

Water Use Advisory Council (WUAC) Meeting

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

Tuesday, August 13, 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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AGENDA

1. Welcome

Dave Hamilton greeted the WUAC at 1:10 pm, with roll call following after.

2. Roll Call

WUAC Members In-Person

Laura Campbell, Michigan Farm Bureau (MFB) (second half)

James Clift, EGLE

Bryan Burroughs, Michigan Trout Unlimited

Dave Maturen, Michigan Lakes and Streams Association (MLSA)

Katy A. Lindstrom, Barr Engineering

Rick Solle, Plainfield Township AWWA (serving as Pat's alt.)

Dave Hamilton, TNC

Adam Wygant, EGLE

Megan Napier, AKT Peerless

Abby Easton, MDARD

Ben Tirell, MFB

WUAC Members Virtual

Buddy Sebastian, Michigan Ground Water Association

Laura Campbell, Michigan Farm Bureau (MFB) (first half)

Kelly Turner, Michigan Potato Industry Commission (MPIC)

Frank Ettawageshik, United Tribes of Michigan

Jason Walther, MPIC

John A. Yellich, Michigan Geological Survey (MGS)

Michael Frederick, Michigan Ground Water Association

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

Joseph J. Victory, serving as Rachel Proctor alt.

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
Steve Kohler, Kalamazoo River Watershed Council
Doug Needham, Michigan Aggregates Association
Megan Tinsley, Michigan Environmental Council
Rachel Proctor, Consumers Energy
Margaret Bettenhausen, Michigan Attorney General (AG)
Elizabeth Morrisseau, Michigan Attorney General (AG)

WUAC Non-Members

Christine Alexander, EGLE (first half, left)
Hannah Arnett, EGLE
Jeremiah Asher, Michigan State University (MSU Institute for Water Research)
Simon Belisle, EGLE
Megan Cameron, EGLE
Emily Finnell, EGLE
Brian Gunderman, DNR
Brock Howell, EGLE
Jennifer McKay
Andrew LeBaron, EGLE
David Lusch, MSU (Retired)
Marian Maier, EGLE
Katie Mika
James Milne, EGLE
Briana Hammontree, JetCo
Chad Rogers, MDARD
Todd Feenstra, Tritium, Inc.
Tom Zimnicki
Jill Van Dyke, EGLE
Austen York, EGLE
Grant Poole
Ross Helmer, EGLE
Lena Pappas, EGLE
Joel Henry, Environmental Consulting & Technology, Inc. (ECT)
Howard Reeves, USGS
Trisha Hagerman, EGLE

3. Approval of Minutes-Roll Call Vote Discussion

Michael Frederick noted revisions to June meeting minutes. Noted that previous minutes stated 14 members in attendance to vote approved meeting minutes, however only 12 in physical attendance (including himself). The Open Meetings Act does not permit non-physical present members to vote. Also noted he serves as Buddy Sebastian's alternate, so he should not be listed as a non-member.

Kelly Turner noted that in the first paragraph on page 6 a majority of the applications were completed in the 10-day timeframe according to the information in the presentation. Also noted the recent audit showed that there were other SSRs that were taking longer than 10 days. Kelly Turned noted when asked what would be the benefit of opening up the statue for revisions, both James Clift and Dave Hamilton had said that in future audits EGLE would be able to show they are in more compliance. Also noted that sent an email specifying that if we're going to be making suggested

edits or revisions to future meeting minutes, that to make this process quicker and to keep Briana out of the position from having to determine if the edits are correct/incorrect, asked if possible to just use track changes, allowing Briana to track the suggested edits along the way to identify who made those edits and could then go out with those meeting minutes, prompting a more productive conversation. This would allow a streamline of revisions.

Jim Milne noted that draft meeting minutes, per the Open Meeting Act, has a deadline to get the final version uploaded in 10 days. Involves a lot of time of EGLE time to ensure things get straight. Noted if it is helpful, have a track-changes draft and final clean version. But if following Kelly's suggestion, wouldn't be able to meet this deadline.

