

Water Use Advisory Council (WUAC) Meeting

Tuesday, August 10, 2021

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

ConCon Room A/B at Constitution Hall

Lansing, MI

and

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

[Click here to join the meeting](#)

Or call in (audio only)

[+1 248-509-0316,,380493397#](#) United States, Pontiac

Phone Conference ID: 380 493 397#

MINUTES

1. Welcome

Laura Campbell, Co-Chair, Farm Bureau, welcomed members and guests and shared the logistics for participation in the meeting. She noted she would be sharing the Chair role with fellow Chair Burroughs. Chair Eggers was unable to attend. Campbell then took roll call attendance of members and/or alternates and asked them to share the location they are participating from if they were not attending in person.

2. Roll Call

WUAC Members/Alternates Present at Constitution Hall:

Abbey Eaton --Department of Agriculture and Rural Development (MDARD)

Bryan Burroughs --Michigan Trout Unlimited

Buddy Sebastian, Michigan Ground Water Association

Dave Hamilton --The Nature Conservancy Retired

Doug Needham --Michigan Aggregates Association

Laura Campbell, Michigan Farm Bureau

Mike Frederick, Michigan Ground Water Association

A quorum was not physically present therefore the WUAC could not take any official actions requiring a vote during this meeting.

WUAC Members/Alternates Present via Teams:

Ben Tirrell, Charlotte, MI --Michigan Farm Bureau

Clyde Dugan, Bath, MI --Michigan Section American Water Works Association (MIAWWA)

Frank Ettawageshik, Harbor Springs, MI --United Tribes of Michigan

James Clift, Deputy Director, Lansing, MI --EGLE

Jim Johnson, Holt, MI --Department of Agriculture and Rural Development (MDARD)

Jim Nicholas, Shelby, MI --Nicholas-H2O

Kelly Turner, Fenton, MI --Michigan Agricultural Irrigators

Margaret Bettenhausen, Raleigh, NC --Michigan Attorney General

Rachel Proctor, Michigan Center, MI --Jackson Consumers Energy
Steve Kohler, Kalamazoo, MI --Kalamazoo River Watershed Council
Tom Frazier, Bois Blanc Island, MI --Michigan Townships Association
Tom Zimnicki, Lansing, MI --Michigan Environmental Council

WUAC Members/Alternates Absent:

Brian Eggers, AKT Peerless
Charlie Scott, Michigan Golf Course Owners Association
Christine Alexander, EGLE
Grenetta Thomassey, Tip of the Mitt Watershed Council
Jason Geer, Michigan Chamber of Commerce
Jason Walther, Michigan Agricultural Irrigators
John Yellich, Michigan Geological Survey
Kyle Rorah, Ducks Unlimited
Mike Gallagher, Michigan Lake Stewardship Associations
Nikki Ghorpade, Ducks Unlimited
Pat Staskiewicz,, MIAWWA
Rich Bowman, The Nature Conservancy
Sue Hanf, Michigan Aggregates Association
Tammy Newcomb, Michigan Department of Natural Resources (MDNR)

Non-members present:

Andy LeBaron, EGLE
Caroline Leithen, Michigan Manufacturers Association
Christine Spitzley, OHM Advisors
Christopher Gothberg, EGLE
Clay Joupperi, EGLE
Dave Lusch, Michigan State University (MSU) Retired
Dori Carpenter, OHM Advisors
Grant Poole
Hannah Arnett, EGLE
Jack Metty, MGWA
James Ostrowski, EGLE
Jay Wesley, MDNR
Jerimiah Asher, MSU
Jim Milne, EGLE
Joel Henry
John Esch, EGLE
Kyle Boone
Leanne Hardisty, EGLE
Lena Pippas, EGLE
Namoi Morgan, EGLE
Perry Turscon, EGLE
Ralph Haefner, USGS
Ross Helmer, EGLE
Teresa Seidel, EGLE
Todd Feenstra, Tritium

