

Water Use Advisory Council (WUAC) Meeting

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

Tuesday, June 13, 2023

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

[Click here to join the meeting](#)

Or call in (audio only)

[+1 248-509-0316,,979460526#](#) United States, Pontiac

Phone Conference ID: 979 460 526#

MINUTES

1. Welcome

Laura Campbell, Co-chair, welcomed members and guests and shared the logistics for participation in the meeting. She covered agenda items 1-5. Noted would be sharing the chair role with Burroughs and Eggers. Burroughs covered agenda items 6-7. Eggers covered agenda items 8-13.

2. Roll Call

WUAC Members/Alternates Present at Constitution Hall:

Laura Campbell, Michigan Farm Bureau
Christine Alexander, EGLE
Bryan Burroughs, Michigan Trout Unlimited
Brian Eggers, AKT Peerless
David Hamilton, Nature Conservancy, retired
Rachel Proctor, Consumers Energy
Megan Tinsley, Michigan Environmental Council
Dave Maturen, Michigan Lakes and Streams Association
James Clift, EGLE

WUAC Members/Alternates Present via Teams:

Tom Frazier, Michigan Townships Association
Jay Wesley, Department of Natural Resources (DNR)
Dave Lusch, MSU, retired
Abby Eaton, Michigan Department of Agriculture Development
Steve Kohler, Local Watershed Councils
Dwayne Loper, Lansing Board of Water and Light
Kelly Turner, MI Potato Industry Commission

WUAC Members/Alternates Absent:

Charlie Scott, Non-agricultural Irrigators
Jim Nicholas, Professional Hydrologists and Hydrogeologists
Jim Johnson, MDARD
Jason Walther, MI Potato Industry Commission
Kyle Rorah, Wetlands Conversation Organization
Doug Needham, Michigan Aggregate Association
Margaret Bettenhausen, Michigan Department of Attorney General
Frank Ettawageshik, United Tribes of Michigan
Pat Staskiewicz, Ottawa County
John Yellich, Michigan Geological Survey
Buddy Sebastian, Registered Well Drilling Contractors with Hydrology and Drilling Field Exp.

Non-members Present or Attending Via Teams:

Briana Hammontree, JetCo Solutions
James Milne, EGLE
Lena Pappas, EGLE
Younsuk Dong, MSU
Megan Cameron, EGLE
Teresa Seidel, EGLE
Lisa Reynolds Fogarty
Megan Napier, AKT Peerless
Sherry Thelen, EGLE
Jill Van Dyke, EGLE
Hannah Arnett, EGLE
Evangelia M Murgia, Michigan Geological Survey
Andrew LeBaron, EGLE
John Esch, EGLE
Todd Feenstra, Tritium, Inc
Clayton Joupperi, EGLE
Nathaniel Shuff, EGLE
Lyndon Kelley, MSU/Purdue Extension
Jeremiah Asher, MSU
Austen York, EGLE
Ross Helmer, EGLE
Abby Eaton, Michigan Department of Agriculture and Rural Development
Mark Seamson
Tom Zimnicki, Alliance of the Great Lakes
Grant Poole

3. Approval of Agenda-Roll Call Vote

Noted there is not a quorum in person today so the approval of agenda could not be voted on.

Update on the budget – added to agenda.

4. Approval of Minutes-Roll Call Vote

Noted there is not a quorum in person today so the approval of minutes could not be voted on.

Corrections noted for minutes to April.

5. Public Comment (3 Minute Limit)

Update provided on Prairie River August Mean Flow

Lyndon Kelley provided a presentation on stream flow data on the Prairie River. Kelley indicated that in 2007 he accompanied Dave Lusch to meetings throughout Michigan regarding the program. In these meetings they discussed that fish are the indicator species for an Adverse Resource Impact (ARI) and that the Michigan Water Withdrawal Assessment Tool (WWAT), which is still used to date. Provided update utilizing a chart to showcase how irrigation is expanding since 1993, with a thriving trout population in the Prairie River. Based on the WWAT, which shows that stream flows are decreasing, USGS gage at US-12 show stream flow and fish populations are increasing. The public wants to know why we are not focused on measuring and monitoring stream flow, not spending time on modeling which does not match the stream gages.

Dave Hamilton asked Kelley to clarify which modeling he was referring to.

