



RICK SNYDER
GOVERNOR


STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
LANSING



DAN WYANT
DIRECTOR

May 16, 2012

Received by

MAY 24 2012 

SLBE Mailroom

Ms. Dusty Shultz, Superintendent
National Park Service
Sleeping Bear Dunes National Lakeshore
9922 Front Street. (Hwy M-72)
Empire, Michigan 49630-9797

Dear Ms. Schultz:

SUBJECT: The Homestead Resort

Thank you for your letter dated March 20, 2012, regarding the National Park Service's (NPS) request for modifications to Groundwater Discharge Permit No. GW1810039 issued to the Homestead Resort. The Michigan Department of Environmental Quality (DEQ), Water Resources Division (WRD) has thoroughly reviewed your request, and all available documentation collected by both the WRD and NPS regarding spray drift from the Homestead easement. At this time, the WRD does not believe it is either necessary or appropriate to take action to modify the Homestead's permit in accordance with your request.

The Homestead's current permit was issued on May 24, 2010. This permit contains specific provisions to address spray drift. These provisions provide sufficient mechanisms, if adhered to, to assure spray drift is prevented. At this time, the WRD is not able to identify violations of the permit that would be cause for modification of the permit, either through its own investigations or the 2011 NPS inspections. The WRD reviewed the 2011 NPS inspections and noted that like its own observations, the NPS did not document an instance of spray drift.

The WRD is also concerned that a reduction in the wetted area may result in other problems. At the peak permitted volume and rate of discharge, it is necessary to irrigate on the full area of the easement to provide for sufficient nitrogen treatment by the plants and soils. Nitrogen treatment has been a concern in the past which was largely corrected with the current configuration of the irrigated area.

I have received a copy of the Homestead's May 12, 2012, letter to you seeking, amongst other things, clarification on the frequency and extent of spray drift incidents. The WRD will review any response from the NPS to this letter, and is willing to work jointly with the Homestead and the NPS to address any additional information the NPS can provide.

The WRD is committed to continuing to work with the Homestead to assure that spray drift is prevented, and the permit conditions are adhered to. The WRD has suggested that the Homestead consider further modifications to the irrigation equipment to lower the spray height, or otherwise minimize spray drift. The WRD will follow up with the Homestead to see if these modifications can be implemented for the 2012 irrigation season. The WRD will also continue to closely monitor the Homestead's discharge to assure compliance with the permit.

In regards to your request for information on what recourse an aggrieved property owner may take regarding nuisance conditions, I suggest you discuss this concern with your own legal counsel.

If you have any questions or would like to discuss these issues, please call me.

Sincerely,



Rick Ruz, Chief
Groundwater Permits Unit
Water Resources Division
517-335-4709
Fax: 517-241-8133

cc: Ms. Adriene Kokowicz, The Homestead
Ms. Janice Heuer, DEQ - Cadillac