



**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER RESOURCES DIVISION
PERMIT**

ISSUED TO:

Lake Isabella Prop Owners Association
1096 Queensway
Lake Isabella, MI 48893

Permit No.	11-37-0017-P
Issued	October 31, 2011
Extended	
Revised	
Expires	October 31, 2016

This permit is being issued by the Michigan Department of Environmental Quality (MDEQ) under the provisions of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), and specifically:

- | | |
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| <input checked="" type="checkbox"/> Part 301, Inland Lakes and Streams | <input type="checkbox"/> Part 315, Dam Safety |
| <input type="checkbox"/> Part 325, Great Lakes Submerged Lands | <input type="checkbox"/> Part 323, Shorelands Protection and Management |
| <input type="checkbox"/> Part 303, Wetlands Protection | <input type="checkbox"/> Part 353, Sand Dunes Protection and Management |
| <input type="checkbox"/> Part 31, Floodplain/Water Resources Protection | |

Permission is hereby granted, based on permittee assurance of adherence to State of Michigan requirements and permit conditions, to:

<p>Permitted Activity:</p> <p align="center"><u>COUNTERSIGNATURE REQUIRED</u></p> <p>Drawdown Lake Isabella 4 feet at a rate of no more than 6 inches a day. Refill of Lake Isabella shall start no later than March 1 at a rate of 6 inches a day. The stream flow shall not be completely shut off at any time.</p> <p>THIS PERMIT DOES NOT AUTHORIZE ANY STRUCTURAL MAINTENANCE/REPAIR TO THE DAM, GATES OR SPILLWAY.</p>
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Water Course Affected: Lake Isabella
Property Location: Isabella County, Sherman Township, Section 26 35
Subdivision, Lot Town/Range 15N, 6W Property Tax No.

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

- Initiation of any work on the permitted project confirms the permittee's acceptance and agreement to comply with all terms and conditions of this permit.
- The permittee, in exercising the authority granted by this permit, shall not cause unlawful pollution as defined by Part 31 of the NREPA.
- This permit shall be kept at the site of the work and available for inspection at all times during the duration of the project or until its date of expiration.
- All work shall be completed in accordance with the plans and specifications submitted with the application and/or plans and specifications attached hereto.
- No attempt shall be made by the permittee to forbid the full and free use by the public of public waters at or adjacent to the structure or work approved herein.
- It is made a requirement of this permit that the permittee give notice to public utilities in accordance with Act 53 of the Public Act of 1974 and comply with each of the requirements of that act.
- 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, nor does it waive the necessity of seeking federal assent, all local permits, or complying with other state statutes.
- This permit does not prejudice or limit the right of a riparian owner or other person to institute proceedings in any circuit court of this state when necessary to protect his rights.
- Permittee shall notify the MDEQ within one week after the completion of the activity authorized by this permit, by completing and forwarding the attached preaddressed postcard to the office addressed thereon.
- This permit shall not be assigned or transferred without the written approval of the MDEQ.

