

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

**Tuesday, October 12, 2021**

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

**Patriot Conference Room**

**North Atrium, Constitution Hall**

**Lansing, MI**

**and**

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

**Remote Option Available Via Teams**

[Click here to join the meeting](#)

**Or call in (audio only)**

[+1 248-509-0316..272279985#](tel:+12485090316272279985) **United States, Pontiac**

**Phone Conference ID: 272 279 985#**

**MINUTES**

**1. Welcome**

Laura Campbell, Co-Chair, Farm Bureau, welcomed members and guests and shared the logistics for participation in the meeting. Campbell and Jim Milne 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)

Christine Alexander, EGLE

Dave Hamilton --The Nature Conservancy Retired

Doug Needham --Michigan Aggregates Association

Laura Campbell, Michigan Farm Bureau

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

Brian Eggers, Standish, MI -AKT Peerless

Bryan Burroughs, DeWitt, MI --Michigan Trout Unlimited

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

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

Jim Nicholas, Oceana County, MI --Nicholas-H2O

John Yellich, Kalamazoo, MI -Michigan Geological Survey

Kelly Turner, Hartland, MI --Michigan Agricultural Irrigators

Margaret Bettenhausen, Lansing, MI --Michigan Attorney General

Mike Gallagher, Michigan Lake Stewardship Associations

Pat Staskiewicz, Grand Haven, MI/Clyde Dugan, Bath, MI --Michigan Section American Water Works Association (MIAWWA)

Rachel Proctor, Lansing, MI --Jackson Consumers Energy  
Steve Kohler, Kalamazoo, MI --Kalamazoo River Watershed Council  
Tom Frazier, Haslett, MI --Michigan Townships Association

**WUAC Members/Alternates Absent:**

Buddy Sebastian, Michigan Ground Water Association  
Charlie Scott, Michigan Golf Course Owners Association  
Grenetta Thomassey, Tip of the Mitt Watershed Council  
Jason Geer, Michigan Chamber of Commerce  
Jason Walther, Michigan Agricultural Irrigators  
Jim Johnson, Holt, MI --Department of Agriculture and Rural Development (MDARD)  
Kyle Rorah, Ducks Unlimited  
Mike Frederick, Michigan Ground Water Association  
Nikki Ghorpade, Ducks Unlimited  
Rich Bowman, The Nature Conservancy  
Sue Hanf, Michigan Aggregates Association  
Tammy Newcomb, Michigan Department of Natural Resources (MDNR)

**Non-members present:**

Adam Zwickle  
Andy LeBaron, EGLE  
Christine Spitzley, OHM Advisors  
Christopher Gothberg, EGLE  
Clay Joupperi, EGLE  
Dave Lusch, Michigan State University (MSU) Retired  
Emily Finnell, EGLE  
Grant Poole  
Hannah Arnett, EGLE  
James Ostrowski, EGLE  
Jennifer McKay, Tipp of the Mitt Watershed Council  
Jerimiah Asher, MSU  
Jim Milne, EGLE  
John Esch, EGLE  
Lena Pappas, EGLE  
Logan McMillian, OHM Advisors  
Megan Tinsley, MEC, Cleveland, OH  
Perry Truscon, EGLE  
Ralph Haefner, USGS  
Ross Helmer, EGLE  
Sara Pearson, EGLE  
Simon Belisle, EGLE  
Teresa Seidel, EGLE  
Todd Feenstra, Tritium  
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**3. Approval of Agenda—Roll Call Vote**

Campbell noted that due to a lack of a quorum the agenda cannot be officially approved. There were no comments and the agenda stood as presented.

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

Campbell noted that without a quorum there will be no approval of the August 10, 2021. There were no comments at this time.

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

There was no public comment.

**6. Legislative Report Implementation Update**

Burroughs said the requested budget for the WUAC's recommendations was removed from the general fund appropriation bill and believes the WUAC has the Senate's support, and the recommendations will be funded using other pools of money. The House side has been more difficult to assess and their opinion on the budget is unclear, however, overall, there seems to be a good recognition of the need. If any meeting attendees have contacts with the House's leadership, this is an appropriate time to reach out to them. Representative Albert, Representative Alore, and Representative Alexander are three good contacts. Hamilton asked whether more budget bills are in the works that tie to these efforts. Burroughs replied yes.