Dave Hamilton noted sending a final version out to follow the Open Meetings Act protocol, but then sending a track-changes unofficial version to council members to allow them to review for upcoming meetings. This would allow members to then see noted changes and react to them.

Jim Milne noted that meeting minutes aren't official until a quorum and the council votes to approve, so it was agreed that a final draft version could be made public and sent out an unofficial copy to council minutes.

Dave Hamilton summarized that EGLE could follow Kelly's suggestion but send out the official document for publication. And then send out an unofficial draft to council members a few days before the meeting to allow them to provide revisions.

Tom Frazier noted correction under 6. F. Noted first sentence implies he is serving as a co-chair. Noted he provided a suggestion to correct it to specify he is serving as local government representative and that to his knowledge a replacement has not been appointed by speaker of the house.

Bryan Burroughs noted it may be simpler than it appears. Noted everyone who has a suggested change sends it to Briana and members of the tri-chairs, it can be compiled into one list and send out that version a few days before the meeting.

Mike Frederick requested clarification on the contractor role of JetCo. Briana Hammontree provided clarification.

4. Approval of Agenda – Roll Call Vote

No quorum held. No noted changes to agenda. Hamilton provided an overview of agenda items for discussion today.

5. Public Comment (Three Minute Limit)

No noted comments from the public.

6. Introduction of EGLE Member and Department Reorganization

Bryan Burroughs introduced Adam Wygant to speak on his position in the Department, his role with WUAC, and how the divisions have been reorganized.

Adam Wygant noted that the Department had a reorganization in how it pertains to groundwater and that Jim's Water Use Assessment unit now resides in what was the Oil, Gas, and Minerals division, but is now called the Geological Resources Management Division (GRMD). Noted department created a section for groundwater in EGLE that encompasses Jim's unit and the Groundwater Data unit. Noted what his position is in this work, specifying he is the State Geologist and works closely with John Yellich, at the Michigan Geological Survey and Western. Has noted that he has long been invested in groundwater issues and has established a groundwater technical team within the department. When looking for a new home for the groundwater database and the department reorganization, the concept was that they would create this groundwater section and that it would fit well under Adam's management in the division. Intended to elevate focus on groundwater in that division and Jim's existing unit is largely intact and has the same function as before. Noted has a new database and data-warehouse with large plans for it within the department. Noted a data server provided for the National Groundwater Well Database and that there is a lot hopes to be able to improve data quality and use for decision-makers, planners, etc. Noted there is an open position for the manager of the section and noted two open positions within the groundwater data unit, 13 Geology Specialist who will be managing the database with interviews to be held at the end of the month. Also, a geologist 9-11 position coming on board with a GIS focus assist with the Groundwater Monitoring network effort and the database. Jim also has a backfill in his unit as well.

Chris Alexander provided a farewell for her role in the group and noted part of the reorganization will have a groundwater geologist specialist that reports to her who will be a water resource divisions connection to the groundwater monitoring database.

Adam Wygant noted that the new Groundwater Section will serve as a support group for the department, outside organizations, and USGS. Section will be heavily connected to the Water Resource Division and Drinking Water, Environmental Health Division and are on the interview team for these connections.

Bryan Burroughs thanked Chris for her help in the WUAC. Dave Hamilton provided a thanks to Adam Wygant for joining the group and wanted clarity on the State Geologist role. Adam Wygant noted he is the State Geologist which means he covers mine-taxation.

Noted that in 2011, the Michigan Geological Survey split off to Western Michigan University and as a result some of the functions for State Geologist stayed in EGLE, particularly the mine-taxation function provides advising to the USGS and Western Geology Department. Noted that John Yellich provides the "hands-on" mining work, with Sara Pearson overseeing the work.

