

Senate Bill 289

Committee of Natural Resources and Environmental Affairs
Senator Patricia L. Birkholz, Chair

I have no expertise in this matter but am a responsible Michigan citizen concerned about the future of all Great lakes waters: lakes, rivers and streams, wetlands, and of course the aquifers that feed them. Adequate protection of aquifers is absolutely essential. Here are my concerns with the proposed bill according to section.

Section 32801 (f ii)

First, all aquifers from which any ground water is withdrawn should be considered as "critical". This is the only way protection for "water dependent resources" can be assured.

Second, the DEQ and the Department of Agriculture will have problems determining what constitutes "reasonable evidence" of a ground water conflict. What is reasonable depends on point of view and is influenced by power.

Section 32802 (2)

Ten years is far too long a time for existing large high capacity withdrawal facilities to come under the proposed statute. I would offer a three year grandfathering clause. If new facilities have two years after the effective date to get a withdrawal certificate, three years is not unreasonable for existing facilities to come under compliance. Unfortunately this would put pressure on both departments and on the existing facilities with high capacity withdrawals, particularly in regard to hydrogeologic studies as outlined in 32803 (h). But ordinary citizens of Michigan deserve to be secure in terms of a mechanism that will protect the aquifers sooner than the proposed ten years.

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I am glad to see that the State will at last require water consumers to develop and implement "environmentally sound and economically feasible water conservation measures", but I must ask, "Who will monitor?" Certainly the DEQ does not have the staff or budget for this. Furthermore, in the certification process, unless a water user applicant provides information detrimental to his own plan, a certificate will most likely be issued. How does this promote aquifer protection? It won't. Nor does the bill offer any protection to small quantity well owners until they are aggrieved.

In conclusion, I want to point out that there has been considerable testimony from large withdrawal facilities requesting to be exempted from this bill's language. I urge you not to give in. As important as agriculture is to all of us, the amount of water irrigation uses is enormous and therefore cannot be treated differently. The same is true of municipal

water facilities. What I hope is that more stringent requirements regarding aquifers will lead to more effective water use practices. Thank you for the opportunity to speak to you on this critical issue.

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