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

**7. Committee Chairs Reports**

**A. Data Collection Committee**

Burroughs updated the WUAC on the review the State of Wisconsin's Department of Natural Resources (WDNR) has done to better assess the impact of cumulative withdrawals on lake environments. Burroughs believes the information to be useful and encouraged members to look through the data on their public website. There are also valuable communication projects and automated presentations detailing the process and technical components. The Data Collection Committee is reflecting on this to see if they can take another shot at answering the lakes question themselves. They have continued their work reviewing and auditing data collection protocols, but there is still quite a bit of work to do. He noted this was also a recommendation from the last report.

Committee Co-Chair Tom Zimnicki has left the Michigan Environmental Council to join the Department of Agriculture and Rural Development and as of now the Data Committee is searching for a new co-chair. Megan Tinsley, Water and Agriculture Policy Manager for the MEC is serving as a liaison for MEC until Ziminicki's replacement is officially appointed.

Campbell asked if the WI DNR study was on the website. Burroughs said the study is online and referred to as the Central Sands Study.

**B. Implementation Committee**

Needham reported that they had to reschedule as there was a conflict at their last schedule. There is no report other than their next meeting time of October 21<sup>st</sup> at 1:00 pm EST.

**C. Models Committee**

Hamilton provided the Models Committee report with an accompanying one-page consensus recommendation and a map.

Hamilton stated the Committee took the original analysis and extended it from 2007 to 2018. The proposed question was, "Do we need to update the methodology or the statistics for the index flow?" Originally, there were 147 gauges included in the original analysis, there are 91 left that material could be pulled from for this latest extension. The gauges represent 33.5% of Michigan's land area. Hamilton detailed the percent change of index flow and explained the positive and negative case area percentages. Hamilton also discussed standard methods in hydrology and how droughts or other climate disasters effect the future of water flows and climate moving averages. The Committee does not consider the changes found within the analysis to be significant enough to merit an overall statistical update of the index flow methodology.

Burroughs asked if Hamilton is looking for an affirmation from the WUAC that no change is recommended. Hamilton stated he would appreciate an affirmation as it was done in 2014 as well.

Campbell recommended since there was not quorum to take a vote, the WUAC members should be allotted some time to review the slides and return with any questions or concerns. Campbell also agrees with Hamilton that the Committee should have the affirmative action from the WUAC.

#### **D. New Topics Committee**

Staskiewicz gave the New Topics Committee report. The Committee received a YouTube video, *Improving Management of Michigan's Water Resources*, from Asher that was distributed and discussed at the Conservation and Efficiency Committee meeting. Staskiewicz will coordinate with Finnell to convene a meeting for follow up discussion.

Campbell inquired whether the presentation was sent out and how can people not on the New Topics Committee receive the video link. Staskiewicz responded the YouTube video link was sent via email to the New Topics Committee and to email him for access to the link.

#### **E. Conservation and Efficiency Committee**

Finnell presented the Conservation and Efficiency Committee report. The Committee is continuing their speaker series to help build the knowledge of current water conservation and efficiency practices and learning from the different water sectors about their current efforts. Fortunate to have the opportunity to hear from Frank Ettawageshik who shared the tribal perspective and the value of water. Carey McElhinney with the EPA Water Program also spoke with the group. This program is national, and many Great Lakes States participate. For access to presentations, email Finnell or Turner.

The Committee recently formed a sub-committee to help move forward on the WUAC 2020 Recommendation on agricultural efficiency and developing more strategically focused education and outreach programs. The first sub-committee meeting will take place October 14<sup>th</sup> at 11 am EST. Turner will chair this committee. For information and access to meetings, reach out to Turner via email.

