

Michigan Water Use Advisory Council
Approved Initial Committee Structure
October 15, 2019

Statutory Guidance on Council Responsibilities, excerpts from MCL 324.32801 et seq.

(4) The council may elect co-chairs, form committees, set meeting schedules and work plans to address the council's responsibilities as provided by law, address charges from the department, and establish priorities. Members of the council may participate in any committees created by the council. Members of the council shall strive to make recommendations by consensus vote, and may submit opposition statements that must be included in the council's report under subsection (7).

(7) The council shall do all of the following:

(a) Make recommendations to the department, the department of agriculture and rural development, the department of natural resources, and the legislature on the implementation of part 327, including all of the following:

(i) Strategies for collection, verification, and use of data, including geology, aquifer characteristics, and groundwater and surface water hydrology.

(ii) Improvement, verification, regionalization, and integration of models used in the water withdrawal assessment tool and site-specific review, including models developed by private and public entities, organizations, or individuals.

(iii) Identification of research, public-private partnerships, training, and changes to the water withdrawal assessment tool needed to improve the department's ability to implement part 327 and to improve the water withdrawal assessment process under part 327.

(b) Study and make recommendations, as needed or as requested by the relevant standing committees of the legislature or the department, regarding the development and refinement of the water withdrawal assessment process under part 327.

(c) Make recommendations on reconciling conflicts in state laws related to the use of the waters of the state.

(d) At least every 2 years after the effective date of the 2018 amendatory act that amended this section, provide a report to the senate majority leader, the speaker of the house of representatives, and the standing committees of the legislature with jurisdiction primarily related to natural resources and the environment that makes recommendations regarding how the water withdrawal assessment process under part 327 could be improved. The report shall contain specific recommendations on the use of the assessment tool, the site-specific review process, the permitting process, the staffing, budgetary, software, and other resources required by the departments to successfully implement part 327, and any other measure that the council determines would improve the water withdrawal assessment process under part 327.

WUAC starting committee structure

Universal governance for all committees: Committee Chair(s) will be solicited and approved by WUAC, and will oversee the work of the committees. All WUAC members and Technical Advisors will be invited to attend any and all committee meetings (as required by statute), however it is encouraged that WUAC members contact the committee chair(s) to let them know the committees they intend to regularly participate in. Additionally, if a quorum of WUAC members is present at any committee meeting, it will be necessary to conduct those committee meetings according to the requirements of the Open Meetings Act. Therefore, it will be necessary to notify committee chairs of WUAC member participation at each committee meeting with sufficient advance notice for them to plan accordingly. Given this requirement, it will also be encouraged for committees to set dates/times/locations for many meetings in advance, to facilitate participation and compliance with meetings requirements. Committee chairs are expected to manage these considerations and requirements, and seek assistance from EGLE staff in adhering to the OMA requirements.

Standing Committee #1: "Implementation Strategies".

Background. The previous iteration of the WUAC created a report which identified 69 consensus recommendations for the improvement and needs of the program. The WUAC received a preliminary accounting

by EGLE of the status of implementing those recommendations. A large majority of those recommendations have not been implemented. Past recommendations focused on agreement to the nature of needed changes or improvements, and in some cases provided information on how they could be implemented and/or the costs of doing so. However, a majority of the recommendations lacked refined strategies, feasibility, costs, and priorities for implanting them.

Charge. This committee will be charged with taking past recommendations of the WUAC, and developing implementation strategies for each of them, to include tactics, feasibility, costs, and likely entities capable of performing the required tactics. This will serve as a basis for the first WUAC required report (Due December 2020) reporting on the total financial investment needed to implement all agreed upon improvements to the program.

Charge. This committee will be asked to develop a proposed structure to help the full WUAC prioritize among all of the past recommendations. It is anticipated that the total cost to implement all recommendations will not be feasible to recommend to the legislature during one reporting period, therefore it will be advantageous for the WUAC to also identify a priority list of implementation needs. Reaching consensus on implementation priorities will be done by the full WUAC, but this committee is charged with making recommendations on a proposed structure to accomplish that.

