

****PUBLIC NOTICE****

The Michigan Department of Environmental Quality (MDEQ) has received a permit application for a proposed withdrawal of surface water from Lake Huron by the Genesee County Drain Commission (GCDC). The proposed large quantity withdrawal would be from a Lake Huron intake to be constructed at latitude 43.174122 and longitude -82.436189. The project is to include construction of a shore well and pumping station at a parcel near the corner of Fisher Road and Lake Shore Road (M-25) in portions of section 31 and 32 of Worth Township, T.09N, R.17E, Sanilac County.

The proposal will result in the withdrawal of water from Lake Huron for a community water supply for Genesee County; the city of Flint; and customer municipalities in Lapeer, Sanilac, Saginaw, and Shiawassee counties. Currently, this area is serviced by the city of Detroit Water System through a withdrawal from Lake Huron, approximately 4 miles from the proposed withdrawal site. The proposed facility would withdraw an estimated 59,000 gallons per minute or 85 million gallons per day (MGD) of water from Lake Huron.

Under amendments made to Part 327, Great Lakes Preservation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451), a person who intends to make a large quantity withdrawal of over 2 MGD is required to submit a permit application for the proposed withdrawal. Part 327 requires the permit application include the following:

- Place and source of the proposed withdrawal
- Location of any discharge or return flow
- Location and nature of the proposed withdrawal or existing water user
- Estimated average annual and monthly volumes and rates of withdrawal
- Estimated average annual and monthly volumes and rates of consumptive use from the withdrawal
- Submittal of an application fee in the amount of \$2,000

The GCDC application was originally received by the MDEQ on February 12, 2009.

Under Principle IV Prior Notice and Consultation of the Great Lakes Charter (Charter) Great Lakes States and Provinces agreed to a process of Prior Notice and Consultation for all new or increased consumptive uses greater than 5 MGD. Arguably, this new withdrawal, which will service an area currently receiving water from the same source (Lake Huron) and is not proposing to significantly increase the population served, will not result in an overall increased consumptive use over 5 MGD. It will be serviced by a different legal entity from a different withdrawal site. In keeping with the spirit of regional cooperation at the foundation of the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement and the Great Lakes-St. Lawrence River Basin Water

Resources Compact, we are making this application available for review under the Prior Notice and Consultation process for Great Lakes States and Provinces.

The MDEQ reviewed the GCDC permit application and determined the application packet contains all of the information required of Part 327 and fulfills the requirements of the Charter. This determination resulted in the transmittal of a letter on April 24, 2009, confirming the completeness of the permit application.

Under Part 327, the issuance of a permit requires a determination by the MDEQ that the large quantity withdrawal will likely not cause an adverse resource impact (ARI). An ARI is likely when a water withdrawal is projected to result in a lowering of lake level to an extent such that the ability of the lake to support the characteristic fish populations would be functionally impaired.

The proposed large quantity withdrawal is intended to serve the public water supply needs of the GCDC and their customer municipalities. The GCDC and customer municipalities currently obtain water from Lake Huron through a purchase agreement with the city of Detroit. The withdrawn water will be discharged through National Pollutant Discharge Elimination System permits to various locations on the Flint River that are all within the Great Lakes Basin. The withdrawn water is an in-basin use with all of the water, less consumptive use, returned to the Great Lakes Basin.

Copies of the large quantity withdrawal permit application, including the information submitted to satisfy the requirements of the Compact, and this public notice may be obtained via the internet at <http://www.michigan.gov/deg> within the Announcements section under the heading "Public Notice for Proposed New Large Quantity Withdrawal – Genesee County Drain Commission." Comments related to the proposed large quantity withdrawal received by July 15, 2009, may be considered in the decision to issue or deny a permit for the proposed large quantity withdrawal. Persons desiring information regarding the permit process or procedures for commenting should contact Mr. Brant O. Fisher, Water Withdrawal and Contamination Investigation Unit, Drinking Water and Environmental Health Section, Water Bureau, MDEQ, P.O. Box 30273, Lansing, Michigan, 48909-7773, at 517-241-1415, or at fisherb@michigan.gov.