B. Implementation Committee

Needham shared spreadsheets detailing past recommendations and the 2020 WUAC Report recommendations. The Committee has reviewed the matrix from the WUAC 2014 Report and created a matrix for the WUAC 2020 Report. There were several items that were completed from 2014. Several items from 2020 are moving forward especially those that do not require funding. The Committee is also creating a list of items to be considered for the WUAC 2022 Report. Needham said anyone interested in these efforts are welcome to join the Committee. Spreadsheets will be shared out with the entire group. The Committee is making the recommendation to combine well logic and that withdrawal assessments numbers not be pursued as it requires agencies to take on authority they do not have.

C. Models Committee

Hamilton provided the Models Committee report. He noted he sent summary of the Committee's work after the last meeting to the WUAC membership. Today's report will be the work completed since then.

A key activity has been a study with MSU, funded by MDNR, on downstream accounting with the major improvements in technology that allows for the addition of return flows with MSU. The analysis has been completed and the report is pending. When completed, applicable recommendations will be brought to the WUAC. There is also a need to consider other additional models that may be necessary.

Hamilton and Nicolas have agreed to oversee the Cass County model activity but are unsure of its current status.

The Committee looked at the half max rule group found a technique that improves upon existing techniques and is very promising. Kohler has agreed to do the analysis. When Kohler completes this work, the Models Committee will review his results.

Hamilton reported EGLE has completed their work and there does not seem to be any value to doing this statistical work on index flows. The Committee will review prior to bringing it to the full WUAC.

Campbell asked where Cass County model was left. Hamilton noted they had reviewed an initial version and he believes the issue lies with funders and a pending workplan. Feenstra reported a workplan is about halfway complete and should be ready before October WUAC meeting.

D. New Topics Committee

Dugan confirmed the Committee has not met. He reported Staskiewicz has a recorded presentation from Jeremiah Asher he will be sharing with New Topics Committee.

Ettawageshik said the Intergovernmental Panel on Climate Change report that was released yesterday as the United Nations Climate Report assessment shows we are already in the middle of climate change far more than we understood and we are in

great jeopardy. He stated there is a nexus between this report and the work we are doing with water. He believes the WUAC needs to keep this issue at the forefront.

Ettawageshik also noted the United Nations Food and Agriculture Organization World Food Summit will be held in September in New York and water will be a big part of the agenda. Participants include fertilizer and seed companies and indigenous partners. He urged the group to keep these topics in mind especially as we review issues such as the GAAMP changes and are given opportunities for comment. He asked that members pay attention to how they impact water.

E. Conservation and Efficiency Committee

Turner presented the Committee update. She introduced Perry Truscon as a new member of their team. Truscon is Emily Finnell's intern at Office of the Great Lakes in EGLE and providing support for the Committee. They are hosting monthly meetings and continuing their speaker series. They have had presentations from Dr. Missy Stults, Sustainability and Innovations Manager from Ann Arbor who shared her philosophy on water programs; Joe Wallace from the American Water Works Association on water audits, the approaches, and the real-world challenges in communications that they are facing; and Ruth Schaffer with USDA-NRCS reviewed conservation programs for producers. This is part of moving the agriculture recommendations in the WUAC Report forward. Turner noted these presentations are available on YouTube. Burroughs asked the Committee to work with Spitzley to coordinate the sharing of these videos.

The Dow Fellows Project is moving forward and have made it to Phase 2. They are working to encourage local water conservation use and are developing a water tool book to be used as an advisory tool

The Committee is looking forward to sharing and discussing Jerimiah Asher's presentation on water credit programs. The logistics of sharing Asher's recorded presentation in its entirety are being considered.

Julie Stablen from EGLE is continuing to talk to the Committee about catalyst communities. The Office of Climate Energy is working on a project with Brandy Brown to provide a one stop shop to provide information and resources for communities to take action as they work to build local resilience and sustainability.

