

Rhoades McKee PC  
*attorneys & counselors*

161 Ottawa Avenue NW, Suite 600  
Grand Rapids, MI 49503-2793

Phone 616.235.3500 Fax 616.233.5269

RhoadesMcKee.com

GRAND RAPIDS  
GRAND HAVEN

May 9, 2011

Frederick D. Dilley  
direct dial (616) 233-5164  
fdilley@rhoadesmckee.com

Darryl Paquette  
Assistant Attorney General  
Environment Natural Resources  
& Agriculture Division  
525 W Ottawa St, Floor 6  
P.O. Box 30755  
Lansing, MI 48909

Re: Platte Lake Improvement Association v Michigan Department of Natural Resources, et al  
Case No. 86-57122-CE


Dear Mr. Paquette:

Enclosed please find a true copy of the Consent Order regarding Disposal of Phosphorus Supplemental to Consent Judgment Dated March 10, 2000 with respect to the above referenced matter.

If you have any questions, please feel free to call me.

Yours very truly,

RHOADES McKEE PC

  
Frederick D. Dilley

Enclosure

cc: Wilfred Swiecki w/encl.



LOOKING FORWARD.  
GIVING BACK.

STATE OF MICHIGAN  
IN THE INGHAM COUNTY CIRCUIT COURT

PLATTE LAKE IMPROVEMENT  
ASSOCIATION, a Michigan non-profit  
corporation, BIG PLATTE LAKE, a natural  
living body of water in the State of Michigan,

Plaintiffs,

Case No. 86-57122-CE  
HON. JOYCE DRAGANCHUK

v

MICHIGAN DEPARTMENT OF NATURAL  
RESOURCES, an agency of The State of  
Michigan; RODNEY STOKES, Director of the  
Michigan Department of Natural Resources;  
KELLEY D. SMITH, Chief of the Fisheries  
Division, Michigan Department of Natural  
Resources

Defendants.

---

Frederick D. Dilley (P26090)  
Rhoades McKee PC  
Attorneys for Plaintiffs  
600 Waters Building  
161 Ottawa Avenue, NW  
Grand Rapids, MI 49503-2793  
(616) 235-3500

James E. Riley (P23992)  
Darryl Paquette (P73604)  
Attorney for Defendants  
Assistant Attorney General  
Michigan Department of Natural Resources &  
Environment  
P.O. Box 30755  
525 W. Ottawa St., Fl. 6  
Lansing, MI 48909  
(517) 373-7540

---

**CONSENT ORDER REGARDING DISPOSAL OF PHOSPHORUS  
SUPPLEMENTAL TO CONSENT JUDGMENT DATED MARCH 10, 2000**

At a session of court held in the Ingham County Circuit  
Court, State of Michigan this 5<sup>th</sup> day of May, 2011.

PRESENT: HON. JOYCE DRAGANCHUK  
Circuit Court Judge

This matter is before the court for an amendment to the Consent Judgment dated March 10, 2000 (the "Consent Judgment"). The parties have reached an agreement to add to the Consent Judgment and now propose to the Court the following paragraph, to be added and incorporated as Paragraph (3)(C)(viii) (under OPERATION OF THE HATCHERY, Hatchery Effluent Limit):

- viii. All materials (solid and liquid) that contain phosphorus and that are removed for disposal from the Hatchery Sludge Tank, Treatment Pond, and Raceways, or are removed from the hatchery premises as a result of any other facility-related operation or activity, shall be removed, without the reasonable possibility of re-entry, from the Platte River watershed unless specifically agreed upon by both parties.

In all other respects, the Consent Judgment and Settlement Agreement for Consent Order Supplemental to Consent Judgment Dated March 10, 2000 of November 1, 2010 (the "Settlement Agreement"), remain in full force and effect.

The Court now considers, adopts, and incorporates Paragraph (3)(C)(viii) into the Consent Judgment, and the Consent Judgment, as amended according to this Consent Order, and Settlement Agreement shall remain in full force and effect, and the parties acknowledge and the Court agrees that the Court shall retain jurisdiction for the purposes of enforcing the terms and conditions of the Consent Judgment, the Settlement Agreement, and this Consent Order.

