

**Lake Allegan/Kalamazoo River
Total Maximum Daily Load (TMDL) Implementation Committee
DRAFT Charter - November, 2005**

Background: The Kalamazoo River Watershed is a major geographic feature of southwest Michigan, draining some 2,020 square miles of land in ten counties. Historically, many water quality problems in the watershed have been addressed, including the PCB contamination Area of Concern (AoC) through the development of a Remedial Action Plan (RAP). Today, nutrient enrichment of Lake Allegan is a symptom of significant non-point source problems in a watershed diverse in land use, and experiencing significant development pressure.

Lake Allegan is a 1,587 acre impoundment at the lower end of the watershed, and a collection point for sediments and nutrients delivered by the river and its tributaries. Water quality problems in the lake include algal blooms, low oxygen levels, poor water clarity and a fish community dominated by carp. Lake Allegan has been characterized as “hypereutrophic,” and does not meet water quality standards for phosphorus.

Therefore, the State of Michigan determined that a TMDL must be prepared for rehabilitation of this important public resource. A TMDL specifies the maximum amount of a pollutant, in this case phosphorus, that a water body can receive and still meet water quality standards. Acceptable phosphorus loadings will be shared among all categories of dischargers in the watershed.

This TMDL has been notable for its watershed-wide, community-based approach, which began many years ago. During this time, landowners, industry, government, community organizations, small businesses and citizens from all facets of community life have participated in the development of the TMDL Implementation Plan.

EPA, impressed with local initiative and commitment, gave approval last summer to the group’s conceptual plan, opening the door for a more “voluntary” approach than is normally allowed. This effort includes reliance on local and regional efforts for watershed restoration, and emphasis on voluntary land and water management changes. A stakeholder-led committee prepared and submitted a final Plan to the EPA, and will provide overall leadership, oversight and coordination of the Implementation Plan. Critical elements of the Plan include:

- Recommended strategies and actions that represent a consensus of stakeholders.
- Reduction of phosphorus inputs from “point” sources by at least 23 percent and from “non-point” sources by at least 50 percent during the late summer months.
- Allowance for incorporation of innovative techniques to achieve desired goals.
- Reasonable assurance that these targets can and will be achieved.
- A comprehensive system to report on phosphorus reduction activities, and to measure and track phosphorus reduction from such activities.
- A monitoring program which indicates the progress the watershed is making;
- An educational and public involvement strategy.
- Assurance that there is institutional support to assure sustainability of a successful watershed-wide management program.

Name: The name of this committee is the Kalamazoo River/Lake Allegan Watershed Phosphorus TMDL Implementation Committee, henceforth known as the Implementation Committee.

Implementation Committee Purpose: The purpose of the Implementation Committee will be to provide watershed wide leadership in implementation of the Kalamazoo River/Lake Allegan Watershed Phosphorus TMDL Implementation Plan. This includes:

- Overall coordination and communication of phosphorus reduction activities.
- Convening and facilitation of stakeholders to ensure meaningful public involvement in decision making.
- Assist in implementation and management of point and non-point source web-based reporting and tracking systems.
- Identify, encourage and support those regulatory activities by state and local agencies that support the Implementation Committee's phosphorus TMDL implementation efforts.
- Identify watershed needs and sources of funding, and encourage and support efforts of other community organizations in seeking grants, donations and other funding to support TMDL implementation efforts.
- Nurture and support existing community organizations dedicated to and involved in watershed management activities.
- Examine and analyze examples of successful watershed protection efforts in other areas for possible application within the Kalamazoo River/Lake Allegan watershed.

Membership: The Implementation Committee will be open to anyone interested in and committed to the goals and implementation of the Kalamazoo River/Lake Allegan Watershed Phosphorus TMDL Implementation Plan. At the very least, members will represent point source contributors and non-point source contributors (including those involved in the areas of agriculture, construction, greenhouse nutrient management, industrial stormwater, municipal stormwater, septic system management, transportation and turf management, and alternative landscaping).

Officers: There shall be a Chair, two Co-Chairs and a Secretary/Treasurer. Officers will be elected at the regularly scheduled fall quarterly meeting of the TMDL Implementation Committee every three years. These officers will comprise the Executive Committee.

- **Chair** - The Chair will preside at all meetings of the Implementation Committee, Executive Committee and Leadership Team. The Chair is the chief executive officer of the Implementation Committee and shall have authority over the general control and management of the business and affairs of the Implementation Committee, subject to the control of the Executive Committee. The Chair may sign any instruments necessary to the operations of the Implementation Committee, unless the signing of the documents has been delegated to some other officer. The Chair shall perform all other duties prescribed by the Leadership Team from time to time, and all other duties incident to the office of Chair.