Charge. Preparation of final report components on this work.

Proposed Timeline.

Draft Charges Presented to WUAC: July 2020

WUAC approves and adopts priorities: September 2020

Materials ready for report inclusion: early October 2020

Draft report for approval to WUAC: early November 2020

Chair(s): Doug Needham & Laura Campbell

Standing Committee #2: "Data"

Background. The past WUAC had an "Environmental Monitoring" committee, which oversaw discussions and recommendations on issues of data collection, verification and use. This current WUAC has an explicit charge to also do this, and this was informally identified as a priority during the first WUAC meeting in July.

Charge. Make recommendations on strategies for collection, verification, and use of data, including geology, aquifer characteristics, and groundwater and surface water hydrology.

Charge. Assist Implementation Strategies Committee as needed, in the development of strategies to implement past recommendations pertaining to "data".

Charge. Preparation of final report components on this work.

Proposed Timeline. Prioritize assisting Implementation Strategies Committee for successful completion of that committee's charges on time. Encouraged to immediately begin reviewing; 1.) if updates or revisions to past recommendations are needed, and 2.) identify new topics pertaining to "data" that need to be developed. Draft final report materials presented to WUAC by September 2020.

Chair(s): Tom Zomnicki & Bryan Burroughs

Standing Committee #3: "Models"

Background. The past WUAC had a "Technical Underpinnings" committee, which oversaw discussions and recommendations on issues largely pertaining to modeling, but also included many technical issues pertaining to the assessment process. This current WUAC has an explicit charge to make recommendations pertaining to development of models for the assessment process.

Charge. Make recommendations on Improvement, verification, regionalization, and integration of models used in the water withdrawal assessment tool and site-specific review, including models developed by private and public entities, organizations, or individuals.

Charge. Assist Implementation Strategies Committee as needed, in the development of strategies to implement past recommendations pertaining to "models" or assessment process.

Charge. Preparation of final report components on this work.

Proposed Timeline. Prioritize assisting Implementation Strategies Committee for successful completion of that committee's charges on time. Encouraged to immediately begin reviewing; 1.) if updates or revisions to past recommendations are needed, 2.) identify new topics pertaining to "models" that need to be developed, and 3.) begin reviewing and assessing the possible utility and feasibility of alternative modeling platforms for use in the assessment process. Draft final report materials presented to WUAC by September 2020.

Chair(s): Dave Hamilton & Jim Nicholas

Standing Committee #4: "New Topics"

Background. The previous iteration of the WUAC did not attempt to address the entire scope of relevant issues, it did not in all cases attempt to address several issues of known importance or concern, nor did it make recommendations on newly emerging issues over the last several years. Given this, the past set of recommendations, while robust, cannot be viewed as inclusive of all issues of importance to the program and needing recommendations from this current WUAC in the future. The goal of this committee, is therefore to identify new topics of importance for the WUAC to address, assess them, make recommendations to the WUAC on how to continue addressing them, and to generally oversee the development of them within WUAC structures.

Charge. Continually identify new topics of relevance for the WUAC to address, maintain a list of these new topics or issues, preliminarily assess the scope of the new topics, and provide recommendations to the WUAC on how they could best be addressed through WUAC structures or processes (e.g., through creation of new standing committees, through creation and oversight of ad hoc work groups to address them, through referral of them to other existing standing committees). Will also perform these duties regarding any new topics requested by the Departments and/or legislature as defined in statute.

Charge. Preparation of final report components on this work.

Currently Identified Topics: "Downstream Accounting", "Return Flows", Lakes & Wetlands ARI's

Proposed Timeline. Draft final report materials presented to WUAC by September 2020.

Chair(s): Pat Staskiewicz & Jason Walther