Kelley confirmed he was talking about the WWAT.

Hamilton clarified that they discussion in the Prairie River has nothing to do with the WWAT, but the stream flow classification, which is currently warm.

Kelley indicated that we are showing that the tool has shown that irrigation has depleted the Prairie River and that trout are hurting in the river.

Campbell indicated that the study in the Prairie River will be conducted over the next three years and that a cold-transitional classification is not the only stream temperature classification option that DNR is considering.

No additional comments on agenda items.

6. Committee Chairs Reports

a. Data Collection Committee

Burroughs stated meetings were focused on reviewing and implementing past recommendations that were grouped under the Data Collection Committee. High-level summary is that most of the recommendations are in the stages of being begun, drafted, or executed. Two are being closely monitored by the Data Collection/Models Committees: the Michigan Hydrologic Framework and the second is termed as “long-term planning”. It is an effort to look at the data used for this program and to determine what something is/where its located/gap analysis for future data collection. No work has begun on the “long-term planning” recommendation.

Burroughs stated that an additional meeting discussed the Prairie River reclassification data with the DNR participation. Additional discussion about whether there are going to be recommendations from the committee that can help the DNR in reclassifying streams. More work needs to be done to determine if consensus can be reached in future meetings.

b. Models Committee

Dave provided an update on the web squared methodology and additional statuses on the following items:

- Michigan Hydrologic Framework work plan,
- Transition Probability Study – Cass and Calhoun Co – RFP,
- Updating Aquifer Properties (Transmissivity and Storage Coefficient) used by the WWAT – RFP, and
- Site Specific Review – Presentations.

Web squared had additional conversation and has discovered additional background information; determined they will need an additional meeting to be had to discuss further what this would look like to provide recommendations on the web squared methodology to present to the Council.

Recommendations from 2020 are moving forward. Michigan Hydrologic Framework has been drafted and is being put together to issue a grant for the work to be done. Identified a work group (chaired by Dave Lusch) from the Models Committee who will oversee it, with an anticipated 3 phases for the work.

MSU previously used Transitional Probability in its Ottawa County Study. An RFP will be developed to compare Transitional Probability modeling with deterministic modeling in Cass and Calhoun Counties.

An RFP will be developed to update two aquifer properties (Transmissivity and Storage coefficient) used by the WWAT. There are likely consultants available who are experts within the field who can do the work.

The last meeting held by the Committee discussed site specific reviews and discussed potential conflicts. Dave stated additional notes on this will be provided later in the meeting.

c. New Topics Committee

No new updates from the New Topics Committee.

d. Conservation and Efficiency Committee

Monthly meetings are being held on the first Thursday at 9 a.m. and are all recorded and available for viewing. The next meeting will be held in July to use a workshop session to determine what they want to do with recommendations. 2020 recommendation RFPS are still being routed internally, with anticipated release of the end of June. The Best

Management RFP will have a webinar that will be available June 20th for questions for the RFP and once the RFP is dropped it will be open for 60 days.

The second 2020 recommendation was to add educator positions at MSU. A budget was submitted to MDARD, with MDARD approving the work that will be done on a quarterly basis and then EGLE will make the payments to MSU. A quality assurance project plan is still being determined. Project will be a three-year grant.

MSU is currently working with MSU's HR department and will inform the committee with updates on current recommendations. Positions posted for October 1st.

e. Implementation Committee

The Implementation Committee stated there is nothing new to report and will reconvene for another discussion once the legislature finishes the budgets to determine where funding will be allocated.

7. DNR Prairie River data update

Jay stated the DNR has committed to three more years of data collection on the Prairie River in the upper Branch County section. Collaborated with the Data Collection Committee to determine a scope of work and request for proposals, with one successful proposal submitted by Kieser and Associates, located out of Kalamazoo. The Prairie River Water Users group assisted in facilitating the meeting between the contractor and the property owners to meet onsite where the data loggers will be deployed and receive comments. The remaining work will be to obtain a letter of acceptance/permission for the contractor to work on the property during the length of the project and to install the data loggers. The anticipated start of will be July.

Jay stated annual meetings are being held in relation to this work to summarize what the temperatures are each year and what issues may have arisen during the sample year. Individuals are open to join/receive summaries. Reach out to Jay to get on the list for the annual meetings.