- K. Failure to comply with conditions of this permit may subject the permittee to revocation of permit and criminal and/or civil action as cited by the specific state act, federal act, and/or rule under which this permit is granted.
- L. Work to be done under authority of this permit is further subject to the following special instructions and specifications:
1. Authority granted by this permit does not waive permit requirements under Part 91, Soil Erosion and Sedimentation Control, of the NREPA, or the need to acquire applicable permits from the Isabella County Drain Commissioner, 989-772-0911.
 2. No fill, excess soil, or other material shall be placed in any wetland or surface water area not specifically authorized by this permit, its plans, and specifications.
 3. All work shall be completed in accordance with the attached plans and the terms and conditions of this permit.
 4. The permittee shall provide passage of flow during and after construction. During periods of low stream flow the permittee shall provide a minimum flow release approximately equivalent to the stream flow into the impoundment.
 5. The drawdown and flooding of the impoundment shall not exceed six (6) inches of elevation in a 24-hour period. The stream flow shall not be completely shut off to allow flooding of the impoundment. A minimum amount of stream flow shall be provided to the stream downstream from the dam. Flooding of the impoundment shall not occur during periods of below normal stream flow.
 6. A water flow into the Chippewa River shall not be less than 94 cubic feet per second in March, 119 cubic feet per second in April and 84 cubic feet per second in May.
 7. Lake Isabella shall be monitored on a weekly basis for dissolved oxygen in the lake at depths of 5, 10, and 15 feet and near the bottom. Sampling data shall be sent to the DEQ, Water Resources Division, 401 Ketchum, Suite B, Bay City, MI 48706. The DEQ will work with the DNR Fisheries Division to determine if sampling is required during the entire drawdown. The DEQ will contact the permittee immediately if the sampling indicates an adverse environmental impact to determine a solution.
 8. During the drawdown the permittee shall conduct, at least daily, stranded fish, reptiles, amphibians, and mussels surveys to relocate them as described in the attached DNR Stranded Mussel Protocol (permanently inundated portions of Lake Isabella). Frogs and turtles stranded by the drawdown shall also be relocated back to permanently inundated portions of Lake Isabella).
 9. In issuing this permit, the MDEQ has relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete, or inaccurate, the MDEQ may modify, revoke, or suspend the permit, in whole or in part, in accordance with the new information.
 10. The authority to conduct the activity as authorized by this permit is granted solely under the provisions of the governing act as identified above. This permit does not convey, provide, or otherwise imply approval of any other governing act, ordinance, or regulation, nor does it waive the permittee's obligation to acquire any local, county, state or federal approval or authorization, necessary to conduct the activity.
 11. The permittee 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 permittee, or employees, agents, or representatives of the permittee, 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 permittee or any other person.
 12. This permit does not authorize or sanction work that has been completed in violation of applicable federal, state, or local statutes.

13. Please provide the name, address, and telephone number of the person responsible for compliance of these permit conditions, and who has the authority to stop work on the project, whom the MDEQ shall contact if necessary:

Name:
Print Alain Shannon

Address 1096 Queens Way
Lake Isabella, Mi 48893

Telephone Number 989-644-3326

Email address www.lakeisabella@winntel.net

14. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity and/or mitigation plan from the MDEQ. Such revision requests shall include complete documentation supporting the modification and revised plans detailing the proposed modification. Proposed modifications must be approved, in writing, by the MDEQ prior to being implemented.
15. This permit may be transferred to another person upon written approval of the MDEQ. The permittee must submit a written request to the MDEQ to transfer the permit to the new owner. The new owner must also submit a written request to accept transfer of the permit. The new owner must agree, in writing, to accept all conditions of the permit. A single letter signed by both parties which includes all the above information may be provided to the MDEQ. The MDEQ will review the request and if approved, will provide written notification to the new owner.
16. Dredging is not authorized by this permit.
17. Prior to initiating construction, authorized by this permit, the permittee is required to provide a copy of the permit to the contractor(s) for review.
18. The property owner, contractor(s), and any agent involved in exercising this permit are held responsible to ensure the project is constructed in accordance with all drawings and specifications contained in this permit. The contractor is required to provide a copy of the permit to all subcontractors doing work authorized by this permit.
19. Notification shall be made to the MDEQ's Water Resources Division and property owners around Lake Isabella, five days prior to starting the project. Please notify the DEQ, Water Resources Division Saginaw Bay District Office, Mr. Kip Cronk, 401 Ketchum, Suite B, Bay City, MI 48708 or cronkk@michigan.gov. When notifying the DEQ indicate how the property owners around the lake will be notified.
20. This permit is being issued for the maximum time allowed under Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act, PA 451 of 1994, as amended, including all permit extensions allowed under the administrative rules R 281.813. Therefore, no extensions of this permit will be granted. Initiation of the construction work authorized by this permit indicates the permittee's acceptance of this condition. The permit, when signed by the MDEQ, will be for a five-year period beginning at the date of issuance.
21. If any change or deviation from the permitted activity becomes necessary, the permittee shall request, in writing, a revision of the permitted activity and/or mitigation plan from the MDEQ. Such revision requests shall include complete documentation supporting the modification and revised plans detailing

the proposed modification. Proposed modifications must be approved, in writing, by the MDEQ prior to being implemented.

