



Water Withdrawal Process in Michigan

- With limited exceptions for non-commercial wells on residential property, community water supplies, withdrawals for environmental contamination cleanup, all water withdrawals with the capability to be a large quantity withdrawal are required to be registered with the State of Michigan under Part 327, Great Lakes Preservation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Part 327).
 - Large quantity withdrawals are a groundwater or surface water withdrawal pumping at least 100,000 gallons per day (or approximately 70 gallons per minute) averaged over any 30-day period.
- Owners of all registered withdrawals must submit water use reports annually to either the Michigan Department of Environmental Quality (MDEQ), or to the Michigan Department of Agriculture and Rural Development (MDARD) for agricultural withdrawals.
 - There is an annual water use reporting fee of \$200. Agriculture withdrawals and withdrawals less than 1,500,000 gallons per year are exempt from the fee.
- Diversions of Great Lakes Basin water are prohibited under state law (Part 327) and federal law (the Great Lakes Compact) with the following specific exceptions:
 - Pre-existing, legally established, diversions like the Chicago Sanitary and Ship Canal.
 - Shipments of water in containers of 5.7 gallons or less.
 - Public water supply for communities or counties that straddle the Great Lakes basin divide meeting the exception criteria of the Great Lakes Compact.
 - To supply vehicles for the needs of people or animals being transported, or for ballast water for ships.
 - For non-commercial, short-term projects for firefighting, humanitarian, or emergency response purposes.
- Property owners who want to develop new or increased large quantity withdrawals must register with the MDEQ.
 - Requests for registrations are submitted using the online Water Withdrawal Assessment Tool (WWAT). A site-specific review (SSR) by MDEQ staff may also be required.
 - Michigan law does not set any fees to authorize new or increased large quantity withdrawals of 2,000,000 gallons per day or less.
 - For withdrawals more than 2,000,000 gallons per day a Part 327 permit is required. There is a \$2,000 application fee for a Part 327 permit.
 - Approval of new or increased withdrawals through the WWAT or a SSR do not require public notification, however, Part 327 permit applications require a 45-day public comment period.

Water Withdrawal Assessment Tool (WWAT)

- The WWAT is a computer model used to determine whether the proposed withdrawal is likely to cause an adverse resource impact to stream flow and fish populations.
- If a request fails the initial WWAT screening, a SSR is required.



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Site-Specific Review (SSR)

- A SSR considers whether a proposed withdrawal is likely to cause an adverse resource impact.

- During a SSR, MDEQ staff reviews:
 - Stream index flow data
 - Geological information such as well logs, published studies, and aquifer pumping tests.
 - Groundwater models to predict stream flow depletions from wells.
 - Aerial photographs and other geographic information system data layers that provide information about the site area including whether stream reaches in the affected watersheds flow year-round.

- If a SSR concludes the proposed withdrawal is likely to have an adverse resource impact the MDEQ can work with the applicant to see if modifications can be made. Possible modifications include:
 - Changing from a direct surface water withdrawal to a groundwater withdrawal.
 - Moving the well further away from rivers or streams.
 - Drilling a deeper well.
 - Decreasing the rated pump capacity.
 - Changing the pumping schedule.
 - Abandoning or modifying any other existing withdrawals by the same property owner in the affected watershed(s).

- If modifications cannot be made, the proposed withdrawal request is denied.
 - A property owner may resubmit a request with additional data.
 - Property owners in the affected watershed(s) can also form a Water User Committee to try to adjust the existing water uses to free up enough stream flow to authorize the proposed withdrawal.
 - Or, the property owner can apply for a permit under Part 327 including measures to prevent an adverse resource impact.

Part 327 Permits

- The Part 327 permit review determines:
 - Whether the proposed withdrawal is likely to cause adverse impacts to other water dependent natural resources.
 - Whether the proposed withdrawal complies with the Great Lakes Compact and all other applicable local, state, federal, interstate and international agreements and regulations.
 - Whether the proposed withdrawal is a reasonable use under common law.
 - Whether the proposed withdrawal complies with all applicable water conservation measures.
 - Whether the proposed withdrawal will return all water, less an allowance for consumptive use, to the source watershed(s).