9. EGLE Update

Milne introduced three new staff who have joined the Water Use Program. Ross Helmer and Naomi Morgan are the two new SSR Geologists, and Lena Pappas is the new Geologist 12. Lena will be an additional groundwater modeler.

Milne presented a graph showing the cumulative trends in the numbers of large quantity withdrawal (LQW) registrations through the Water Withdrawal Assessment Tool (WWAT) and site-specific reviews (SSR) from 2009 through 2021. The graph clearly depicted that the number of LQW registrations increased in dry years (2012, 2016, early 2021).

Milne shared a table showing metrics for SSRs received in Program Year 12 (July 9, 2020-July 8, 2021). In Program Year 12, 265 SSRs were received, 211 were authorized,

11 were denied, 25 are still pending for year, and 18 were retracted. The number of SSRs still pending at the end of Program Year 12 (25) include recently reviewed SSRs that have not hit the 10 business day deadlines, SSRs that are pending because of compliance and enforcement issues in the affected WMAs (22), and SSRs that are still pending for other reasons.

Additionally, Milne presented two graphs showing 1) the timeliness trends for the average number of business days it took to complete an SSR and 2) the timeliness trends for the percent of SSRs completed within 10 business days. The average number of business days it took to complete an SSR in Program Year 12 was 14 and the percent of SSRs completed within 10 business days in Program Year 12 was 53 percent. The graphs also showed (along the right-hand Y-axis) the number of FTEs dedicated to working on SSRs over time.

Milne also reported on compliance numbers for Program Year 12. The 702 compliance communications include 130 after the fact registrations, 133 missing pump information requests, 375 revised registrations, and 64 installation verification requests. There were 31 total violation notices in Program Year 12 which included VNs for unregistered wells, and wells installed and/or operated differently than authorized. There were 10 total complaints in Program Year 12 which included water level drops and new irrigation systems which may or may not be authorized. If multiple complaints were made for the same operation, it was only counted once.)

Jill Van Dyke has continued to do pre-screening reviews for new or increased public water supply LQWs for the EGLE Drinking Water & Environmental Health Division. The pre-screening reviews are similar to Part 327 SSRs. In Program Year 12, 34 pre-screening reviews were passed, 2 were denied, and 3 were retracted. There were three Part 327 permits issued in Program Year 12. Part 327 permits are required for new or increased LQWs greater than 2,000,000 gallons per day.

Milne shared a map of the depleted Water Management Areas (WMAs) as of August 4, 2021. There were 7 total depleted WMAs regardless of SSR status, and those were: South Branch Kalamazoo River (10018), Halfway Creek (7235), Whitmore Drain (20950), Dickinson Creek (3452), Osborn Drain (19606), Prairie River (20781), and Butterfield Creek (13883).

Dave Hamilton asked what is being done with the depleted WMA's information? Arnett and Milne replied staff is field checking data, collecting additional information and sending violation notices as appropriate. Milne offered to provide additional information about specific sites if anyone has specific questions. Hamilton said the Models Committee could engage with staff for further discussion on these WMAs.

Feenstra said in both the Osborn Drain and the Dickinson Creek Drain, a complicated factor of beaver dams was found. Both are small streams with good irrigation around them. Field collection is being done on each of these with installed monitoring wells. The factor beavers present mimics those of a big rainfall event, as the team saw last week after the big storm (week of Aug. 2), and so is something to keep in mind.

10. Next Meeting Dates and Formats

Burroughs noted the remaining 2021 meetings will be held on:

- October 12, 2021
- December 14, 2021

Clift confirmed EGLE will keep everyone informed of the meeting plan details. Burroughs said members should plan for a hybrid meeting, but the format is subject to change.

11. Open Comments (Three Minute Limit)

There were no open comments.

12. Motion to Adjourn

There being no further business the meeting was adjourned.

DRAFT