

**Water Use Advisory Council (WUAC) Meeting**  
**Hosted by the Department of Environment, Great Lakes, and Energy (EGLE)**

**Tuesday, September 10, 2024**

**1:00 p.m.- 4:00 p.m.**

Lee Walker Conference Room, North Atrium, Constitution Hall  
525 West Allegan, Lansing, MI 48933

Remote Option Available Via Teams

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**Phone Conference ID: 979 460 526#**

**AGENDA**

**1. Welcome**

Laura Campbell greeted the WUAC at 1:03, with roll call following

**2. Roll Call**

**WUAC Members In-Person**

Laura Campbell, Michigan Farm Bureau (MFB)

Bryan Burroughs, Michigan Trout Unlimited

Katy Lindstrom, Barr Engineering

Dave Hamilton, TNC

Megan Napier, AKT Peerless

Megan Tinsley, Michigan Environmental Council

Dave Maturen, Michigan Lakes and Streams Association (MLSA)

Rachel Proctor, Consumers Energy

Doug Needham, Michigan Aggregates Association

Frank Ettawageshik, United Tribes of Michigan

**WUAC Members Virtual**

Kelly Turner, Michigan Potato Industry Commission (MPIC)

Tom Frazier, Michigan Township Association (MTA) (Retired)

Adam Wygant, EGLE

Ben Tirrell, MFB

Michael Frederick, Michigan Ground Water Association

John A. Yellich, Michigan Geological Survey (MGS)

Steve Kohler, Kalamazoo River Watershed Council

Emily Finnell, EGLE (attending virtually on behalf of James Clift, EGLE)

Abigail Eaton, MDARD

**WUAC Members Not in Attendance**

Pat Staskiewicz, Michigan American Water Works Association

Rex Vaughn, MLSA; serving as Dave Maturen's alternate  
Michael Ellis, Barr Engineering, Inc  
Elizabeth Morrisseau, Michigan Attorney General (AG)

**WUAC Non-Members**

Jeremiah Asher, Michigan State University (MSU Institute for Water Research)

Andy LeBaron, EGLE

Megan Cameron, EGLE

Lena Pappas, EGLE

Simon Belisle, EGLE

Austen York, EGLE

Jim Milne, EGLE

Trisha Hagerman, EGLE

Hannah Arnett, EGLE

Briana Hammontree, JetCo

Joel Henry, Environmental Consulting & Technology, Inc. (ECT)

Marian Maier, EGLE

Maria Young

Ahlan Kaid

Adam Zwickle, MSU

David Lusch, MSU (retired)

Howard Reeves, USGS

Grant Poole

Sam Kotas

Tom Zimnicki

Katie Mika, EGLE

Sara Pearson

Anna Clark, ProPublica

Ross Helmer, EGLE

Travis Bauer, EGLE

**3. Approval of Minutes-Roll Call Vote Discussion**

Laura Campbell asked for any additional changes from the committee regarding the August and June Meeting minutes.

Bri Hammontree noted she received revisions via email from Kelly Turner regarding the June minutes and revisions via email from Jim Milne for the August minutes.

Laura Campbell asked for additional revisions regarding the August meeting minutes. None noted. Noted any additional revisions for the June meeting minutes. No noted modifications. Laura Campbell noted consensus to approve the noted revisions from June and August.

Noted changes for WUAC narrative from the August 2024 meeting minutes, as provided by Jim Milne. Included updating the WUAC Approval of Minutes – Roll Call Vote Discussion with corrections to spelling, grammar, and cleaning up general language. Noted revisions to Item 6. Introduction of EGLE Member and Department Reorganization, with a strikeout to “monitoring database” and updating to “technical team”.

Noted narrative changes for EGLE update from the August 2024 meeting minutes.

Frank Ettawageshik noted talking about municipal systems, if a small municipal wants to put in large well for water, is there special criteria in place. Jim Milne noted that a bottled water company withdrawals > 200,000 gallons per day require a permit application under Section 17 of the Safe Drinking Water Act, 1976 PA 399, as amended. Otherwise, new or increased withdrawals > 2 MGD require a Part 327 permit. Sought clarity on how it would be used for dealing with large water use. Jim noted if some other use and not a public use it would be under 327. Dave Hamilton noted they don't have to tell you what it's for. Jim Milne noted a prescreening review would come to EGLE. Dave Hamilton noted that he prefers LQW metrics be presented on a calendar year basis. Jim Milne noted that the LQW metrics for this meeting were on a program year (July to July) basis because that is the timing for the annual Part 327 legislative report. EGLE updates at other WUAC meetings will present LQW metrics on a calendar year basis.