22. This permit shall become effective on the date of the MDEQ representative's signature. Upon signing by the permittee named herein, this permit must be returned to the MDEQ's Water Resources Division, 401 Ketchum, Suite B, Bay City, MI 48708 for final execution.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

X Alain D. Shannon 26 Oct. 2011
Permittee Date

X Alain D. Shannon President
Printed Name and Title of Permittee

By: K.R.C.
Kip R. Cronk Environmental Quality Analyst
Water Resources Division
989-894-6228

Attachment: MDNR Stranded Freshwater Mussel Survey Protocol (July 15, 2009)

- cc: Sherman Township Clerk
- Broomfield Township Clerk
- Village of Lake Isabella
- Isabella County Drain Commissioner, SESC Agent
- Fire Chief Livermore, Nottawa/Sherman Fire Department
- Ms. Carey Pauquette, Saginaw Chippewa Indian Tribe (electronic)
- Mr. Jim Pawloski, DEQ Dam Safety (electronic)
- Mr. Jim Baker, DNR Fisheries (electronic)
- Ms. Katie Keen, DNR Wildlife (electronic)

Michigan DNR, Fisheries Division
Jessica Mistak
July 15, 2009

Stranded Freshwater Mussel Survey Protocol

Stranded Mussel Survey

Stranded mussel surveys shall be conducted whenever there is potential for mussels to be stranded, either through a reservoir drawdown or river being dewatered. These surveys should focus on areas with high mussel densities or rare species, if known. If information on mussels is not available for the waterbody of interest, survey either the entire reservoir shoreline to the depth of the thermocline or the entire dewatered stretch of river. Conduct the survey on a daily basis unless historical information allows for less frequent surveys (e.g., if historical data shows that mussels are found only at certain reservoir depths, focus survey efforts on those depths). Survey dates should be coordinated with the DNR in advance to facilitate participation.

A report of stranded mussel efforts shall be provided to the DNR within 30 days after the event and include the following:

