



Department of Environmental Quality, Water Bureau
LARGE QUANTITY WATER WITHDRAWAL PERMIT
 Issued under Section 4
 Safe Drinking Water Act
 1976 PA 399, as amended

In accordance with Section 4 (325.1004), Safe Drinking Water Act, Act 399 PA 1976 as amended, authority is hereby given to withdraw water from the waters of the State of Michigan as described herein. This permit is issued in reliance on information supplied in the corresponding application and other information as may have been supplied by the permit applicant in support of that application.

PERMIT NUMBER: 2009-002

DATE ISSUED: August 28, 2009

Permittee Name and Address: City of St. Joseph
 1701 Lions Park Drive
 St. Joseph, MI 49085

Location Information

County where Water Withdrawal is Located: Berrien
Township Name, Town, Range and Section: St. Joseph, T.04S, R.19W, section 23

The activity authorized by this permit is subject to the following limitations and conditions:

Section A. Authorizations and Coverage Provisions

1. **Water Withdrawal is restricted to the following sources, locations and rates above the baseline capacity established with the DEQ:**

Water Withdrawal Source	Latitude and Longitude (degrees)	Withdrawal Rate
Lake Michigan	42.101, -86.510	32 million gallons per day (22,200 gallons per minute)

2. **Approval Conditions**

- a) Upon completion and use of the new intake, use of the existing intake shall be limited to emergency and maintenance situations where the new intake is wholly or in part taken out of service and incapable of meeting system demands.
- b) Prior to use of the new intake the City of St. Joseph shall formally self-certify as to their compliance with the appropriate water conservation measures identified in "Guidelines for Generally Accepted Water Management Practices for the Public Water Supply Sector." The certification shall be transmitted to the Chief of the Drinking Water and Environmental Health Section, Water Bureau, DEQ.

Section B. Reporting and Record Keeping

1. Environmental Impacts

The permittee is required to immediately contact the DEQ, Water Bureau, at 517-241-1415 if an Adverse Resource Impact (ARI) occurs in association with the water withdrawal authorized by this permit. An ARI is defined by section 32701 of the NREPA as 1) decreasing the flow of a stream by part of the index flow such that the streams ability to support characteristic fish populations is functionally impaired, or 2) decreasing the level of a body of surface water such that the body of surface water's ability to support characteristic fish populations is functionally impaired.

2. Water Use Report

Water Use Reporting for a Public Water Supply is implemented through the annual reporting required under Safe Drinking Water Act, Act 399 PA 1976 as amended.

Section C. Liability

1. Noncompliance

Commencing with the water withdrawal authorized herein confirms the permittee'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 deficiencies, protect natural resource values, and secure compliance with law.

2. Limitations

This permit does not convey property rights in water, or other real or personal property, authorize any injury to private property or invasion of public or private rights, or waive the necessity of obtaining any other applicable federal, state or local permit or approval.

3. Indemnification

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.

Steven E. Chester, Director
Department of Environmental Quality

By: Original Signed by Wm. Elgar Brown
Wm. Elgar Brown, Chief
Drinking Water and Environmental Health Section
Water Bureau