

PART 28. SOURCE WATER PROTECTION GRANT ASSISTANCE

R 325.12801 Definitions.

Rule 2801. As used in this part:

(a) "Abandoned well" means any of the following which presents a threat to the groundwater resource and which no longer serves the purpose for which it was intended or has been taken out of service:

- (i) A water well.
- (ii) A monitoring well.
- (iii) An oil well.
- (iv) A gas well.
- (v) A mineral well.
- (vi) A drainage well.
- (vii) A recharge well.
- (viii) A test well.
- (ix) An injection well.
- (x) Other unplugged borings.

(b) "Aquifer test" means a groundwater resource assessment completed under the act, R 325.10813 governing the study of hydrogeological conditions by suppliers of water of type I and type IIa public water supplies, and R 325.10814 governing the studies of suppliers of water of type IIb and type III public water supplies.

(c) "Contaminant source inventory" means the identification of sources of contamination or land uses within a source water protection area that have a potential to adversely impact the drinking water resource.

(d) "Delineation" means the area identified by a hydrogeologic investigation conducted for the purpose of determining a wellhead protection area that meets the requirements of the state of Michigan wellhead protection program.

(e) "Designation" means the area identified by a hydrologic investigation conducted for the purpose of determining a surface water intake protection area that meets the requirements of the state of Michigan surface water intake protection program.

(f) "Elements" means the 7 areas that shall be addressed to obtain approval of a source water protection program and includes all of the following:

- (i) Roles and duties.
- (ii) Delineation of the wellhead protection area.
- (iii) Identification of potential and known contaminant sources.
- (iv) Management strategies.
- (v) Contingency plans for the source water protection area.
- (vi) New wells or surface water intakes.
- (vii) Public participation.

(g) "Grant applicant" means a community public water supply, or a not-for-profit, nontransient, noncommunity public water supply that applies for grant assistance under the source water protection grant program on behalf of the persons or municipality served by the public water supply.

(h) "Grant assistance" means the dedication of grant funds to a public water supply to support the development and implementation of a source water protection program.

(i) "Grant cycle" means a 1-year period beginning the date the grant assistance is awarded.

(j) "Grant-eligible activity" means a task undertaken by a community or nontransient, noncommunity public water supply for the purpose of determining a source water protection area or developing and implementing a source water protection program that is eligible for grant assistance in accordance with these rules.

(k) "Grant program priority list" means an annual list of grant applicants developed by the department that ranks the applicants for prioritization of grant assistance.

(l) "Intake" means the point where water is withdrawn from a surface water source.

(m) "Local team" means a group of not less than 3 persons that includes the public water supply superintendent, a representative of the municipality, and a representative from at least 1 of the following entities whose purpose is to facilitate the development, implementation and long-term maintenance of a wellhead protection program:

- (i) Local health department.
- (ii) Local fire department.
- (iii) Business and industry.
- (iv) Agriculture.
- (v) Education.
- (vi) Planning.
- (vii) Environmental or watershed groups.
- (viii) The general public. A local team for a nontransient, noncommunity public water supply shall include representation from not less than 3 of the groups listed in this subdivision.
- (n) "Low tritium public water supply" means a community supply or nontransient, noncommunity water supply that has had its well water sampled for tritium and had sample results of not more than 1.0 tritium unit (TU).
- (o) "Outfall" means the point of discharge of a drain or sewer.
- (p) "Provisional wellhead protection area" means the area which has been approved by the department in accordance with the state of Michigan wellhead protection program as the wellhead protection area based on computer manipulation of existing state of Michigan databases.
- (q) "Sensitivity" means a measure of the physical attributes of the source water protection area and how readily those attributes protect the intake from contaminants.
- (r) "Source water assessment" means an evaluation of a public water supply system under the federal act that identifies the areas that supply public drinking water, inventories contaminants, determines sensitivity, and assesses water susceptibility to contamination, or as updated with current information.
- (s) "Source water protection area" means either a wellhead protection area or provisional wellhead protection area for groundwater sources of drinking water or a surface water intake protection area for surface water sources of drinking water.
- (t) "Source water protection program" means a program that has been approved by the department upon meeting the criteria for approval under the state of Michigan source water protection program, including programs protecting groundwater and surface water sources.
- (u) "Surface water intake protection area" means the area most likely to contribute contaminants to the drinking water source as approved by the department in accordance with the state of Michigan surface water intake protection program.
- (v) "Surface water intake protection program" means a program protecting surface water sources that has been approved by the department upon meeting the criteria for approval under the state of Michigan source water protection program.
- (w) "Susceptibility" means the ranking from very high to very low of the likelihood a source of drinking water could become contaminated.
- (x) "Total grant assistance" means the maximum amount of grant assistance each grant cycle that a public water supply may receive.
- (y) "Well" means the point where water is withdrawn from a groundwater source.
- (z) "Wellhead protection area" means the area which has been approved by the department in accordance with the state of Michigan wellhead protection program, which represents the surface and subsurface area surrounding a water well or well field, which supplies a public water supply, and through which contaminants are reasonably likely to move toward and reach the water well or well field within a 10-year time of travel.
- (aa) "Wellhead protection program" means a program protecting groundwater sources that has been approved by the department upon meeting the criteria for approval under the state of Michigan source water protection program.