WE CONSENT TO THE ENTRY OF THIS ORDER:

Dated: May 3, 2011

RHOADES McKEE  
Attorneys for Platte Lake Improvement  
Association

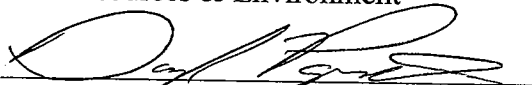
By:   
Frederick D. Dilley (P26000)

Business Address:  
161 Ottawa Avenue, NW, Suite 600  
Grand Rapids, MI 49503  
Telephone: (616) 235-3500

Dated: 4/29, 2011

MICHIGAN DEPT. OF ATTORNEY  
GENERAL ENVIRONMENT NATURAL  
RESOURCES & AGRICULTURAL  
DIVISION

Attorney for Michigan Department of  
Natural Resources & Environment

By:   
James E. Riley (P23992)  
Darryl Paquette (P73604)

Business Address:  
P.O. Box 30755  
525 W. Ottawa St., Fl. 6  
Lansing, MI 48989  
(517) 373-7540

IT IS SO ORDERED.

**JOYCE DRAGANCHUK**

**HON. JOYCE DRAGANCHUK**  
Circuit Court Judge  
**P-39417**

ATTESTED: A TRUE COPY

**REBECCA MONTROY**

Deputy Clerk

Rhoades McKee<sup>PC</sup>  
*attorneys & counselors*

161 Ottawa Avenue NW, Suite 600  
Grand Rapids, MI 49503-2793

Phone 616.235.3500 Fax 616.233.5269

RhoadesMcKee.com

GRAND RAPIDS  
GRAND HAVEN

May 9, 2011

Frederick D. Dilley  
direct dial (616) 233-5164  
fdilley@rhoadesmckee.com

Ingham County Circuit Court  
Clerk of the Court  
Veterans Memorial Courthouse  
313 W. Kalamazoo  
P.O. Box 40771  
Lansing, MI 48901-7971

Re: Platte Lake Improvement Association v Michigan Department of Natural Resources, et al  
Case No. 86-57122-CE

Dear Clerk:

Enclosed please find a Proof of Service for filing with the Court in the above referenced matter.

Yours very truly,

RHOADES McKEE PC

  
Frederick D. Dilley

Enclosure

cc: Wilfred J. Swiecki w/encl.  
Darryl Paquette w/encl.

LOOKING FORWARD.  
GIVING BACK.



STATE OF MICHIGAN  
IN THE INGHAM COUNTY CIRCUIT COURT

---

PLATTE LAKE IMPROVEMENT  
ASSOCIATION, a Michigan non-profit  
corporation, BIG PLATTE LAKE, a  
natural living body of water in the  
State of Michigan,

Plaintiffs,

Case No. 86-57122-CE

v

HON. JOYCE DRAGANCHUK

MICHIGAN DEPARTMENT OF  
NATURAL RESOURCES, an agency of  
The State of Michigan; GORDON E.  
GUYER, Director of the Michigan  
Department of Natural Resources; JOHN  
A. SCOTT, Chief of the Fisheries Division,  
Michigan Department of Natural  
Resources,

Defendants.

---

Frederick D. Dilley (P26090)  
RHOADES McKEE  
Attorneys for Plaintiffs  
161 Ottawa Avenue, NW, Suite 600  
Grand Rapids, MI 49503  
(616) 235-3500

Darryl Paquette  
Attorney for Defendants  
Assistant Attorney General  
Environment Natural Resources  
& Agricultural Division  
P.O. Box 30755  
525 W. Ottawa St., Fl. 6  
Lansing, MI 48909  
(517) 373-7540

---

**PROOF OF SERVICE**

---

Teresa L. McBride, an employee in the law firm of Rhoades McKee, P.C., attorneys for the above-named Plaintiff on May 10, 2011, served a true copy of:

- CONSENT ORDER REGARDING DISPOSAL OF PHOSPHORUS  
SUPPLEMENTAL TO CONSENT JUDGMENT DATED MARCH 10, 2000

by depositing same in the United States Mail and addressed as follows:

Darryl Paquette  
Assistant Attorney General  
Environment Natural Resources  
& Agricultural Division  
P.O. Box 30755  
525 W. Ottawa St., Fl. 6  
Lansing, MI 48909

I declare that the statements above are true to the best of my information, knowledge and belief.

  
Teresa L. McBride