John Yellich noted thanks for the ability to hire their replacement, Sara Pearson, as Director of the Survey. Noted officially she is the director as of July 1st. Noted that he is in a 90-day transition t. Wanted to thank everyone's support in the work they Survey has been able to do.

Frank Ettawageshik wanted to thank John for his work at the USGS and was happy for clarity on the State Geologist role.

No additional comments or questions.

7. Committee Chairs Report

Bryan Burroughs noted that this section will just be updated from the committee, with a later section covering recommendations from the committee if any are brought forward.

a. Data Collection Committee

Bryan Burroughs noted did not have a meeting since the last water council meeting for the committee. Once an updated contact list is made, they will send out an email with two dates with meeting times between now and the end of the year. Noted they have not identified any new key recommendations, but it will serve as a key agenda item to bring forward for the final report if any are identified. Noted there is a lot of implementation items and new implementation items to oversee, as funding was received for the 2022 recommendation. Noted some are very important and will require follow-up from the data committee regarding the 2020 recommendations. Noted a final reminder for contact information to be updated for distribution use.

No noted questions.

b. Models Committee

Dave Hamilton noted a lot of things are just starting. Noted future meetings will provide clarity on these items. Noted the Michigan Hydrologic Framework is still on-going and at the beginning stages of it, with Dave Hamilton stating he doesn't believe detailed report is not needed for it at this point. Noted Key Aquifer Properties that the committee is just trying to get that underway and the 3D Glacial Mapping will need a signature from Adam Wygant. The committee is excited to hear there is funding the from 2022 recommendations and noted the committee had two projects proposed. The first had to do with Downstream Accounting and the Downstream Depletion Effects and Stream Network. Noted these projects will be very important to understand current issues that have been on the table for a long time and provide the committee the opportunity to finally look into these further. Noted Jim Milne currently ensuring the right people are put together for the work with getting the grants and whatever else is needed to be done in place.

Noted Aquifer Performance Test Guidance is potentially wrapping up the final document and if any final comments to provide to Dave Hamilton and or Jim Milne.

Noted will provide recommendations for item 9.

c. New Topics Committee

No new updates noted by Rick Solle.

Kelly Turner noted a question on the update of the MSU Water Use Study. Bryan Burroughs noted that he has seen an email about setting up a presentation for the WUAC,

but no other updates. Laura Campbell noted an update will occur in October to be conducted by Adam Zwickle.

Dave Hamilton noted there was a large water withdrawal workgroup held by a senator on August 12.

Bryan Burroughs noted this will be addressed in the public comment.

d. Conservation and Efficiency Committee

Emily Finnell noted continued monthly meetings but took a break for July (meeting held in early August).

Noted regular updates on implementation of the 2020 recommendations. Noted the Water Conservation Best Management Practices Project is underway; it was the grant awarded through to the Alliance through Water Efficiency. Noted stakeholder engagement occurring and going well during the project and working with agricultural sector, drinking water, and American Water Work Associations performing outreach as well. Noted Pat and those in agriculture have been working to get working to get contact information and working closely with the Chamber of Commerce and Michael Lemmo . Noted a presentation was held at the Chamber's Energy and Environment Committee that was well received with follow-up from those in the meeting. Noted regular project check-ins set up on a monthly basis. Noted will provide updates for the Legislative report.

Noted progress on the Water Conservation and Efficiency Practices in Agricultures, which was another 2020 recommendation. This project focused on hiring to educators and took it about 9 months or so to get candidates on board. Noted MSU-Extension hired both educators for the role. Angie Gradiz is serving as Ag-Specialist and was hired in May and Brenden Kelly just started. Brenden Kelly will be based in Ludington and Angie Gradiz will be based in Branch County. Noted goal is to have Angie and Brenden pull together the advisory committee and have it up and running by Mid-September. Progress report will be provided for the Legislative report.