History: 1999 AACCS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12802 Applicant qualifications.

Rule 2802. (1) Community and not-for-profit, nontransient, noncommunity public water supplies that utilize groundwater or surface water as a source of water, exclusive of federally owned public water supplies, may qualify for grant assistance.

(2) A public water supply that applies for grant assistance shall provide a local match equal to the grant assistance requested in the grant application.

(3) A public water supply that receives grant assistance shall be able to complete the grant-eligible activities specified in the grant application within 1 year from the time the grant assistance is awarded to the public water supply.

(4) Public water supplies that have outstanding prior year fees as prescribed in the act are not eligible for grant assistance.

History: 1999 AACs; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12803 Submission of applications.

Rule 2803. (1) An applicant for grant assistance shall apply to the department on a form prescribed and provided by the department.

(2) The department shall establish a deadline for submission of applications in the grant application process and shall notify applicants of the application deadline on the form prescribed and provided by the department.

(3) An applicant shall provide a description of the grant-eligible activities for which the grant assistance is to be applied.

(4) An application shall include proof, through 1 of the following, of a local match to the grant assistance and proof that the grant assistance and local match will be expended on grant-eligible activities, as applicable:

(a) Providing documentation of a line item budget dedicated to the grant-eligible activities identified in the grant application. The line item budget shall include the dedication of funds to grant-eligible activities in an amount equal to the grant assistance plus the local match.

(b) Providing documentation of a contractually binding agreement committing the applicant to an expenditure of funds in an amount equal to the grant assistance plus the local match for the grant-eligible activities identified in the grant application.

(c) Providing documentation of previous expenditures on grant-eligible activities equivalent to or greater than the grant assistance requested in the grant application.

(d) Providing documentation of the match through a combination of any of the items specified in this subrule.

(5) Previous expenditures by the applicant to seal abandoned wells as defined in part 127 of 1978 PA 368, MCL 333.12701 to 333.12771, within a source water protection area or within a 1-mile radius of a low tritium public water supply well may be utilized as the local match.

History: 1999 AACs; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12804 Long-term commitment to source water protection.

Rule 2804. (1) A grant applicant shall demonstrate a long-term commitment to the development, implementation, and maintenance of a source water protection program by providing both of the following:

(a) A time line for completion of the grant-eligible activities.

(b) A time line for the completion of each of the elements required of a state-approved source water protection program.

(2) The applicant shall demonstrate the establishment of a local team whose goal is to facilitate the development, implementation, and maintenance of a source water protection program.

History: 1999 AACs; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12805 Priority lists.

Rule 2805. (1) Before awarding grants, the department shall develop 1 or both of the following:

(a) A wellhead protection grant program priority list of applicants considered eligible for grant assistance.

(b) A surface water intake protection grant program priority list of applicants considered eligible for grant assistance.

(2) For the purpose of providing grant assistance, the grant program priority lists shall take effect on the first day of each grant cycle established by the department.

(3) The grant program priority lists shall be based upon all of the following criteria:

(a) The establishment of a local team.

(b) Coordination of the local team with an adjacent municipality.

(c) The adoption of a local ordinance or resolution related to source water protection.

(d) The manner in which the local match is provided.

- (e) The proposed time line for completion of a source water protection program.
 - (f) Incorporation of the source water protection program into other land use planning strategies.
 - (g) For surface water source applicants, the intake susceptibility rating as determined by an existing or updated public water supply source water assessment.
- History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12806 Availability of grant funds.

