

**Water Use Advisory Council (WUAC) Meeting**

**Tuesday, June 23, 2020**

**1:00 p.m.-3:00 p.m.**

**On Teams Hosted by the Department of Environment, Great Lakes, and Energy (EGLE)**

**MINUTES**

**1. Welcome**

Laura Campbell, Co-Chair, Farm Bureau, welcomed members and guests and shared the logistics for participation in the meeting. She noted they will be returning to the usual split Chair process with Chairs Eggers and Burroughs also facilitating portions of the agenda. She then took roll call attendance of members and their alternates. Members were individually asked to provide any comments and/or changes regarding the agenda and minutes at this time. The attendance of non-members present via Teams and phone were then asked to introduce themselves to record their attendance.

**2. Roll Call**

**WUAC Members/Alternates in Attendance:**

Abigail Eaton, Department of Agriculture and Rural Development (MDARD)  
Brian Eggers, AKT Peerless  
Bryan Burroughs/Taylor Ridderbusch, Michigan Trout Unlimited  
Christine Alexander, Department of Environment, Great Lakes, and Energy (EGLE)  
Dave Hamilton, The Nature Conservancy  
Doug Needham, Michigan Aggregates Association  
Frank Ettawageshik, United Tribes of Michigan  
James Clift, Deputy Director, EGLE  
Jason Walther/Kelly Turner, Agricultural Irrigators  
Jim Nicholas, Nicholas-H2O  
John Yellich, Michigan Geological Survey  
Laura Campbell/ Michigan Farm Bureau  
Mike Frederick, Michigan Groundwater Association  
Mike Gallagher, Michigan Lake Stewardship Associations  
Pat Staskiewicz/Clyde Dugan, Michigan Section American Water Works Association  
Rachel Proctor, Consumers Energy  
Steve Kohler, Kalamazoo River Watershed Council  
Tom Zimnicki, Michigan Environmental Council

**WUAC Members/Alternates Absent:**

Buddy Sebastian, Michigan Groundwater Association  
Charlie Scott/Jon Scott, Michigan Golf Course Owners Association  
Grenetta Thomassey, Michigan Environmental Council  
Jason Geer, Michigan Chamber of Commerce  
Jim Johnson, MDARD

Kyle Rorah/Nikki Ghorpade, Ducks Unlimited  
Matt Smego Michigan Farm Bureau  
Rich Bowman, The Nature Conservancy  
Scott DeBoe, Consumers Energy  
Sue Hanf, Michigan Aggregates Association  
Tammy Newcomb, Michigan Department of Natural Resources (MDNR)  
Tom Frazier, Michigan Townships Association Margaret Bettenhausen, Attorney General

**Non-members present:**

Andy LeBaron, EGLE  
Bob Ottwell, FLOW  
Christine Spitzley, OHM Advisors  
Clay Joupperi, EGLE  
Dave Lusch, MSU  
Elle Gulotty, MDNR Fisheries Division  
Emily Finnell, Office of the Great Lakes  
Hannah Arnett, EGLE  
Jeremiah Asher, Institute Water Research Michigan State University  
Jim Milne, EGLE  
Jim Ostrowski, EGLE  
Joel Henry, Golder and Associates  
Laura Doud, MDARD  
Matt Tomlinson, EGLE  
Michael Osier, EGLE  
Nathaniel Shuff, EGLE  
Ralph Haefner, USGS  
Troy Zorn

**3. Approval of Agenda-Roll Call Vote**

Agenda approved by consensus as presented. No comments/edits received.

**4. Approval of Minutes-Roll Call Vote**

Brian Eggers asked that the minutes reflect he was present. No other comments/edits received.  
Meeting minutes of April 21, 2020 approved by consensus.

*(At this time, Co-Chair Brian Eggers assumed role of meeting Chair.)*

**5. Public Comment**

There was no public comment.