Noted have been talking in the committee and had sub-groups about potential concepts for 2024 recommendations. Nothing really coming together quite yet. There is a concept currently in place, but it has not been fully fleshed out yet; it is being worked on with a work group. The concept would create a pilot grant program to fund water conservation pilot projects in areas of potential water stress at the community level and hire a limited-term employee to lead the pilot grant program, with additional water conservation initiatives and programming support. Further discussions and reactions need to be held before bringing it forward at the Committee level as a potential new project for the 2024 recommendations.

Noted speaker series continues and efforts for research on climate change impacts pertaining to water resources and use. Noted last committee meeting that they had invited Dr. George Smith, the director of AgBioResearch at MSU. Noted that they have a new agricultural climate resiliency program that has received funding through the

Department of Agriculture and Rural Development. Noted they met and talked about opportunities of partnership. Noted AgBioResearch individuals do host a monthly Zoom call and if council members are interested in ever attending, to reach out to Emily Finnell, Simon Belisle, and/or Kate Turner for Dr. Smith's contact information. Meetings are standing times where they provide updates on the AgBioResearch and specific Climate Resiliency program.

Noted the committee was interested to see they were doing survey work with growers and that growers had identified top priorities as climate change and water (particularly water use) as the most popular issues. Noted there were several faculty positions that are funded and will be reoccurring funding for these positions going forward. One will focus on Ag-Economist, Water-Use, Water Quantity, and Water Quality specialists, and social science behavioral change staff who will look at modeling and field work functions and how they work together.

Noted there is now funding for the 2022 recommendations that was included in the budget that was looking at an irrigation mobile lab. Noted they were considering repackaging for 2024 and will now have to go back to the committee and talk through how this funding will be able to support this project going forward given the Water Conservation Efficiency Agricultural strategies project got a late start.

No noted questions on updates.

Bryan Burroughs asked if Emily Finnell wanted to provide additional clarity in the items for item 9. Emily Finnell noted no, still working on draft.

e. Implementation Committee

Laura Campbell noted Doug Needham would not be in attendance to provide the report. Noted at the last meeting that everything outstanding from the 2020 recommendations that the council made was either finished or underway. Noted that they have updated the spreadsheet that tracks action items, and the committee is happy to share the copy with others. Suggested to reach out to herself or Doug Needham for the document.

Noted due to 2022 budget appropriation, will need to determine how it will be spent and worked out with EGLE to ensure account of those dollars. Noted preparing for collating all the report pieces for 2024. Noted that from an organization perspective there should be clear division of what is happening already, and work being performed and what is being proposed new from committees. This is to ensure an easier readability from legislative on the asks. The report will have a bit of a different organization layout but will still pull together any recommendation from committees to include.

Frank Ettawageshik noted he would like a copy of the implementation list.

8. Nominations for Officers and Committee Chairs

Bryan Burroughs noted that will discuss the recommendations provided for chairs and executive positions but with no quorum, no voting will occur. This will allow individuals

to get an idea of where we are and allow others to express any thoughts on it so far. The noted focus will be establishing simply tri-chair and co-chair positions of each committee, rather than members simply wanting to join a committee.

Noted nominations haven't changed much. Tri-Chairs still consist of Laura Campbell, Pat Staskiewicz, and Bryan Burroughs.

Noted the Executive Committee currently consists of Laura Campbell, Pat Staskiewicz, Bryan Burroughs, Dave Maturen, and Dave Hamilton. The updated changes reflect Chris Alexander no longer a part of it, with added members of Adam Wygant and Buddy Sebastian.

Noted co-chairs for the Models Committee consist of Dave Hamilton and Katy Lindstrom.

Noted co-chairs for the Data Committee consist of Bryan Burroughs and Megan Tinsley.

Noted co-chairs for the Conservation Committee consisted of Emily Finnell and Kelly Turner. Kelly confirmed co-chair status.

Noted co-chairs for the Implementation Committee is Laura Campbell and Doug Needham.