Noted changes to the June meeting minutes from Kelly Turner and Michael Frederick regarding updating the WUAC voting members of the council present to approve the meeting minutes, as amended, from 14 to 12 approved. Noted updating member status of Michael Frederick under attendance as a voting, WUAC member, serving as alternate to Buddy Sebastian.

Noted changes for WCEC narrative from June 2024 meeting minutes.

The recent audit also showed that if SSRs are consistently over the timeline, then the 10-day period does not serve as a realistic number to have out there to perform the task. Turner noted that most applications are completed in the 10-day timeframe according to the information provided in the presentation. The recent audit showed that there are some SSR's that are taking much longer than the 10-day period but when asked what the benefits to opening the statute for revisions would be, both James Clift and Dave Hamilton said that it would help EGLE to have a better audit in the future to show they are more in compliance.

Additional emailed modification from June 2024 meeting included an update from Tom Frazier, who providing clarification on item 6.F. reading as: “Tom Frazier noted that he is currently the local government representative and to his knowledge his

replacement has still not been appointed by the Speaker.” The previous language about serving as co-chair is not accurate and should be stricken.

**4. Approval of Agenda-Roll Call Vote Discussion**

Quorum held. No noted changed to agenda. Bri Hammontree noted agenda was provided in the virtual meeting.

**5. Public Comment (Three Minute Limit)**

No noted comments from the public.

**6. Committee Chairs Report**

**a. Data Collection Committee**

Bryan Burroughs noted that the Data Collection Committee tried to take all the council and committee contact information on file to ensure the information was correct. Noted sent out to an email to individuals to verify if they wanted to be on the contact list. Noted if you did not receive an email from him, then to please email Bryan Burroughs if interested in the Data Collection Committee. Noted there is currently a poll for scheduling out, with most popular time to meet will be next week (week of 9/16 – 9/20) to discuss the recommendations for 2024 report. Noted recommendations should be fairly easy to work on and don't take a massive amount of exploration time, but this doesn't preclude there being a strong recommendation that could achieve consensus support easily. Noted will then move onto the discussion of tasks from implementation projects from the 2022 recommendations. Noted he has begun some own background coordination to begin the work on some of these projects, but the committee has not, with the 2022 funding starting October 1.

Byran Burroughs asked if any other questions or comments for the Data Collection Committee. None noted.

Frank Ettawageshik arrived and introduced himself to the meeting attendees.

**b. Models Committee**

Dave Hamilton noted funding for the 2022 recommendations came through, with funding starting October 1<sup>st</sup>. Noted two projects that will get going then and noted if on the Models Committee and asked any Models Committee members interested in either work groups, to contact him. Noted the first project will conduct downstream accounting research. This project would require review of a lot of data, including review of literature and empirical analysis, with a lot of general data analysis. Noted he believed the Data Committee may be interested in being involved in the workgroup. Noted the second project will evaluate stream flow depletion and how it effects downstream through a stream network. This project is a modeling exercise the US Geological Survey (USGS) will be working on, with quite a bit of work being done. Noted it will be model oriented to understand how streamflow's combine and when water is taken out within a water management area and how the cumulative stream flow propagates downstream.

Dave Hamilton noted Site Specific Review (SSR) technical work group continues to meet and are currently working through a list of nine (9) different things. One of these items has come to the council, which was dealing with the statutory time limits for SSRs. Noted will be reworked in the

Models Committee based on the input received in the WUAC. Noted also working on developing a proposal for detailed monitoring to better understand what streamflow depletion looks like. Noted previously had a presentation from USGS Wisconsin that includes an excellent study. Encouraged interested members to look at the study and reach out to the Models Committee if interested. Noted Howard Reeves has put together a first draft of the proposal that would be to perform similar work in Michigan tied together with modeling and monitoring to better understand streamflow depletion. Noted will be discussing this proposal in the next Models Committee meeting, which has yet to be scheduled.