## 6. Program Staff Update

- **Jim Milne, Water Use Assessment Unit, EGLE**

Milne reported all Water Use Assessment Unit staff have new phone numbers. This allows them to receive calls directly while working remote instead of calling into their desk phones at Constitution Hall to retrieve messages.

Milne then shared the following:

### Program Metrics

- 148 SSRs submitted
- 42 SSR decisions not made  $\leq$  10 days
- 16 total SSRs still pending
- 74.5% of SSR decisions made  $\leq$  10 days
- Average days to SSR decision 9.0

### Compliance Metrics

- Compliance Communications:
  - Amended registrations 521
  - After the fact registrations 137
  - Missing pump information 167
- First Violation Notices 27
- Second Violation Notices 2
- Violations Closed 14
- Complaints Received 11

### Public Water Supply Prescreening Reviews

- Passed: Commerce Road-Wolverine Lake, Oakland County
- Passed: Michaywe Senior Housing Development, Otsego County

Campbell raised the issue of getting people into the system and the need for additional outreach to landowners, drillers, etc. This would follow the 2014 Report recommendation to provide further outreach. The Part 327 requirement for different operation requires notification to EGLE certifying no adverse resource impact. This will be a violation until back in compliance. It was recommended that an outreach article be drafted to share with the various professional and community entities affected. Yellich echoed that more outreach is needed because people do not understand the letters they are receiving.

Hamilton asked what the difference in registration numbers are for 2020 v. past years? Milne will provide these numbers at the August WUAC meeting.

Frederick asked what is involved in amending well registration? EGLE WUAU staff compare the well construction details in the well logs to the as authorized well characteristics in the LQW registrations. The as authorized withdrawal volumes in the LQW registrations are also compared to the annual water use reporting data.

Milne presented maps showing new USGS Stream Gages (continuous stream stage and flow rate) and USGS Miscellaneous Flow Measurements (one-time stream flow rate) locations. Two of the new USGS stream gages are located at roughly the same locations as stream gages that were installed as part of the Cass County Pilot Study. To the best of EGLE's knowledge, those stream gages that were installed during the Cass County Pilot Study are still in operation.

## **7. Process and Timeline for Completing 2020 Legislative Report**

- **Christine Spitzley, OHM Advisors**

Spitzley shared the goals for the December 2020 Legislative Report and noted format and content changes from the 2014 Report. The 2020 Report will only be in digital form and will be designed to be understood by the layperson. It will be shorter, more concise with limited, prioritized recommendations strategies accompanied by implementation strategies and budgets as applicable. It will highlight the WUAC's accomplishments and goals and provide one clear voice to the Legislature. Spitzley walked through the requested format for Committees to provide their recommendations to the Implementation Committee. She also outlined the next steps and timeline for completing the Report by the December 2020 deadline.

*(At this time, Co-Chair Bryan Burroughs assumed role of meeting Chair.)*

## **8. Updates**

- **Data Collection Committee**

- **Bryan Burroughs, Michigan Trout Unlimited**

Burroughs reported the Data Collection Committee met on April 29 and May 29 and will meet again on June 30 from 9-11 a.m. They have discussed all previous recommendations and prioritized addressing all of them to clear implementable status before addressing "new" topics. The Committee's top priorities revolve around developing actionable plans for data, data acquisition plans, and data storage & use platform. Additional work by workgroups on other issues, e.g., continued well drillers trainings on geologic information, inland lakes, (each of those has had independent mtgs) and reviewing procedures for reclassification of streams as needed has also taken place. The Committee will need meetings in June and July to develop recommendations for the full WUAC. Additional meetings may be added to meet report writing deadlines. The Committee anticipates providing recommendations and draft Report language in August – September.

- **Implementation Strategies Committee**

- **Douglas Needham, Michigan Aggregates Association**

Needham concurred with Spitzley's outline of the process for completing the 2020 Legislative Report. He asked that recommendations be sent to the Committee per the

schedule so they can be reviewed and incorporated into the Report. He also shared the Committee's draft of the WUAC Strategic Plan. A copy of the draft will be sent to this group.