Noted co-chair for the New Topics Committee is Pat Staskiewicz, however there is a standing discussion on dissolving the new topics and having it as a stand-in for as-needed items. Noted will let the nominations stand as Pat until the status of the New Topics is determined.

Frank Ettawageshik asked for the date of the committee meeting for next month. Bryan Burroughs noted September 10. Noted Adam Wygant will cover the section next quorum if chair positions will change such as tri-chairs or co-chair roles.

Bryan Burroughs noted any corrections or notes they would like to add. Briana noted providing documents again to members.

Question posted on whether the form is different. Bryan Burroughs noted it is and that it is intentional to help clean up the document.

Dave Hamilton noted that if the committee will continue to operate as those in place now. Bryan Burroughs noted that all positions on file are there because they were previously serving that role with an open extension until quorum is held. Noted it's at a bit of leisure of everybody identified and that the only modification would be adding Buddy Sebastian to the executive council committee. In effect, it can informally serve as the status until forum.

Laura Campbell noted that anyone is allowed to join the executive committee call if interested.

John Yellich asked if it will be sent out, Bryan Burroughs noted Briana Hammontree will follow up with documents for review and consideration of members.

9. Recommendations for the Legislative Report

Bryan Burroughs noted no current recommendations from the Data Committee.

Dave Hamilton noted one new recommendation from the Models Committee. The thinking is for this new recommendation is to create a study that could dig into stream flow depletion. Noted it would include data collection of stream flow measurements, aqua tests for characteristics, and monitoring water level base and well locations. The wells would include irrigation wells with cooperation from the owners to know exactly what they are doing (when their pumping, what their pumping, etc.). Noted as a part of this work, the committee could then create a model that would drill down and pull this information together to understand stream flow depletion. Noted some discussions have been held with a representative from the State of Wisconsin discuss what their program looks like and had USGS discuss with the committee members as well. Noted sent out a report and that the report serves as a good example of some of things they would like to do with this recommendation. Noted to reach out to Dave Hamilton if interested in the report. Noted the models would show streamflow through the area, see where water is being depleted or coming in from sources, see how wells are pumping and how they affect streamflow and affect each other. Noted the study looked at management styles in terms of how it would influence streamflow. Noted it would provide the ability to better understand streamflow depletion as the data and model reports would be able to provide good answers. Noted Howard Reeves has volunteered to put a draft together and to work with the Models Committee.

Buddy Sebastian noted the report was beneficial and provided informative data points. The noted report demonstrated real numbers that were unarguable by industry and regulation.

Kelly Turner noted that at the last meeting there was talk on three or four pilot projects done and ongoing. Kelly Turner was wondering if there was an opportunity to use the data to combine these all together and create a better picture. Dave Hamilton noted this is potentially possible, with the consideration that timing may impact some of it. Dave Hamilton noted some areas of adjacent interest and will be looking for ways to aggregate the information in multiple locations.

Bryan Burroughs noted is there a connection to other work or recommendations from 2022. Dave Hamilton noted there is a chance for data to be used for other recommendations.

Bryan Burroughs noted clarity on what Dave Hamilton would need from the committee/WUAC between now and next meeting. Dave Hamilton noted that any members in the WUAC who are interested in the report, but don't want to read it can watch the last Models Committee Meeting which provides an overview of it from the

guest speaker. Noted to email Jim Milne or Hannah Arnett to get access to the video to see the recording of the representative from Wisconsin.

Dave Hamilton noted will have a more detailed report and shorted recommendation for the Implementation committee to have for the final report. Dave Hamilton noted there was tons of conversations within the models committee and may come up with the recommendations for them. Noted will likely come back to the Web-Squared discussion. Noted two studies compiling Key Aquifer Properties and 3D Glacial Aquifer Mapping, and would like to have them for recommendations for the council. Noted since they are still in early stages, will likely provide high level report with a general update of what is ongoing.

Laura Campbell noted could add as a narrative of work already being done.