Noted questions have up on the aquifer performance test and explained the Models Committee is currently working on sorting through comments. No noted other updates.

Dave Hamilton asked if any questions.

Bryan Burroughs noted if the two new topics discussed would then serve as the recommendations for the next meeting. Dave Hamilton noted yes.

Megan Tinsley noted if the proposal replicating the Wisconsin work in Michigan would be something for the legislative report. Dave Hamilton noted yes, it would be a recommendation.

Bryan Burroughs noted no other questions.

### **c. New Topics Committee**

- Motion to eliminate the committee to be held, if quorum present.

Bryan Burroughs noted that after discussions with Pat Staskiewicz, he has shared that the New Topics Committee may not be relevant or necessary. Bryan Burroughs noted a reminder that the statute that created the council does not really speak to committee structure and that the council can remove or add committee groups that fit the function of the council. Given previous discussions of not having a lot of need for it currently, and that the committee can simply reform in the future as needed, made a motion to eliminate the committee. Dave Maturen seconded support. Bryan Burroughs then opened for discussion for comments regarding the decision.

Kelly Turner noted if this decision may be premature given the Water User Group research has been overseen by the committee. Noted questions regarding who in the council would be responsible for oversight of updates of the project and if this would make more sense to eliminate the group once the project is complete.

Bryan Burroughs noted the default would be to track the program as a whole body. Noted the vision for the New Topics Committee was to bring new things forward and get preliminary investigative research to define it better, resulting in that concept/project being moved to the right standing committee. Noted the Water User Group project ended up just staying in the New Topics Committee as the project didn't fit well in another group. Noted thanks to those shepherding the project in the committee. Noted the council is aware it is nearing conclusion; a presentation is scheduled for the project. Noted Pat Staskiewicz has indicated that we recommend we keep track of the project and will help with oversight of it.

Dave H. concurs to eliminate it. Noted that programs could be on "add-on" basis.

Dave Hamilton noted he agrees to move it to remove, and that as projects arise, can be dealt with the council on an as-needed basis.

Laura Campbell noted that the Implementation Committee could act as the follow up for the recommendations coming from the study. Doug Needham, co-chair of the Implementation Committee, agreed to the idea.

Bryan Burroughs noted he is comfortable with the idea of the Implementation Committee covering.

Emily Finnell noted that once the project is complete with full recommendations and a report, that the results of the project could then be used to determine if the council will need to form a workgroup or subgroup to take the report and determine the next steps. She agreed it no longer fits under the New Topics Committee.

Bryan Burroughs noted all in favor of eliminating the New Topics Committee. All those in-person for quorum in attendance said aye, no noted nays.

#### **d. Conservation and Efficiency Committee**

Kelly Turner noted at the last committee meeting they started talking about follow-up pieces and realized there was a grant out last year regarding funding for pump retrofit projects, switching from diesel engines being retrofitted if used for irrigation to some sort of electric or propane options, thus leading to a more environmentally friendly alternative. Noted no participants in the grant. Noted they reached out to growers as to why they did not apply, and many growers noted issues from energy suppliers/costs associated. Noted the committee decided to form subcommittee to engage with MSU-hosted Michigan Agricultural Energy Council regarding the irrigation pumps to begin the conversation on how to get past barriers for finding electricity availability.

Kelly Turned noted the implementation projects, including the Water Conversation Best Management Project (BMP) and the Alliance for Water Efficiency (AWE) has been making strong strides in stakeholder engagement and interviewing those groups. Noted kudos to Michael Alaimo from the Michigan Chamber of Commerce for helping in building connections and Katie Mika from the Office of the Great Lakes (OGL) has been participating in the interviews with water users as a part of that project.

Noted Water Conservation and Efficiency Practices in Agriculture has hired both educators and the first advisory committee on September 13 and noted they have a full advisory council but are missing someone from the USDA. Noted at the last Conservation and Efficiency Committee meeting that they identified several different individuals they could reach out to make sure the advisory committee is whole.

Noted will be providing progress report on both projects for the 2024 legislative report.