Rule 2806. (1) Grant assistance shall be provided to an eligible grant applicant to the extent that grant funds are available as determined by the department.

(2) An eligible applicant denied grant assistance during the year a grant program priority list is developed shall be prioritized on the next annual grant program priority list using the same criteria, unless the applicant submits an amendment to the grant application that alters the applicant's status on the grant program priority list or unless conditions change for the original grant submittal.

(3) An applicant that has not received grant assistance upon application in any previous grant cycle shall be placed on the grant program priority list ahead of an applicant who was funded in a previous year and funded in the current grant cycle of application if all of the following provisions apply:

(a) The applicant meets the minimum points requirement for funding in the priority list score as specified in R 325.12807(2).

(b) The awarding of grant assistance to the applicant is in compliance with R 325.12810.

(c) Grant funds are available.

History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12807 Priority list score.

Rule 2807. (1) A maximum number of points may be awarded a grant applicant for prioritization on the annual grant program priority list as listed below:

(a) A wellhead protection grant program applicant may be awarded a maximum of 25 points.

(b) A surface water intake protection grant program applicant may be awarded a maximum of 30 points.

(2) A minimum of 10 points is required in the priority list score to be eligible for grant assistance.

(3) A maximum of 5 points shall be assigned a grant applicant for the development of a local team.

The points shall be assigned in accordance with the following schedule:

(a) Five points for a team that includes representation by the public water supply superintendent, the municipality, and any 6 of the following entities:

- (i) The local health department.
- (ii) The local fire department.
- (iii) Business and industry.
- (iv) Agriculture.
- (v) Education.
- (vi) Planning.
- (vii) An environmental or watershed group.
- (viii) The general public.

(b) Four points for a team that includes representation by the public water supply superintendent, the municipality, and any 5 of the following entities:

- (i) The local health department.
- (ii) The local fire department.
- (iii) Business and industry.
- (iv) Agriculture.
- (v) Education.
- (vi) Planning.
- (vii) An environmental or watershed group.
- (viii) The general public.

(c) Three points for a team that includes representation by the public water supply superintendent, the municipality, and any 4 of the following entities:

- (i) The local health department.
- (ii) The local fire department.
- (iii) Business and industry.

- (iv) Agriculture.
- (v) Education.
- (vi) Planning.
- (vii) An environmental or watershed group.
- (viii) The general public.

(d) Two points for a team that includes representation by the public water supply superintendent, the municipality, and any 3 of the following entities:

- (i) The local health department.
- (ii) The local fire department.
- (iii) Business and industry.
- (iv) Agriculture.
- (v) Education.
- (vi) Planning.
- (vii) An environmental or watershed group.
- (viii) The general public.

(e) One point for a team that includes representation by the public water supply superintendent, the municipality, and any 2 of the following entities:

- (i) The local health department.
- (ii) The local fire department.
- (iii) Business and industry.
- (iv) Agriculture.
- (v) Education.
- (vi) Planning.
- (vii) An environmental or watershed group.
- (viii) The general public.

(4) Two points shall be assigned for a local team that includes representation from an adjacent municipality which has land in the projected or approved source water protection area or which receives service from the applicant or if the approved source water protection area lies entirely within the jurisdiction of a municipality and the public water supply does not provide service to an area outside of the jurisdiction of the municipality.

(5) A maximum of 3 points shall be assigned a grant applicant for the adoption of an ordinance or resolution as follows:

(a) Three points for the passage of a local ordinance related to the development and implementation of a local source water protection program.

(b) One point for the adoption of a local resolution that demonstrates a commitment to the development and implementation of a local source water protection program.

(6) A maximum of 6 points shall be assigned a grant applicant based upon the manner in which the local match is demonstrated as follows:

(a) Six points for demonstrating that the local match has been provided through the previous expenditure of funds on grant-eligible activities.

(b) Three points for demonstrating that the local match and the grant assistance have been committed through a contractually binding agreement with a consultant.

(c) One point for demonstrating that the local match has been provided as an identifiable item within a local budget dedicating the local match and the grant assistance to grant-eligible activities.

(7) A maximum of 3 points shall be assigned a grant applicant based upon the time line for completion of a source water protection program as follows:

(a) Three points for a program completed before the date of the grant application.

(b) Two points for a time line for program completion within 1 year of the date of application.

(c) One point for a time line for program completion within 3 years of the date of application.

