes.

Section C. Reporting and Record Keeping

1. Environmental Impacts

The applicant is required to immediately contact the DEQ, Water Resources Division, at 517-241-1554 if any fish or wildlife damage or significant non-target plant or human safety impacts occur in association with any chemical application.

2. Treatment Report

A treatment report, on the approved DEQ form, must be returned postmarked no later than November 30 of the year this permit is in effect, even if treatment is not undertaken. Blank forms can be downloaded from the website <http://www.michigan.gov/deqinlandlakes> or are available upon request. Submit completed and signed report to: Aquatic Nuisance Control Program, Water Resources Division, Department of Environmental Quality, P.O. Box 30458, Lansing, Michigan 48909-7958; fax 517-335-4381; or e-mail DEQ-WRD-ANC@michigan.gov.

3. Record Retention

The applicant shall obtain and maintain written permission from each bottomland owner in the area of impact for a minimum of 1 year from the expiration date of the permit, unless exempt under Section 324.3308 of Part 33. The records shall be made available to the DEQ upon request.

Section D. Liability

1. Noncompliance

Initiation of any work on the permitted project confirms the applicant's acceptance and agreement to comply with all terms and conditions of this permit. Noncompliance with these terms and conditions, and/or the initiation of other regulated activities not specifically authorized by this permit, shall be cause for the modification, suspension, or revocation of this permit, in whole or in part. Further, the DEQ may initiate criminal and/or civil proceedings to correct project deficiencies, protect public health and natural resource values, and secure compliance with statutes. Federal pesticide label requirements are incorporated into this permit by reference. Violation of federal pesticide label requirements is considered a violation of this permit.

The issuance of this permit does not authorize violation of any federal, state or local laws or regulations, nor does it obviate the necessity of obtaining such permits, including any other DEQ permits, or approvals from other units of government as may be required by law.

2. Property Rights

This permit does not convey property rights in either real estate or material, nor does it authorize any injury to private property or invasion of public or private rights.

3. Indemnification

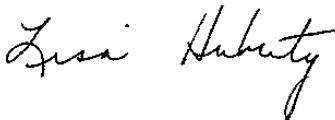
The applicant shall indemnify and hold harmless the State of Michigan and its departments, agencies, officials, employees, agents and representatives for any and all claims or causes of action arising from acts or omissions of the applicant, or employees, agents, or representatives of the applicant, undertaken in connection with this permit. This permit shall not be construed as an indemnity by the State of Michigan for the benefit of the applicant or any other person.

4. Right of Entry

The permittee shall allow the Department upon the presentation of credentials: To enter upon the permittee's premises where application equipment is located or in which any records are required to be kept under the terms and conditions of this permit; and at reasonable times to have access to waterbodies regulated under this permit, copy any records required to be kept under the terms and conditions of this permit; to inspect equipment regulated or required under this permit; and to sample chemicals, discharges, chemical products, and waterbodies.

5. Laboratory and Analytical

When required by this permit or per the pesticide product label, laboratory analytical methods, practices and product or water sampling techniques shall be performed in accordance with standard laboratory guidelines. The permittee shall periodically calibrate and maintain all monitoring instrumentation at necessary intervals to ensure accuracy of measurements. When outside contractors are utilized to perform sampling and analysis, the permittee shall ensure that said contractors are sufficiently qualified to perform the required sampling and analysis, and that the quality control measures listed above are properly executed.



Lisa Huberty
Environmental Quality Analyst
Water Resources Division