Kelly Turner noted future project would be looking at a Water Conservation Pilot BMP Grant Program that would have the OGL work with the committee. This project would have both entities working together to develop a pilot program to fund water conversation pilot projects at the community level. Noted it may not be good to move forward to propose as a recommendation for the legislative body as they would not (a) not know if they would get funding and (b) not know when funding would come. Noted the logistics of the sharing and moving money for a grant type pilot project could be difficult as well. Noted it could be potentially funded through the Michigan Great Lakes Protection fund instead of 2024 recommendation through the WUAC.

Bryan Burroughs noted when planning for the October/November meeting, it's uncertain of coming forward with a report recommendation. Emily Finnell noted not bringing forward a recommendation for the WUAC and will instead look at funding from the OGL, with the potential pilot grant program being funded by the protection fund. Emily Finnell noted they have funding available to spend and that they are currently busy with the other two projects funded by the WUAC. Kelly Turner noted that for the additional funding from 2022, they were initially looking at updating the mobile irrigation lab for the 2024 recommendations but have currently stopped this so as not to complicate things, instead seeing how the funding is going to be used.

Noted the committee talked about having language in the report of how people-populations will be moving due to climate change, but no recommendation around that. Emily Finnell added the office is putting together a masters project concept for a team of University of Michigan SEAs-students, a multidisciplinary team, to look at how Michigan may become a climate haven. The project would look at existing data, models, trends, and land use changes including agriculture and water users and how it is changing over time. The project would help in understanding existing research regarding population trends, water user/land use trends and examine water use and water demand, and how it impacts climate and water resources. The project will also examine types of policies, strategies and tools to prepare for these changes. Noted sent a draft proposal on Sunday and will hopefully be matched with the team. Frank Ettawageshik will be circling back on the climate issue.

Bryan Burroughs noted no other questions/comments.

#### **e. Implementation Committee**

Bryan noted will need to move into report creation by the next month.

Laura Campbell noted huge credit to Doug Needham keeping track of spread sheet. Laura Campbell discussed the timeline of the report, noting the format of the report would work backwards in time. Noted the first section will be the 2024 recommendations and any that come with funding or are significant pertinence. Noted section two would cover the status of projects being worked on from 2022, now that funding has been appropriated. Noted will work with Jim Milne and James Clift to see if there additional needs to get started. Noted section three will look at what is done or in-progress from 2020 recommendations. Noted the spreadsheet may serve as an appendix item to provide a summary.

Noted will begin working on sections 2-3 right now and draft ready to allow review. Noted will provide to Bri Hammontree to send out to the committee in preparation for the October meeting. Noted this will allow individuals to look at the recommendations for 2020-2022 from a rough draft stage to determine edits/changes. Noted October 8<sup>th</sup> meeting should include drafts of 2024 recommendations and noted concepts can be voted if quorum is held and be put into the report. Noted Bri Hammontree will send out prior the November meeting to provide any recommended changes, with the November meeting serving as the approval for any new recommendations. Noted following this meeting, edits will be made and allow one final review before the December meeting.

Doug Needham noted some funding from 2020 could carry into 2022 and it's important we identify what tasks they could go to from past recommendations. Noted to make sure the recommendations are as specific as possible for EGLE.

Laura Campbell noted once report is finalized, they are required to send to the Senate Majority Leader, the Speaker of the House, the AG, Natural Resources Committee chairs for both the House and the Senate, including the directors of the Quality-of-Life agencies (MDARD, EGLE, and DNR). Noted will be done in December and will then send the report out again in February, due to election, once chairs and committees are identified and announced. The report will be provided jointly from the tri-chairs of WUAC.

Bryan Burroughs noted it would be useful to provide the most accurate, up-to-date implementation and status information to Laura Campbell for developing the rough draft. Noted individuals could rely on the Implementation Committee providing some of the standard implementation history. Noted committees should provide good implementation status of projects.

Laura Campbell noted currently have July updates, if any new updates please provide them as soon as possible.

No noted questions or comments for the committee.