Dave Hamilton noted may want to just say what they are doing currently with work pertaining to the Properties and Mapping projects and identify that they will flush it out later.

Jim Milne noted link is in the chat for the Models Committee from the guest speaker.

Bryan Burroughs noted Implementation and New Topics have no additional comments currently. Conservation and Efficiency had already previously provided a concept in earlier discussions.

Bryan Burroughs noted that while required to report every other year, but no prohibition to on reporting more frequently. For instance, if the report focuses on a lot of progress being made, but within 12 months there are recommendations in place, could generate a more frequent report to accommodate this.

Dave Hamilton noted that may be a good decision as many 2020 recommendations were delayed.

10. Budget Update

James Clift noted \$1.2 million was allocated for the 2022 recommendation and was signed by the governor. No additional detail from that.

Bryan Burroughs thanked those who participated in advocacy to get additional budgeting support for projects.

Dave Maturen noted sometimes it's all about getting ahold of the right person and connecting with them.

No noted questions or comments.

11. EGLE Update

Jim Milne noted that Simon Belisle will cover the 5-year Water Management and Water Conservation Program Review as a compact requirement. Simon Belisle noted the

review is a legally enforceable contract that must be adhered to within the States, the compact being used to implement a water management program. Noted the compact also bans water diversion outside of the Great Lakes basin. The Compact requires each state and province (10 total) that border the Great Lakes are required to complete the five-year review.

Noted the process has started with state agencies creating a draft that went out. Noted a draft went to the Compact Council on June 28, 2024. The formal public input process is currently in progress until August 29, 2024. Noted a government-to-government consultation will be held with tribes on September 17, 2024. Noted once all comments are implemented, will provide a final report by the end of the calendar (December 2024). Noted the council should send comments to Simon Belisle by September 13, 2024.

Simon Belisle noted no changes in the legislation or regulations since 2019 that impact the Compact in Michigan. Noted change was the creation of the Water Conservation and Efficiency Committee and the funding 2020 recommendations. Noted more targeted outreach activities have been occurring and an emphasis on groundwater data.

Jim Milne provided EGLE report. Noted that since Adam Wygant covered the change in division, he would skip over it. Noted the Michigan Hydrologic Framework is underway, as well as the Aquifer Properties and WWAT User Interface updates. Noted he met with the projects teams for both the MI Hydrologic Framework and the MI Integrated Water Management Database projects. Noted contractor started work for the Transition Probability Mapping project.

Noted update for the EGLE Groundwater Data Management System and that Earthsoft is the contractor and will be using EQUIS. Noted development team meetings are ongoing

Noted work at the AquaBounty facility continues to be delayed. EGLE's RRD Geological Services Section completed drilling shallow & deep monitoring wells at the Amboy Township Hall in Hillsdale County. Monitoring wells are being drilled at the second & third locations. USGS will install transducers in the monitoring wells to record groundwater elevation data. The groundwater elevation data will be posted on the USGS web site.

Noted updates may be hourly and the color coding should identify if an approved technician is underway. Noted If anybody wants that data talk to Howard Reeves or Jim Milne for website.

Noted the Part 327 Annual Metrics covers the program year from July 9, 2023, to July 8, 2024. Noted WUAU will be drafting the annual legislative report for Part 327 which covers some, but not all, of the metrics. Noted there were 166 SSR registrations, 84 were not done within the 10-business day deadline. There were 7 voluntary SSR requests, all of which were made within the statutory deadline. Noted had 252 registrations with the WWAT during that period. Jim noted in the graph to demonstrate

SSR/WWAT work performed. Jim noted in the pie chart indicates what SSRs were denied, authorized, retracted, and pending. Noted 162 authorized, identified in a pie chart the type of determinations (A, B, C, D, Geology Pass, and Baseline).

Noted timeliness was an average of 14 days with 49% being completed in the 10-day business line.

