

MICHIGAN DEPARTMENT OF AGRICULTURE & RURAL DEVELOPMENT (MDARD)

WATER USE REPORTING

FREQUENTLY ASKED QUESTIONS

All information in this document has been reviewed and is correct as of December 3, 2015

1. To whom do I report my water use?

As an agricultural producer, you should report your water use to the Michigan Department of Agriculture and Rural Development (MDARD). All others that meet the reporting requirements must report their water use to the Michigan Department of Environmental Quality (MDEQ).

2. How do I report my water use?

MDARD has moved to an on-line water use reporting system. You may access the system at <http://www.deq.state.mi.us/wur>. Once in the system, choose "MDARD" to report your agricultural water use. The MDARD system, despite the URL, is separate from the MDEQ water use reporting system used by non-agricultural industries. A common platform with two branches is used to allow information to be integrated directly with the Water Withdrawal Assessment Tool and baseline data to more accurately reflect all water use in a given area around the state. MDEQ staff do not access the water use reporting system used for agriculture.

3. How much do I have to pay when I submit my water use reports?

There are no fees for reporting agricultural water use to MDARD. The water must be used to produce field crops, dairy products, horticultural crops, nursery, livestock, poultry, trees, turf, aquaculture, etc.

4. Are there penalties for not reporting water use as required by law?

Yes. The law states that the state can seek an injunction to stop all water withdrawals, can impose a \$1,000 fine, and can recover the costs of surveillance and enforcement.

5. Do all water users have to report?

Yes. Water use reporting was phased in over several years for public water supply systems, industrial self-supply systems (e.g. GM's water system), golf courses, power plants, and other water users. They are required to report their water use to MDEQ if they have the total capacity to withdraw 100,000 gallons per day for 30 days.

6. Who should report water use on rented or rotated farm land?

Water use reporting is ultimately the responsibility of the landowner. A producer, however, who rents the land, and withdraws ground water or surface water, can report the water use. They should gather data, report it, provide the information to the landowner, and keep a copy for their records. **PLEASE NOTE: A single pump cannot be reported by more than one producer. Only one producer can assume responsibility to report on a particular pump even if a pump and associated field is shared/rotated among more than one producer from year to year. A pump cannot be submitted to the database under more than one user/record.** Producers must notify MDARD if transfers of ownership or reporting responsibility take place so that the applicable pump can be reassigned within the database accordingly.

7. What happens to the information I report to MDARD?

Agricultural water use information reported to MDARD is combined with other agricultural water use information from the same township. Total water withdrawn for agricultural production, on a township level, along with latitude and longitude and capacity of water withdrawals is reported by MDARD to MDEQ. Individual data will not be disclosed to the public. The remaining information is retained by MDARD. It may be combined with other data for reports about agricultural water use.

8. Is my water use report information subject to the Freedom of Information Act?

Information about the amount of water used, the latitude and longitude of the water withdrawal, the system capacity, and descriptions of system capacity are exempt from the Freedom of Information Act, *unless the MDEQ determines that the withdrawal is causing an adverse resource impact.* The determination must be

based on reasonable, scientifically-based evidence. Other information reported is subject to the Freedom of Information Act.

9. Do I have to get a permit to use water for irrigation or other agricultural purposes?

The law states that anyone who develops a *new* or *increased* withdrawal capacity of 2 million gallons (1,400 gallons/minute) of water a day from the waters of the state, other than the Great Lakes and their connecting waters, to supply a common distribution system, must obtain a water withdrawal permit before beginning the withdrawal.

Nevertheless, the law also states that anyone using no more than 180 million gallons of water from the waters of the state through a common distribution system, equal to 6,629 acre-inches of water, in any consecutive 90 day period, does *not* require a water withdrawal permit. This is an *average* of no more than 2 million gallons/day in any 90 day consecutive period.

Anyone who develops *new* or *increased* withdrawal capacity of 5 million gallons of water a day (3,500 gallons/minute) from the Great Lakes and their connecting waters to supply a common distribution system must obtain a water withdrawal permit before beginning the withdrawal.

10. What is a common distribution system?

A common distribution system can be considered as a system connected from the water source(s) to the end use(s). In the case of an irrigation system, one example would be one or more wells connected or linked to each other and to one or more center pivot systems. Two separate wells, not linked to each other, each connected to a separate center pivot, would be considered different distribution systems.

11. I have two wells that can each pump 40 gallons a minute. I never use them at the same time, or for more than a few hours a day. Do I have to report my water use?

You are required by law to report your water use based on the *capacity*, or ability, to pump water. In this situation, if the wells can be run continuously without running out of water, then the property owner is required to report. The *amount* he or she would report would be the actual amount of water withdrawn and used.

12. If I'm pumping out of a pond that is fed by a spring, or I pump water from a well with less than 100,000 gallons per day (gpd) capacity into a pond and then I irrigate from the pond with a pump that has a capacity greater than 100,000 gpd, do I need to report?

If the combined capacity of all pumps equals 100,000 gallons per day (70 gallons per minute) or more, for 30 days, regardless of water sources, you are required to report your water use.

13. I pump water from a well to fill a pond, and then pump from the pond to irrigate. How do I report my water use?

The water use reporting legislation defines a withdrawal as the removal of water from its source. For this reason, the well and the pond, or other storage system, should be reported as two separate sources (pumps) for withdrawals for an agricultural use. Calculations for irrigation drawn from the pond should subtract water added from the well so as to not "double dip" on estimates of actual use from the aquifer.

14. Should I report my water use in acre-inches or in gallons?

The law states that agricultural water users can report in acre-inches or gallons. An acre-inch is the amount of water it takes to cover one acre with an inch of water. One acre-inch equals 27,154 gallons. If reporting in acre-inches, simply record the number of inches you applied to one acre and the number of acres in your field and the on-line system will calculate your total gallons used for you.

15. If my irrigation/barn well supplies my residence, do I need to report my household use? No.

16. Are livestock and poultry operations required to report?

If the combined capacity of all pumps equals 100,000 gallons per day (70 gallons per minute) or more, for 30 days, you are required to report your water use.