#### **7. Election for Officers and Committee Chairs (if quorum is present)**

Bryan Burroughs noted election for officers and committee chairs. No noted changes in co-chairs or tri-chairs. Bryan Burroughs provided an update of these positions. Noted Executive Committee nominations for all serving, with an additional of one new member. Noted this is not a vote for an additional member to chair the council. Bri Hammontree noted new nominations. Laura Campbell and Bryan Burroughs noted no new nominations received.

Laura Campbell noted Tom Frazier is looking for a replacement for his position to represent local governments and the WUAC is standing ready to assist in the new nominations from the Speaker of the House. Dave Hamilton noted this position is very important to have. Laura Campbell echoed this thought, noting the committee is grateful he is continuing to serve until a replacement is found.

Bryan Burroughs noted WUAC Executive Council is Buddy Sebastian, Dave Maturen, Adam Wygant (replacing Chris Alexander), Bryan Burroughs, Laura Campbell, Dave Hamilton, and Pat Staskiewicz. Bryan Burroughs noted tri-chairs are Pat, Bryan, and Laura.

Bryan Burroughs noted Models Committee Co-Chairs are Katy Lindstrom and Dave Hamilton.

Bryan Burroughs noted Data Committee Co-Chairs are Bryan Burroughs and Megan Tinsley.

Bryan Burroughs noted Conservation and Efficiency Committee Co-Chairs are Emilly Finnell and Kelly Turner.

Bryan Burroughs noted Implementation Committee Co-Chairs are Doug Needham and Laura Campbell.

Noted officer's nominations to be approved by the committee chairs. Doug Neeham approved and seconded by Dave Hamilton. Bryan Burroughs made a motion. All approved.

#### **8. EGLE Update**

Bryan Burroughs moved to EGLE update. Jim provided a summary of updates for discussion, including GRMD hiring updates, 2020 recommendations, EGLE Groundwater Data Management System, AquaBounty/Michindoh Aquifer, and Part 327 Metrics (Calendar Year).



Noted hiring process for the Geology Specialist 13 in the Groundwater Data Unit (GDU) is completed. Noted GDU's responsibilities for GRMD include managing EGLE's Groundwater Data Management System (EQuIS) and overseeing the grant to become a data provider to USGS' National Ground Water Monitoring Network. Noted scheduled interviews for Geologist 9-11 (GIS Support) in the GDU and scheduled interviews for the section manager for the Geological Services Section (GGSS) where the Water Use Assessment Unit (WUAU) and the GDU are housed. Currently backfilling the SSR position in the WUAU and posting closes September 18<sup>th</sup>.

Doug Needham asked whether they are in process or completed. Jim Milne noted the SSR position is posted and closes September 18. Noted other postings have closed and that the GIS Support and Section Manager interviews are scheduled.

Jim Milne noted 2020 recommendations for implementation. Noted that a joint DTMB and EGLE team is reviewing bids for updating the WWAT Aquifer properties and improvements to the WWAT's user interface. Noted projects were lumped into one IT project and an award should be anticipated within the next few weeks.

Dave Hamilton wanted to verify the Aquifer properties was lumped with the WWAT User Interface project. Jim Milne confirmed. Dave Hamilton wanted to verify an individual will be chosen to perform the work. Jim Milne noted this is correct.

Jim Milne noted the grant agreement for the Michigan Hydrologic Framework (MHF) & MI Integrated Water Management Database (MIWMD) projects has been signed by MSU & EGLE. Noted grant agreement is out and moving forward with the projects.

Noted that EarthSoft was chosen as the contractor for the Michigan Groundwater Data Management System project, utilizing their Environmental Quality Information System (EQuIS). Noted weekly development team meetings are in progress. Noted there will be a phased implementation, with the first step incorporating well logs in Wellogis into EQuIS that are already in electronic format. Noted next phase will have to have hardcopy data uploaded and scanned, initially beginning with groundwater data, but future phases will involve other environmental media (e.g., soils, sediment).

Noted construction work for the AquaBounty project, just over the border in Pioneer, Ohio, continues to be delayed. Noted EGLE's Remediation Redevelopment Division (RRD) Geological Services Section drilled shallow and deep monitoring wells for GRMD at the Amboy Township Hall in Hillsdale County (MAW-01s/d). They also drilled shallow, intermediate, and deep monitoring wells are being drilled at the second location in Hillsdale County (MAW-02s/i/d).