(8) A maximum of 6 points shall be assigned the grant applicant as follows:

(a) Three points for a plan to incorporate the source water protection program into a municipality's master plan or other regional land use planning program.

(b) Three points for a plan to implement a public outreach, education, or planning program of not less than 3 years duration.

(9) A maximum of 5 points shall be assigned the surface water intake protection program grant applicant based on the intake susceptibility rating as determined by a public water supply source water assessment as follows:

- (a) Five points for a very high susceptibility rating.
- (b) Three points for a high susceptibility rating
- (c) One point for a moderately high susceptibility rating.

(10) If the priority list score results in a tie between 2 applicants on that priority list, then the award of grant funds shall be provided to the applicants as follows:

- (a) The applicant that has received the lesser amount in total grant funds through application in previous grant cycles shall be awarded the grant funds in the current grant cycle of application.
- (b) If the applicants have received the same amount in total grant funds through application in previous grant cycles, then the applicant whose public water supply exhibits the greatest population-to-grant dollars ratio shall be awarded the grant assistance.

History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12808 Total wellhead protection grant assistance; supplemental grant assistance.

Rule 2808. (1) The total grant assistance received by a public water supply in the wellhead protection grant program shall be based upon the total population served by the public water supply.

(2) The total grant assistance available to a public water supply shall be as follows:

(a) A public water supply that serves a population of 500 persons or less shall be eligible for total grant assistance of not more than \$7,500.00.

(b) A public water supply that serves a population of 501 to 3,300 persons shall be eligible for total grant assistance of not more than \$15,000.00.

(c) A public water supply that serves a population of 3,301 to 10,000 persons shall be eligible for total grant assistance of not more than \$30,000.00.

(d) A public water supply that serves a population of more than 10,000 persons shall be eligible for total grant assistance of not more than \$50,000.00

(3) A grant applicant that requests grant assistance in excess of the population-based limit for the total grant assistance shall be granted the maximum allowable grant assistance in accordance with subrule (2) of this rule if other requirements for grant assistance are fulfilled.

(4) The total grant assistance available to a public water supply based upon the population served shall be increased based upon supplemental grant assistance that reflects the number of wells which the public water supply owns and operates as follows:

(a) A public water supply that owns and operates 3 to 5 wells shall be eligible for supplemental grant assistance of not more than \$5,000.00.

(b) A public water supply that owns and operates 6 to 10 wells shall be eligible for supplemental grant assistance of not more than \$10,000.00.

(c) A public water supply that owns and operates 11 to 15 wells shall be eligible for supplemental grant assistance of not more than \$15,000.00

(d) A public water supply that owns and operates more than 15 wells shall be eligible for supplemental grant assistance of not more than \$20,000.00.

(5) A grant applicant that requests supplemental grant assistance in excess of the maximum based upon the number of wells owned and operated by the public water supply shall be provided the maximum grant assistance in accordance with subrule (4) of this rule.

History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12809 Total surface water intake protection grant assistance.

Rule 2809. The total surface water intake protection grant assistance available to a public water supply shall be based on the susceptibility rating as follows:

(a) A public water supply with a susceptibility rating of very high or high shall be eligible for total grant assistance of not more than \$20,000.00.

(b) A public water supply with a susceptibility rating of moderately high or moderate shall be eligible for total grant assistance of not more than \$15,000.00.

(c) A public water supply with a susceptibility rating of moderately low, low or very low shall be eligible for total grant assistance of not more than \$10,000.00.

History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12810 Distribution of available grant funds for groundwater public water supplies based upon population served and surface water public water supplies based on susceptibility.

Rule 2810. (1) If the requests for grant assistance for groundwater public water supplies exceeds the grant funds available in a grant cycle, then the maximum and minimum grant assistance provided to groundwater public water supplies according to the population served shall be based upon a percentage of the total grant funds available for the grant cycle as follows:

(a) Groundwater public water supplies serving a population of 500 persons or less shall receive not more than 30%, and not less than 15%, of the total grant funds available in any given grant cycle.

(b) Groundwater public water supplies serving a population of 501 to 3,300 persons shall receive not more than 50%, and not less than 25%, of the total grant funds available in any given grant cycle.

(c) Groundwater public water supplies serving a population of 3,301 to 10,000 persons shall receive not more than 30%, and not less than 15%, of the total grant funds available in any given grant cycle.

(d) Groundwater public water supplies serving a population of more than 10,000 persons shall receive not more than 30%, and not less than 15% of the total grant funds available in any given grant cycle.

