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**Lake Macatawa Watershed Agreement
Reduction of Phosphorus Loading**

ORIGINAL DATE: May 1, 2000
REVISED AND RENEWED DATE: July 2010

This agreement is between the State of Michigan Department of Natural Resources and Environment (MDNRE), Water Bureau, and the attached signatories.

We, the undersigned, acknowledge the importance of Lake Macatawa and its tributaries as valuable water resources for the residents, wildlife and aquatic life in the watershed.

1. As identified in the document titled "Total Maximum Daily Load for Phosphorus in Lake Macatawa" (TMDL document) published January 20, 1999, by the MDNRE (then referred to as the Michigan Department of Environmental Quality), nonpoint source phosphorus loadings account for the vast majority of the annual phosphorus load to Lake Macatawa. In 1997, nonpoint source phosphorus loads accounted for 91 percent of the total phosphorus load.
2. To improve the resource and achieve attainment of Water Quality Standards, phosphorus levels must be reduced.
3. Members of the Macatawa Area Coordinating Council (MACC) have agreed to pursue activities to bring about a significant reduction in nonpoint source discharges of phosphorus in the watershed under a voluntary program managed through the Macatawa Watershed Project. Nonpoint source discharges of phosphorus occur from a variety of rural, urban and suburban land uses in the watershed.
4. Members of the MACC have agreed to implement a voluntary, watershed-wide strategy titled "The Nonpoint Source Phosphorus Reduction Plan for the Macatawa Watershed 1999-2009", dated October 21, 1999, for the reduction of nonpoint source phosphorus loading to Lake Macatawa. The plan is currently being updated to meet EPA Nine Key Elements Criteria.

5. The majority of the current point source phosphorus loadings are from three (3) facilities. As identified in the January 20, 1999 TMDL document, the MDNRE agrees to:

Propose and support the current National Pollutant Discharge Elimination System (NPDES) permit limitations for phosphorus listed in the following table for the following three point source dischargers for each re-issuance or modification of their respective NPDES permits, until the expiration of this agreement. Upon expiration of this agreement, it is the MDNRE's position that the point source limits for phosphorus loadings may need to be revised if this voluntary agreement is ineffective in achieving the goals of the TMDL.

Permittee	Permitted Monthly Average Load	Monthly Average Concentration
Holland WWTP	58 lbs/day	1 mg/L
Zeeland WWTP	14 lbs/day	1 mg/l
Mead Johnson & Co	5 lbs/day	--

6. The permittees listed in #5 above agree to put forth reasonable efforts to keep within the combined wasteload allocation of 20,000 pounds of phosphorus per year from point source discharges as identified in the TMDL document.
7. All parties agree to meet annually to:
- Discuss overall and individual performance and activity directed towards meeting the phosphorus goals identified in the TMDL document,
 - Review the watershed wide strategy and recommend modification for improving implementation, and
 - Review data and information developed through the continued studies to be conducted pursuant to paragraphs 9 and 10 below.
8. An annual report shall be submitted by the MACC to the MDNRE and all other parties to this agreement on or before November 1st of each year, summarizing the progress made towards meeting the phosphorus goals identified in the TMDL document.

The report shall include the following:

- Summary from the annual meeting
- Progress made on each item identified in the strategy
- Changes in the strategy in response to new challenges
- Local successes in phosphorus control
- Summary of the point source phosphorus effluent data and control methods
- Summary of any locally derived watershed monitoring data, including trend data as implementation proceeds

9. The MDNRE agrees to continue monitoring water quality in Lake Macatawa and tributaries as resources allow. Monitoring locations to be considered are identified in the MDNRE staff report number MI/DEQ/SWQ-98/015. The MDNRE will prepare a report of the sampling results by May 1st of the year following any monitoring effort. The report will be distributed to all parties to this agreement.

10. The MDNRE agrees to collaborate with the signatories to evaluate additional sampling to identify sources of phosphorus, as resources allow, e.g. wet weather sampling as part of the MDNRE rotating schedule of watershed monitoring.

11. The parties agree that further study may demonstrate designated use attainment in the watershed even if phosphorus levels are not reduced as contemplated by the TMDL Document. The undersigned agree to discuss supporting continued study of water quality parameters and develop endpoints for the phosphorus reduction program.

 The study should include, but not be limited to, the following:
 - Continued monitoring of ambient phosphorus levels
 - Establish baselines and endpoints for relevant warm water fish species and other indigenous aquatic life and wildlife
 - Study and quantify phosphorus contributions from accumulated sediments
 - Evaluate other causes of water quality impairment
 - Establish relationship between phosphorus reduction and water quality improvements

12. Any party may terminate its involvement in this agreement. Notice of such termination shall be given in writing to all other parties prior to the effective date of termination.

13. This agreement shall be treated as an integral part of, and not severable from, the TMDL Document.

This agreement was passed via resolution at the July 2010 meeting of the MACC Policy Board. This agreement shall expire on August 31, 2020. The parties to the agreement may renew it on the basis of agreement.

Steve Bulthuis 8-13-10
 Steve Bulthuis, Executive Director, Macatawa Area Coordinating Council Date

William Creal 9-17-10
 William Creal, Bureau Chief, Water Resources Division Date
 Michigan Department of Natural Resources and Environment