Laura Campbell wanted to verify who was drilling the wells. Jim Milne noted that it is EGLE's RRD Geological Services Section. Noted that from the overall funding package for the Michindoh Aquifer, EGLE pulled \$105,000.00 and set up an agreement to have RRD drill the wells. Noted the remaining balance from the original \$500,000 appropriation is being used by the USGS to create/calibrate a groundwater model for the Michindoh Aquifer.

Dave Hamilton noted project keeps getting delayed, are we anticipating it will be killed? Jim Milne noted there have been some delays because of drilling equipment issues and resulted in rescheduling, but noted that as of right now, will need to touch base with RRD to see how much remains in the budget. Noted if enough money in the budget, will have to reschedule

and drill at a third location. Dave Hamilton clarified he meant AquaBounty. Jim Milne noted AquaBounty's delay was from court cases involving utility corridor access and that there are also rumors about financial difficulties. Noted in any event, EGLE should be able to start collecting groundwater and elevation data before pumping to allow for collecting background groundwater elevation data. Noted USGS will installing transducers in the monitoring wells to record groundwater elevation data. The groundwater elevation data will be posted on the USGS web site. Noted table on slide 23 shows the screen depth intervals for each well.

Jim Milne noted some AquaBounty data has been gathered. Noted Michigan Geological Survey logged the soil descriptions, collected soil core samples and sieve samples for grain size analyses. EGLE RRD Geological Services Section logged the soil descriptions and did downhole gamma ray logging. USGS installed water level gages in the wells. Noted may have other funding sources to drill at third location, if needed.

Laura Campbell noted there is a group of nine (9) County Commissioners that overly the Michindoh Aquifer and meet periodically to get updates on research. Noted if this was something USGS, Jim Milne's team, or RRD could provide updates on too if Laura put into contact with them. Jim Milne noted yes, and that he is already in conversation with some of them but is happy to connect with them and the Ohio DNR with the final write-up from RRD. Laura Campbell noted will put in touch with Robin Kemp at Williams County, OH.

Abigail Eaton verified AquaBounty was not paying for any of the testing. Jim Milne noted correct and that a monitoring plan was submitted to Ohio DNR regarding surface water and monitoring wells both in Ohio and State of Michigan. Noted to his knowledge, AquaBounty's consultant has not performed any drilling, or at the very least has not informed EGLE of doing so.

Jim noted metrics that as of September 1<sup>st</sup>, 160 registrations have been done with the Water Withdrawal Assessment tool and 94 SSR registrations. Noted the SSRs received, in addition to 94 authorized, seven (7) were retracted by applicant, nine (9) were still pending, and two (2) denied.

Jim noted timeliness in SSR for calendar year 2024, as of beginning of September, was 15.5 days and noted 36% were completed in the ten (10) business days. Noted there was one outlier, with one SSR being 126 days late which impacted the average. Noted staff workload issue was the primary cause for this delay.

Doug Needham asked why the two SSRs were denied. Hannah Arnett to review and find out. Doug Needham noted keep talking about a Water User group in regional areas and wonders if it's just denied because sufficient streamflow isn't available, or the water users' workgroup didn't pull together in the area. Jim Milne noted that in general, if not authorized to provide a SSR as proposed, EGLE will then try to work with the applicant and agent to see if the request can result in a modified registration. Noted if unable to do that, then EGLE will deny it with options including forming a water users committee, apply for a permit, and collect additional data to resubmit.

Dave Hamilton noted if 40% was right number regarding relative reviews to number of authorizations. Jim Milne reviewed his math. Hannah Arnett noted a total of 112 SSR were requested and 94 authorized. Dave Hamilton noted percentage of SSRs was high and noted

the SSR technical issues workgroup is trying to find ways to cut down SSRs in the pipeline. Dave Hamilton inquired if for SSRs, if they are coming back to the same water management area repeatedly because of boundary or other issues; and if it would be better to have a more detailed study in an area to help make decisions ahead of time. Austen York noted that he's unsure how often a repeat SSR occurs in a watershed. Dave Hamilton noted it might help the Models Committee for their SSR workgroup discussions. Austen noted could look at the data on a larger scale, such as year-to-year.