(2) The department may provide a greater percentage of the available grant funds to groundwater public water supplies of a given population served if requests for grant assistance do not exceed the established minimum percentage of total grant funds available to groundwater public water supplies of other population-served categories.

(3) If requests for grant assistance for surface water public water supplies exceeds the grant funds available in a grant cycle, then the maximum and minimum grant assistance provided to surface water public water supplies according to the susceptibility rating shall be based upon a percentage of the total grant funds available for the grant cycle as follows:

(a) Surface water public water supplies with a susceptibility rating of very high shall receive 50% of the total grant funds available in any given grant cycle.

(b) Surface water public water supplies with a susceptibility rating of high shall receive 25% of the total grant funds available in any given grant cycle.

(c) Surface water public water supplies with a susceptibility rating of moderately high shall receive 25% of the total grant funds available in any given grant cycle.

(4) The department may provide a greater percentage of the available grant funds to surface water public water supplies of a given susceptibility rating if requests for grant assistance do not exceed the established percentage of total grant funds available to surface water public water supplies of other susceptibility ratings.

History: 1999 AACCS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12811 Disbursement of grant assistance.

Rule 2811. (1) The department shall disburse the grant assistance upon submittal of a project report demonstrating that the applicant has completed the grant-eligible activities identified in the grant application.

(2) The department may provide a partial disbursement of the grant assistance upon submittal of a project report demonstrating that the applicant has completed a corresponding and appropriate portion of the grant-eligible activities identified in the grant application. A partial disbursement of the grant assistance shall not exceed 50% of the total cost of the corresponding and appropriate portion of the grant-eligible activities for which the partial disbursement is requested.

History: 1999 MR 1, Eff. Jan. 25, 1999.

R 325.12812 Grant-eligible activities to support local source water protection programs; contact person; formation of local team; team responsibilities.

Rule 2812. (1) Grant-eligible activities shall support the development or implementation of a local source water protection program and be consistent with the state of Michigan source water protection program.

(2) A public water supply shall provide the department with the name, title, and address of a contact person who shall take the lead in the development and implementation of the local source water protection program, including local administration of the source water protection grant. The contact person shall submit quarterly progress reports on a form provided by the department.

(3) A public water supply shall provide the department with evidence of the formation of a local team. The team shall consist of the public water supply superintendent, the municipality, and at least 1 of the following entities:

- (a) The local health department.
- (b) The local fire department.
- (c) Business and industry.
- (d) Agriculture.
- (e) Education.
- (f) Planning.
- (g) An environmental or watershed group.
- (h) The general public.

(4) The local team shall be responsible for providing a time line for the completion of grant-eligible activities identified in the grant application.

(5) The local team shall be responsible for providing a time line for the completion of a source water protection program.

History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12813 Source water protection program elements.

Rule 2813. (1) The following source water protection program elements include grant-eligible activities for which grant funds may be applied:

- (a) The establishment of roles and duties.
- (b) Either of the following program elements:
 - (i) For a wellhead protection program, delineation of a wellhead protection area as approved by the department.
 - (ii) For a surface water intake protection program, the designation of a surface water intake protection area as approved by the department.
- (c) The completion of a contaminant source and land use inventory.
- (d) The development or implementation of management strategies and programs to control contaminant sources or land use.
- (e) The development and implementation of a contingency plan.
- (f) The phasing of new wells or intakes into a source water protection program.
- (g) The development or implementation of public participation strategies in a source water protection program.

(2) Program development and implementation activities, such as a contaminant source and land use inventory, development and implementation of management strategies, contingency planning and public participation, are eligible for grant assistance in more than 1 grant cycle.

History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12814 Grant-eligible activities; development and implementation of certain partnership agreements.

Rule 2814. The development and implementation of partnership agreements between municipalities for the purpose of source water protection is grant-eligible.

History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12815 Grant-eligible delineation and designation activities.

Rule 2815. (1) All of the following apply to grant-eligible wellhead protection area delineation activities:

- (a) Grant-eligible delineation activities shall be proposed, described, and completed under the wellhead protection area delineation guidance established by the department in the state of Michigan wellhead protection program.
- (b) Grant-eligible activities include the following:
 - (i) The compilation of existing hydrogeologic information.
 - (ii) The installation of observation wells for an aquifer test on an existing public water supply well.
 - (iii) Aquifer tests and aquifer test analysis on an existing public water supply well.
 - (iv) Surveying.
 - (v) Collection of static water levels.
 - (vi) Groundwater modeling, including particle tracking.