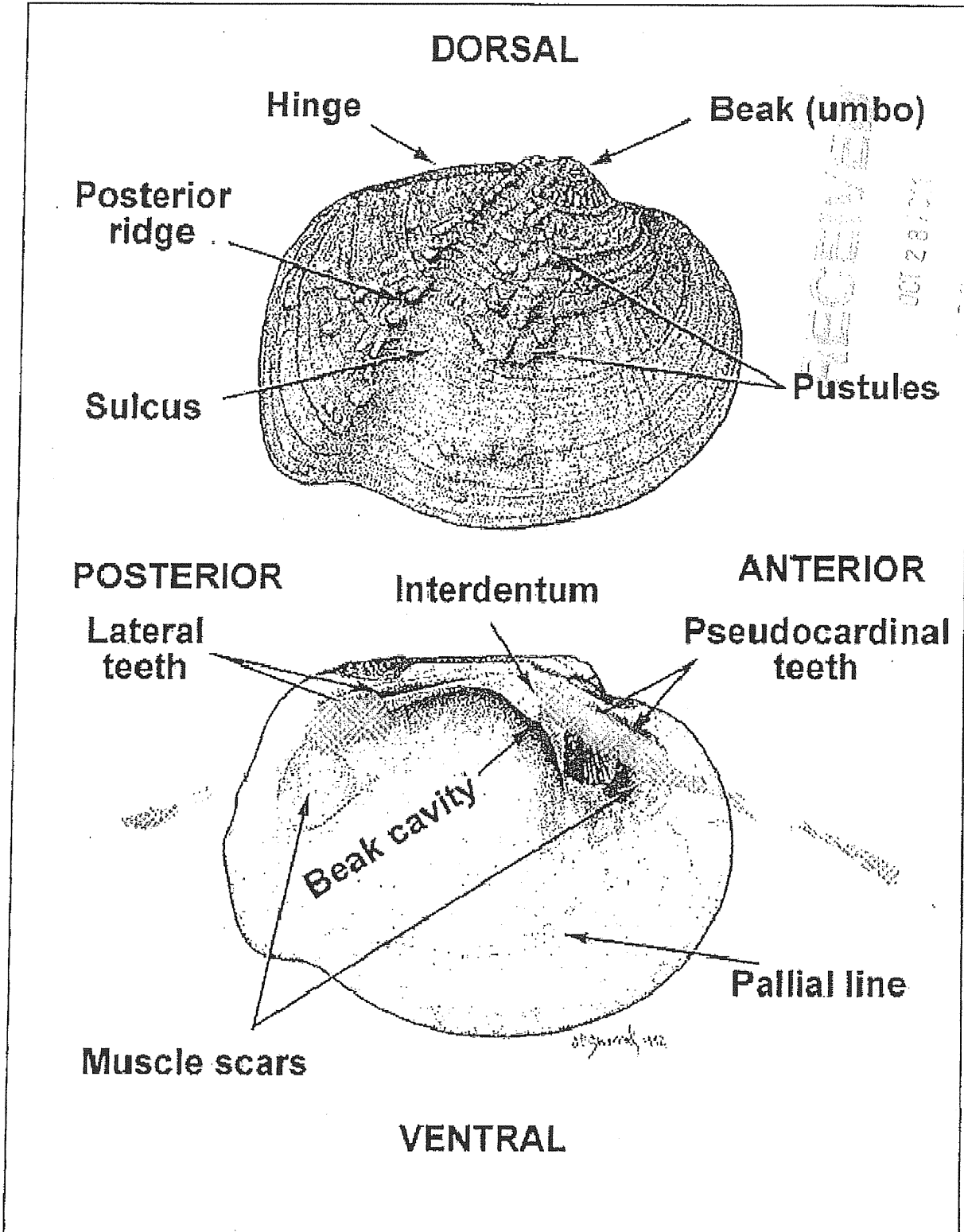
- Survey date and time
- Weather conditions
- Water elevation
- Mussel condition (live or dead), species, number, and location/GPS coordinates
- Voucher specimens (shells) and photographs of each mussel species. A DNR Cultural or Scientific Collector's Permit should be requested at least 30 days in advance of the drawdown for collection of voucher specimens (shells) of each mussel species.
<http://www.michigan.gov/dnr/0,1607,7-153-10364-35079--,00.html>.

Handling

To minimize stress and mortality, all stranded mussels shall be handled using the following procedures:

- Relocation efforts should take place in the early morning when air temperatures are cooler.
- Do not expose the mussels to air any longer than necessary. Mussels should remain in the water inside a mesh collecting bag or cooler until ready for relocation.
- Place the mussels in a permanently inundated portion of the water body; however to avoid placement in unsuitable habitat, place the mussels no deeper than necessary. Relocation areas should be identified in advance.
- Place the mussels in the same type of sediment as they were found (e.g., sand substrate to sand substrate).
- Mussels should be carefully placed into the sediment in the correct position. Care should be taken to orient the mussel in the posterior up position (see following diagram). If staff is uncertain of the correct position, the mussel should be placed on the substrate surface and left to appropriately burrow to the correct direction, position, and depth.

Michigan DNR, Fisheries Division
Jessica Mistak
July 15, 2009



Source: Cummings, K.S. and C.A. Mayer. 1992. *Field Guide to Freshwater Mussels of the Midwest*. Manual 5. Illinois Natural History Survey, Champaign, IL. 194pp.