▪ **Models Committee**

- **Dave Hamilton, The Nature Conservancy**

Hamilton reported the Models Committee is working to create a list of Topics for the Models Committee as a living document. Issues with Well Logic were noted including concerns that thirty percent of the wells have their locations recorded incorrectly, and the location data needs to be validated.

Hamilton then introduced Troy Zorn who shared a presentation: *Catchment-scale accounting of large-quantity withdrawals in the Water Withdrawal Assessment Process: status update*. The work group included Jim Milne, Andrew LeBaron, Dave Hamilton, Howard Reeves, Gary Whelan, Dana Infante and lab (Kyle Herreman, Jared Ross, Hao Yu) and Troy Zorn (lead). Lusch asked what is the intent of cumulative downstream depletion accounting? Hamilton responded it is to figure out what is should be and if the numbers are realistic. Ettawageshik said it should be noted in the return flow analysis that groundwater withdrawn is returned to rivers/streams at different temperatures.

▪ **New Topics Committee**

- **Pat Staskiewicz, MI Section American Water Works Association**

1) **Water Users Group**

Staskiewicz reported this group is being led by Emily Finnell and has met four times since 4/21/2020. They are reviewing and discussing educational materials including the development and dissemination of a manual as a Water Users Group Guidebook. Staskiewicz added Finnell's experience with the *Michigan Sea Grant Sustainable Small Harbor Tools and Tactics Guidebook* has added a valuable perspective and this Guidebook is being used as the example for developing the WUAC's Water Users Group Guidebook.

2) **Water Efficiency Conservation Group**

Kelly Turner Jackson is leading this subcommittee and is looking for additional participation. At their meeting Emily Finnell provided background on similar reports developed under the Great Lakes Compact. The group is working to prioritize the 2014 Report recommendations for Efficiency and Conservation and determining what resources are needed. Types of recommendations including "out of the box" ideas such as offsets have been discussed.

Ettawageshik asked for notification of meetings.

#### **9. Proposed Additional Meeting -- September 15, 2020**

To meet the December 2020 Legislative Report deadline, the Executive Committee and staff believe an additional meeting will be necessary and propose adding a meeting of the full WUAC on September 15, 2020. The addition of this meeting was approved by consensus.

#### **10. Open Comments**

Ottwell questioned the focus of the group on glacial v. bedrock aquifer withdrawals. Milne responded most large withdrawals are from the glacial drift however some are withdrawing from the bedrock. Milne added that the Water Withdrawal Assessment Tool was originally designed with the assumption that the Marshall and Saginaw Formation bedrock aquifers are not hydraulically connected to surface water bodies. This is not true everywhere as there are known areas where the shallow bedrock aquifers are hydraulically connected to surface water. The Water Use Program's stream flow depletion tracking has been adjusted to account for this. Milne acknowledged that there are areas in the state (e.g., upwelling brines in Central Ottawa County) where the water quality impacts the ability to use deeper groundwater for irrigation. Hamilton noted water quality issues are not addressed by this program. Lusch shared that as part of the Ottawa County project analysis of two-thirds of the lower peninsula was done to understand the presence and impacts of chloride.

#### **11. Next Meeting**

The next meeting is scheduled for August 18, 2020 at 1 p.m. At this time, the meeting is expected held online in a format like today's meeting.

The remainder of WUAC 2020 meetings are scheduled as follows:

- September 15, 2020, from 1:00 p.m. – 3:00 p.m. TBD
- October 20, 2020, 1:00 p.m. – 4:00 p.m. at Constitution Hall in Lansing
- December 15, 2020, from 1:00 p.m. – 4:00 p.m. at Constitution Hall in Lansing

#### **12. Motion to Adjourn**

There being no further business, Co-Chair Burroughs called for a motion to adjourn. It was MOVED by Hamilton and SUPPORTED by Ettawageshik to adjourn the meeting. Meeting adjourned by consensus.