Noted this data helped in the Model committee creating a discussion for longer SSR periods. Noted Pre-screening review metric underway. 27 Pre-screening reviews completed, with 7 Zone A completed, 5 geology pass, 2 zone C, 0 zone D, and 4 baseline capacity replacements.

Laura Campbell noted where the others were. Jim noted a typo in the graph.

Noted 327 permit metrics from July 9, 23 – July 8, 24. 2 permits issued, 1 application retracted, and 4 applications pending. Noted 104 compliance metrics communications were sent out. Noted that after the fact registration was 12, 4 was missing pump info, revised registrations were 76, and installed verifications was 12. Violation notices was 17 and 9 were closed after coming into compliance, 6 still outstanding. Of those, 6 outstanding notifications were sent out.

Kelly Turner wondered if we could get an idea of what the violations are. Hannah noted what the two main violations are.

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 bottle water company does have a policy with the safe drinking water act that requires a permit application. 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 would come to EGLE. Dave Hamilton noted is there a calendar in place for the reports as it has two irrigations periods in the calendar.

Todd Feenstra noted for slide 26, which was referring to aqua characteristics/transitivity, that he was wondering what the basis was for updating it – was it expanding well logic database or from additional aquifer tests that have been conducted in the state. Jim Milne noted when tool was developed the Aquifer properties used by the groundwater tool model were based on the WIN project and Groundwater Mapping Project, which included well logs up to 2005. Part of the project will include incorporating anything from the well logic post 2005 with addition updated aquifer properties from aquifer pumping tests performed.

Todd Feenstra noted that 500+ streams and 100+ stream gauges, however wanted to know if there was number of aquifer tests. Jim Milne said good question. David Lusch noted that potentially 300 statewide, hoping to achieve 250-300 aquifer performance tests to be performed by private consultant for ag-irrigators. Might have as many as 600 aquifer performance tests points. Noted improvement in well logic has been very

beneficial in transitivity map and pumps. Todd Feenstra noted wanted to clarify what was texture based and what was 24-hour based.

12. Future

- a. 2024 Meeting Dates (at Con Hall unless others offer to host) (*Quorum critical meetings)

Bryan Burroughs noted key dates for September and October are critical for quorum and engagement for recommendations for the legislative report to allow drafting. Noted November will allow for editing to begin and December will serve as a time to celebrate.

- September 10, 2024*
 - October 8, 2024*
 - November 12, 2024*
 - December 10, 2024
- b. Formats
 - c. Quorum

13. Open Comments (Three Minute Limit)

Bryan Burroughs noted open comments are now available for discussion.

Dave Hamilton noted Large Water Withdrawal Workgroup formed by legislatures. A noted issue seems to be that large data centers use a lot of energy and need cooling water keep the center cool. Noted that the amount of water per day starts at around 1 million and can come up to 5 million. Noted legislature concern is having these multiple data centers coming into Michigan. Noted legislature wants to understand current regulation and permits required in existing law.

Dave Hamilton noted invited other legislative aids from the Senator's office to come to 101 seminar being held by Dave Hamilton. Noted aids did come and asked questions. Noted they discussed how existing process work as well as how the printing process works. Noted legislature needs to determine if this covers their issues or not, or if they would like to do something in addition. Dave Hamilton noted he pointed out the bottle water industry wanted a permit in place. Noted a lot of stakeholders have been involved in the conversations.

Jim Milne noted that Water Tool 101 performed by Dave Hamilton, was curious if they got into the compact requirements in terms of consumptive use. Dave Hamilton noted they did discuss a little bit of the compact and why it came to be. Noted he focused primarily on the permitting process. Jim Milne noted that the legislative did have confusion pertaining to consumptive use amounts with data centers as they are 100% consumptive use, with all loss to the atmosphere. Legislative wanted clarity on when regional notice is required in the compact and what does it mean. Jim provided clarity on what he provided in the chat during that discussion. He noted there is a difference between total use and consumptive use. Noted consumptive use being everything that is either lost to the environment, for example by evaporation or where incorporation into a product, and that if that consumptive use is above 5 million gallons a day, then regional

notice is required un the Great Lakes Compact. Noted that about 14-15 years into the program, this has yet to occur.