Laura had follow-up questions regarding this update on the fish survey status. It was determined the DNR will go in once over the next three years to do fish sampling, with more as needed. Fish sampling will likely be collected in one the locations previously done during 2011-2014.

The Acting DNR Director has been working directly with the Prairie River Water Users group to coordinate a meeting held for individuals to learn more. The meeting date will be held July 12th.

Burroughs provided an additional comment that a 2022 recommendation was to look closely at areas where water withdrawals have increased to see how flows have changed through time, with a goal to receive funding in this type of research. Data is currently complicated as there isn't pre-existing temperature or fish data to demonstrate if they have improved or changed, despite having flow data.

8. Topic presentations

a. Overview of Site-Specific Review (SSR) Presentations and Future Plans

David Hamilton to provide an overview of SSR presentations and future plans.

The presentation was made on SSRs from the applicants' point of view. David noted that overall, everyone enjoys the tool's ability to do an auto-pass registration and seems efficient, however occasionally the tool seems to have issues. It was noted that when issues occur, an individual can provide details on proposed withdrawal and can provide additional information, including alternative analysis. The Department then reviews the data to determine ways to authorize the proposed withdrawal or, if it can't be authorized as proposed, will propose any needed changes to the applicant. If we can't agree on a modified withdrawal, then the SSR will be denied. It was noted that the 10-day deadline could pose another potential issue.

The presentations given to the Models Committee was two presentations for the same example SSR. Each presented a good, logical presentation; however, it was noted by Dave that it appeared there was disconnect between the presenters. The department authorized the proposed withdrawals by using existing baseline and registered pump capacities in the affected water management area. That may not be a satisfying solution to all interested parties that raises additional questions on the appropriate role of analytical models.

It was noted Michigan Hydrologic framework will assist in the numerical models and Web Squared provides further assistance to the Hunt Solution/analytical models. The creation of a metamodel would use both analytical and numerical in its model, however it is yet to be made. Additional conversations will be held within the Models Committee surrounding the SSR presentations.

It was determined may need to rethink what the period looks like to get things done and how decisions are being made to make the recommendations/understand the process. Dave noted would like to have a joint presentation. Jim will attempt to reach out to Todd about doing a joint presentation.

Presentations that were made to the Models Committee are now posted under the Models Committee's link on the council's web page.

b. FIELD DAY to be scheduled 6/22

Todd Feenstra provided an overview on field day. Field day to be held at Morley, MI and examining the Little Muskegon River. The first part of the morning will consist of groundwater, streamflow, and streambed testing activities and lunch provided to participants.

Bri to coordinate with Laura and Todd in sending out follow-up emails to interested participants for the event.

9. EGLE Update and Budget

a. EGLE Update

Jim introduced a new staff member in the EGLE unit, Megan Cameron. Megan provided details on her background to the Council.

Jim noted update on the Michigan Hydrologic Framework, with received draft work plan and project schedule. WUAU hasn't received a project budget yet. Once we do, we will work with WRD Administration Section and EGLE Finance Division staff to make a grant agreement and internal review.

It was noted as an update for the Transition Probability Modeling, that a presentation for the work group will be provided. Revision of the RFP language will also be conducted (based on the work group's comments) and WUAU will work with EGLE procurement staff to finalize the RFP.

The Aquifer Properties update noted a draft scope of work under internal review, will share with work groups once done and revise based on comments.

Jim discussed an overview of the program metrics, including numbers of WWAT and SSR registrations.

Kelley posed a question on the transition probability modeling, Laura clarified.

b. Budget

Noted budget hasn't received a major update. The government is currently in the phase working through a negotiation agreement between departments and subcommittees, with anticipated completion date within the week of 19th – 23rd of June.

10. Reappointment Process Update

Eggers noted multiple emails sent from leadership for recommendations and requests for reappointments. No feedback/response as of right now. Once a budget is set, a reminder will be sent to follow-up with individuals.

11. Future

a. 2023 Meeting Dates

- August 8
 - Anticipated meeting to be held offsite for a tour.
- October 10, 2023
- December 12, 2023

12. Open Comments (3 Minute Limit)

Appreciation for Eggers' work with the council now that he is retiring.

13. Motion to Adjourn

Motion adjourned by Eggers.