Bryan Burroughs asked if there is a way to show a map where all new registrations are and have a different color dot that pinpoints SSRs. Noted it may help in showing how many SSRs are coming from a handful of water management areas and can assist in determining where the process is being conducted repeatedly. Jim Milne noted GIS could map this. Andrew LeBaron noted it's not the same property owner asking for withdrawal, but rather the geographic area, and noted that some people don't even apply because they've been through it before, therefore the numbers may be skewed. Noted it is usually new properties or new sites.

Hannah Arnett noted one of the sites denied was one that applied than once. Dave Hamilton asked is there a way to help these individuals? Laura Campbell noted we also haven't had a particularly dry year and tries to warn people that when a drought does occur, that is when court issues may arise. Frank Ettawageshik noted he was part of a team figuring out where the water user groups are coming from and noted group has not been as successful as hoped; however, this is the answer that was determined by legislature to solve this issue. Noted a map could assist in this work and clue people into where these problem areas will be. Noted that there is a mediation service statewide to handle disputes, with a Northern Michigan Chapter. Noted the next step of this issue will be showing there isn't water for these water user groups, and if this doesn't hold up, was curious what the remaining process looks like. Jim Milne noted there is language in the statute that nothing in Part 327 prevents a property owner from exercising his/her rights under common law. Dave Hamilton asked if there were any conditions where EGLE is required to form a water users committee? Jim Milne noted once a water resource impact has occurred, if a water users committee hasn't been formed, then the EGLE convenes a meeting and provides its case, informing the water users that they have 30 days to come up with their own plan. Noted if a plan is not proposed, EGLE can then propose a plan for water users, however water users are not required to follow that plan.

Dave Hamilton noted could Mediation group information be provided from Frank Ettawageshik to group. Frank Ettawageshik will provide information to Bri Hammontree to send out. Laura Campbell noted used before for a dispute between the growers with the USDA and the mediation group will bring in relevant subject matter experts for the specific topic. Frank Ettawageshik noted the group is funded so the service is free.

Jim Milne noted the top graph demonstrates the timeliness of SSRs and the bottom graph is tracking the percent of SSRs completed in 10 business days. Noted pre-screening review metrics from Jan 2024 – September 2024, with 19 completed. Noted that this consisted of 5 Zone A, 2 Zone A with a geology pass (meaning the pump aquifer is not hydraulically connected to surface water), 8 Zone B, 2 Zone C, 0 Zone D, and 2 were baseline capacity replacements.

Jim Milne noted 327 permit metrics. Noted as of September 1<sup>st</sup>, 1 permit was issued and 5 applications in progress. Dave Hamilton asked if permits are typical for municipalities? Andrew LeBaron noted only for sanitary sewer projects or construction projects pertaining to water.

Jim Milne noted September 1<sup>st</sup> data for the compliance metrics from 2024. Noted compliance communications include 71 total, 3 after the fact registration, 4 missing pump information (doesn't have pump capacity listed) requests, 52 revised registrations (meaning withdrawal is installed or operated differently than originally authorized), 12 installation verification (contacting the property owner), and a total of 15 first violation notices.

Jim Milne asked if any questions.

Bryan Burroughs asked about prescreening reviews. Jim Milne noted Jill gets a request from EGLE Drinking Water and Environmental Health Division. Noted Jill essentially does a SSR and provides comments back to the drinking water staff who then make sure the project is compliant with Safe Drinking Water Act.

## **9. Future**

Bryan Burroughs noted upcoming quorum dates are critical. Laura Campbell noted a reminder to provide new recommendations before October meeting to the Implementation Committee, complete draft Legislative report by November, and have the official final copy ready for submission meeting by December.

- a. 2024 Meeting Dates (at Con Hall unless others offer to host) (\*Quorum critical meetings)
  - October 8, 2024\*
    - Adam Zwickle to Present
  - November 12, 2024\*
  - December 10, 2024
- b. Formats
- c. Quorum

## **10. Open Comments (Three Minute Limit)**

No noted open comments online or in-person.

## **11. Motion to Adjourn**

Noted meeting to adjourn by 2:16. Seconded by Doug Needham and Frank Ettawageshik.