(c) If considered necessary by the department due to the lack of accessibility to existing wells, the area geology indicates a public water supply may be a low tritium public water supply, or a known groundwater contamination is present within the wellhead protection area, the following activities may be deemed grant-eligible:

- (i) The installation of monitoring wells for the collection of static water level information.
- (ii) The collection and analysis of tritium samples.
- (iii) The installation of sentinel wells to monitor water quality within the wellhead protection area.

(2) Both of the following apply to surface water intake protection area designation activities:

(a) Grant-eligible designation activities shall be proposed, described, and completed pursuant to the surface water intake protection area designation guidance established by the department in the state of Michigan surface water intake protection program.

(b) Grant-eligible activities include the following:

(i) The compilation of existing hydrologic information.

(ii) Stream flow monitoring or hydrodynamic modeling to determine seasonal fluctuations, time of travel, and other impacts upon source water.

History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12816 Grant-eligible contaminant source and land use inventory activities.

Rule 2816. (1) Contaminant source and land use inventories to identify existing and potential threats to a public water supply are grant-eligible within the source water protection area or within a 1-mile radius of the well field for a low tritium public water supply well.

(2) Grant-eligible contaminant source and land use inventory activities include the following:

(a) Record searches to identify potential sources of contamination and land uses that have a potential to impact the source water.

(b) General surveys to identify potential sources of contamination and land uses that have a potential to impact the source water.

(c) On-site inspection of facilities that have a potential to impact the source water.

(d) Record searches to identify historical land uses that have a potential to impact the source water.

(e) The mapping of existing and potential sources of contamination within the source water protection area.

(f) Updating a contaminant source inventory.

(g) The development and implementation of a program to locate and identify abandoned wells in the source water protection area.

(h) The development and implementation of a program to identify nonpoint sources and to locate and identify outfalls with the potential to impact the surface water intake protection area.

History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12817 Grant-eligible management activities.

Rule 2817. (1) Grant-eligible management activities shall provide an elevated level of protection to the source water protection area or within a 1-mile radius of the well field for a low tritium public water supply well.

(2) Grant-eligible management activities include the following:

(a) The development and implementation of best management practices that reduce the risk of source water contamination.

(b) The development and implementation of source water protection resolutions or ordinances.

(c) On-site inspections for the purpose of improving facility management of potential sources of contamination.

(d) The development and implementation of a program to control abandoned wells, excluding the actual sealing of abandoned wells in a source water protection area.

(e) Incorporation of a source water protection program into a municipality's master plan or other regional land use planning program.

History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12818 Grant-eligible contingency plan and emergency response protocol activities.

Rule 2818. The development and implementation of a contingency plan and emergency response protocol for a source water protection area or within a 1-mile radius of the well field for a low tritium public water supply well are grant-eligible activities.

History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12819 Grant-eligible new well and new surface water intake activities.

Rule 2819. (1) Grant-eligible activities for new wells include all of the following:

(a) Completion of a delineation for a new well or well field, exclusive of the cost incurred to conduct an aquifer test that is a requirement of the public water supply program for the construction of new wells.

(b) The development and implementation of a wellhead protection program for a new well or well field.

(c) Incorporation of a new well or well field into an existing wellhead protection program.

(2) Grant-eligible activities for new surface water intakes include both of the following:

(a) The development and implementation of a surface water intake protection program for a new intake.

(b) Incorporation of a new intake into an existing surface water intake protection program.

History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.

R 325.12820 Grant-eligible public participation activities.

Rule 2820. (1) Grant-eligible activities for public participation shall provide a positive benefit to the source water protection program by raising public awareness in matters pertaining to source water protection and utilization of the source water resource by a public water supply.

(2) Grant-eligible activities for public participation include the following:

(a) The development and implementation of a school curriculum related to source water protection.

(b) The development and implementation of a strategy to educate the general public on issues related to source water protection.

(c) The development, production, and circulation of educational materials.

(d) The development, preparation, and production of media announcements, such as news releases, newspaper articles, and radio announcements.

(e) Signing activities which identify an approved source water protection area or which promote the concept of source water protection, such as storm drain stenciling and the construction and placement of road signs.

History: 1999 AACS; 2009 MR 23, Eff. Dec. 4, 2009.