Dave Hamilton also noted that this notice doesn't require an approval, which Jim Milne confirmed.

Dave Lusch wanted to know if all data centers would be a total consumptive use or are some passed-through to discharge. Dave Hamilton noted he has not been involved in discussions on the matter of consumptive use/pass-through. Noted there has been discussion on looking at other ways of doing things aside from evaporative cooling. Noted the industry they believe evaporative cooling is the way to go for whatever reason. that the industry has raised this issue as well. Jim Milne noted no 327 permit application has come in yet for a data center, but noted the Compact decision criteria of looking at the use of the water to ensure it is as efficient as possible and minimizing waste.

Bryan Burroughs noted like the AquaBounty issue or Muskegon project, where trying to avoid a cost of an alternative by saying a specific amount of consumptive would be used per day. Noted it puts the WUAC in a weird place, as some water user sectors have to use water, no matter what you can afford. Noted this aligning with the one-time flow-through aquaculture facilities using groundwater one time to avoid the recirculating filter system. It raises questions on water use best practices.

Howard Reeves noted that it depends on what you determine as efficient. 100% evaporative cooling would be the most efficient from an energy perspective and pump the least amount water.

Frank Ettawageshik noted that he has had conversations with Senator Bayer for about a month and noted she had wanted to get a viewpoint from the tribes. Noted there hasn't been an official position from the tribes yet on the matter. Noted she wasn't clear on the Compact. Frank spoke on how it came to be and others provided clarity on how it works. Frank noted problem was that while they sought various processes or products as a potential solution, many had unintended consequences. Noted there are data centers in other states that have caused issues in other states, and as a result they have reached out to Michigan environmental organizations by raising concern about the data centers coming here. Noted there is a lot pressure on legislature to do something about this, which in turns means they may need legislation that would lead to regulation. Noted he initially heard talk about changing the Compact and Frank had provided input that changing the Compact was not a viable solution. Noted the legislature needed to understand what they working with from those individuals such as members of the water quality council.. Noted the question was what type of use was it. Noted was looking for the most economical use (100% evaporation use) and if it was ground or surface water to be used. Noted legislative felt better after the discussion rather than how they felt at the start.

James Clift noted this is an ongoing conversation. Noted it is good they are educating themselves on the space they are currently in. Noted that legislation is beginning to feel more comfortable and understanding how things are done in Michigan. Noted that the

Compact has a strength in laws in water use for all of the Great Lakes states that in a way is not how it is for other parts of the country. Noted he believes what is happening is there a lot of word going around about location where regulations on data centers isn't being implemented.

Laura Campbell noted apart of the strength of the Compact is that individuals are kind of blind to the fact of what the water is being used for. Noted people are still required to make sure its efficient, shareable, getting required permits. Noted that her concerns lie with picking winners and losers of who gets water and its important to drive home to legislature this fact.

Bryan Burroughs noted that he's heard they are looking at major state investment funds, tax breaks, and incentive programs to ensure they approach with more scrutiny for the rather than just the standing regulations for all industries.

Noted a New York Times editorial, Will We Have to Pump the Great Lakes to California to Feed the Nation. Noted its written by a policy water specialist in Arizona who describes the need to conserve water and solve the water issue to the west. Noted it was written in a way to potentially encourage people getting riled up.

James Clift noted some people aren't aware of the compact.

Laura Campbell noted she is surprised it doesn't include the other thought that has been spread of taking water from the Mississippi River.

Dave Maturen noted sending a copy of the Times to be interested WUAC members.

Bryan Burroughs noted no other open comments.

14. Motion to Adjourn

Bryan Burroughs noted adjourned at 3:07 pm.