



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
KALAMAZOO DISTRICT OFFICE



C. HEIDI GREETHER
DIRECTOR

August 8, 2018

CERTIFIED MAIL

Mr. Jerry Donley, Chairman
Indian Lake Improvement Association, Inc.
33153 Lakeview Avenue
Dowagiac, Michigan 49047

Dear Mr. Donley:

SUBJECT: Order to Restore
Submission No: HNF-P6HR-6X0TY
Site Name: Mann Drain, Indian Lake
Property Location: Lakeview Avenue Dowagiac
Cass County, T05S/R16W/Sec30

Pursuant to paragraph 2 of the July 13, 2018, Settlement Agreement (Agreement) between the Indian Lake Improvement Association, Inc. (ILIA) and the Department of Environmental Quality (DEQ), the DEQ's Water Resources Division (WRD), Kalamazoo District Office hereby issues this Order to Restore (Order) indicating how the ILIA will:

- (1) Remove specified material from the bed and banks of Mann Drain; and,
- (2) Remove barriers placed in Mann Drain.

No later than September 10, 2018, ILIA must complete the following actions:

1. Place an adequate sediment barrier within the Mann Drain, between the southernmost barrier and the culvert under Lakeview Avenue, to minimize downstream movement of sediments and other material during restoration activities.
2. Starting immediately north of the upstream barrier, excavate as minimally as necessary to remove all filtration socks, Lake Coral and Nutrizorb bags, and any loose Nutrizorb or Lake Coral material from the bottomland; and lastly, remove all parts of that barrier. Continue downstream, using the same process until all three (3) barriers and materials are removed.
3. Remove the sediment barrier only after the barriers and other materials are removed as described above and to the WRD's satisfaction.
4. Appropriately dispose of all removed material at a Type II Landfill.
5. Stabilize the stream banks and any wetland areas as necessary with appropriate stabilization materials (i.e., mulch blankets, seed and mulch, etc.).
6. If methods other than hand removal are necessary to accomplish the above activities, the methods and equipment access locations shall be approved by the on-site WRD staff observing the restoration. All activities shall avoid and

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minimize potential impact to the stream channel and any surrounding wetland areas.

The ILIA shall contact WRD Kalamazoo District Office staff a minimum of 14 days prior to the date of the restoration activities described above, to arrange for DEQ WRD staff to be present during the restoration activities, per the Agreement, to ensure that the restoration activities occur to WRD's satisfaction.

We anticipate and appreciate your cooperation in resolving this matter. If you have any questions, you may contact me at: 269-567-3566; via e-mail (preferred) at: poynterL@michigan.gov; or DEQ, Kalamazoo District Office, 7953 Adobe Road, Kalamazoo, Michigan 49009.

Sincerely,



Larry Poynter
Senior Environmental Quality Analyst
Kalamazoo District Office
Water Resources Division

LP: SE

cc: Mr. Bruce Campbell, Cass County Drain Commissioner
Ms. Korie Blyveis, Cass County Enforcing Agent
Mr. Joseph W. Colaianne, Clark Hill, PLC
Ms. Elizabeth Morrisseau, Department of Attorney General
Mr. Brian Gunderman, Department of Natural Resources, Fisheries Division
Plainwell Customer Service Center
Mr. Christopher Conn, DEQ