The University of Michigan Dowl Fellows team have been working diligently on the assessment looking at climate energy water infrastructure and water sustainability

programs and policies in Michigan, specifically for opportunities to integrate and make progress towards the water conservation and efficiency goals and objectives and looking to Great Lakes States and Provinces for ideas and inspiration. A draft report will be submitted to Finnell later this week. Colleagues at EGLE and from the OGL will review and hope to have a final report ready to be presented at the Water Conservation and Efficiency meeting on December 2<sup>nd</sup>.

Under the coordination of the OGL, the development of the 2021 Michigan Water Conservation Efficiency Annual Program Assessment is underway and the 2021 draft should be ready to be shared with the WCE Committee in early November. This is required each year by the Great Lakes Compact.

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

## **8. EGLE Update**

Milne shared the EGLE presentation outline and started with a Water Use Assessment Unit personnel update. Staff member Naomi Morgan has resigned, and a contingent offer has been made to fill her position. Her role was site specific reviews, and the intention is to fill her role by December or early January.

Milne reviewed the Compliance Numbers:

Compliance Communications 201

- After the fact resignations: 17
- Missing Pump Information Requests: 53
- Revised Registration: 73
- Installation Verification Requests: 58

Violation Notices: 12

Complaints: 6

Milne then went into the details of the quarterly metrics (July 9, 2021 – September 30, 2021). Jill Van Dyke does prescreening reviews for new or increased public water supply LQWs for EGLE Drinking Water & Environmental Health Division. Van Dyke passed 5 prescreening reviews this quarter.

There were 107 Water Withdrawal Assessment Tool (WWAT) registrations and 57 Site-Specific Review (SSR) Registrations during the first quarter of Program Year 13.

In the first quarter of Program Year 13, 74 SSR requested were received with 57 passed, 1 denied, and 7 retracted by the applicant. Nine remaining SSRs are currently pending as of October 1.

Milne then went over the Program Year Timelines. During the first quarter of Program Year 13, the average time to complete an SSR was 8 business days with 92 percent of SRR requests completed within the statutory deadline of 10 business days.

Two graphs were presented to the meeting attendees, a top graph showing the trend over time in the average number of business days to complete an SSR and a bottom graph detailing the trend over time in the percentage of SSRs completed within the 10-business day deadline.

A table depicting the Depleted Watersheds as of October 5, 2021, was displayed. WMAs shown in red are currently in Zone D. Along with this table, was a map showing the locations of the depleted WMAs with legend boxes providing additional details pertaining to why it was depleted and the next steps EGLE will take to address the depletions.

BlueTriton, formerly known as Nestle, notified EGLE DWEHD on September 28 that they surrendered their Safe Drinking Water Act permit for their White Pine Springs well. They cancelled their registration for 400 gallon per minute (gpm) capacity and replaced it with a new WWAT registration to increase their capacity from 250 to 288 gpm.

Milne informed the attendees he was Michigan's representative on the Science Team advising the Great Lakes Compact Council and Regional Body. The next 5-year cumulative impact assessment is due by December 2023, however, a target completion date is set for December 2022. The cumulative impact assessment is done at the Great Lakes Basin scale. Focus areas include identifying the levels of uncertainty in the data used for the assessment, the impact of climate on previous water budgets, climate impacts on future water budgets, and demand forecasts for various water use sectors. Jim Nicholas is assisting with the water budgets and cumulative impact assessment. Drew Gronewold is assisting with assessing climate impacts.

#### **9. Next Meeting Date and Format**

Eggers reminded the WUAC the last meeting of 2021 will be held on December 14, 2021. This meeting will be hybrid.

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

John Yellich gave an update on the Michigan Geologic Survey's work in Ottawa and Allegan Counties. They have USGS funding to map updates of Allegan and Ottawa Counties surface geology and earth subsurface geology. The draft map is scheduled to be out by the first of 2022, however, pandemic safety may impact this date. Yellich said they are looking towards federal funding and support for the efforts as well as through the National Groundwater Monitoring Network to support the monitoring programs.

#### **11. Motion to Adjourn**

There being no further business the meeting was adjourned.