- **Co-Chair for Point Source Activities and Support Systems** - this position will serve as Liaison to, and provide support to, the following Standing and Ad-Hoc Sub-Committees:
 - Point Sources
 - Education and Outreach
 1. Kanoë the Kazoo
 - Technical
 1. Integrate MSU research results with TMDL strategies and educational efforts, and vice-versa
 2. Develop a better mechanism for measuring and reporting of non-point source reduction activities
 - Organizing on a Watershed Basis
 - Watershed Wide Public Forum
 - Raising the Public Identity of the River

- **Co-Chair for Non-Point Source Activities** – The responsibilities of this position are to:
 - Develop and maintain a meaningful, positive partnership with the Gun Lake Tribe and ensure that our respective watershed responsibilities compliment each other, rather than conflict or be redundant.
 - Serve as Liaison to, and provide support in development and implementation of non-point P reduction strategies with the following Standing Sub-Committees:
 1. Agriculture
 2. Land Use and Construction Activities
 3. Greenhouse Nutrient Management
 4. In-Stream, In-Lake Processes
 - Lake Allegan Carp Derby
 5. Septic and On-Site Wastewater Treatment Systems
 6. Stormwater
 - Municipal - Phase II communities
 - Industrial - MDEQ enforcement
 7. Sub-Basin Planning and Management
 8. Transportation Systems
 9. Turf Management and Alternative Landscapes
 - Super Soils Test Saturday

- **Secretary/Treasurer** - The Secretary/Treasurer shall:
 - keep the minutes of the meetings of the Implementation Committee, Executive Committee and Leadership team;
 - be responsible for providing notice to each member of all meetings of the Implementation Committee, Executive Committee and Leadership Team;
 - be the custodian of the corporate records of the Implementation Committee;
 - keep a register containing the address of each officer and Sub-Committee Chair;
 - be in charge of, have custody over, and be responsible for any funds and securities of the Implementation Committee;
 - receive and issue receipts for any money due and payable to the Implementation Committee from any and all sources; and

- perform all duties incident to the office of Secretary/Treasurer, or any other duties assigned to the Secretary/Treasurer by the Implementation Committee or the Chair

Leadership Team: A Leadership Team, comprised of the Executive Committee along with one representative from each of the standing sub-committees described below, will provide overall direction to the Implementation Committee. The Leadership Team will meet at least annually, at which time they will establish a broad agenda of the Implementation Committee for the upcoming year. The Leadership Team may meet as often as needed, at the discretion of the Executive Committee. .

The Executive Committee will set the agenda for regular and special meetings of the Implementation Committee, conduct those meetings and represent the Implementation Committee as directed by the Implementation Committee or the Leadership Team.

The leadership and activities of the Implementation Committee will be assisted and supported by MDEQ, MSUE, USDA/NRCS, Kieser and Associates and others as appropriate and available.

Sub-Committees: Standing sub-committees include the following:

- Agriculture
- Land Use and Construction Activities
- Education and Outreach
- Greenhouse Nutrient Management
- In-Stream, In-Lake Processes
- Point Sources
- Septic Systems and On-Site Wastewater Treatment Systems
- Stormwater
- Sub-Basin Planning and Management
- Technical
- Transportation Systems
- Turf Management and Alternative Landscaping

The Chair may establish and appoint as many special or ad hoc sub-committees as determined to be necessary and appropriate. The Chair may cancel any ad hoc sub-committee when it has achieved its objectives, completed its mission or no longer is necessary.

The Chair will appoint sub-committee chairs, based upon a recommendation of its members if so provided.

Meetings: Regular Implementation Committee meetings will be held quarterly, in February, May, August and November. Special meetings of the Implementation Committee may be scheduled at the discretion of the Executive Committee. All regular and special meetings of the Implementation Committee will be public noticed and open to the public.

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Decisions: Decisions of the Implementation Committee will be made by consensus of those present at any regularly scheduled or special meeting of the Implementation Committee. When it is clear that a consensus is not possible, the Chair of the meeting may call for a vote, following Robert's Rules of Order.

Meeting Minutes: Minutes of all meetings of the Implementation Committee and the Leadership Team shall be prepared and kept by the Secretary. Draft minutes must be approved by the appropriate body during its next meeting.

Biennial Report: The Implementation Committee will prepare a biennial report, which will be submitted to the Michigan DEQ and the USEPA, and made available to all committee partners and other interested parties.

Support: The Implementation Committee and its leadership may be assisted and supported by MDEQ, MSUE, Kieser and Associates and others, as appropriate and available. Such support and assistance could include:

- advice and counsel
- technical – reference and interpretation
- organizational efforts
- facilitation
- clerical
- mailing and printing
- financial