



August 28, 2015

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The Michigan Environmental Council, a coalition of more than 65 member-based organizations across the state, has reviewed the draft document, “Sustaining Michigan’s Water Heritage: A Strategy for the Next Generation,” created by the Office of the Great Lakes (OGL) at the Michigan Department of Environmental Quality. We want to commend OGL for the hard work and dedication necessary to draft such an impressive catalog of risks and proposed actions on behalf of Michigan’s waters.

As a member of the OGL’s voluntary “Water Cabinet,” MEC is familiar with the document and appreciative of the opportunity to consult with OGL at several intervals over that last several years as the draft strategy was compiled and revised. As the OGL plans official delivery of the report to Gov. Snyder, and develops media strategies and outreach plans for promotion and adoption, MEC offers the following comments. We offer these as suggestions that we feel would help OGL further refine and strengthen the impressive document, elevate its status, and increase the likelihood of implementation by lawmakers, water stakeholders and advocates and the public.

### **Areas of Support and Commitment**

In an era of unprecedented freshwater uncertainty (such as Western-state droughts and climate change), the development of a comprehensive and far-reaching strategy and vision articulating the value and role of Michigan’s precious water resources is a great thing. We applaud the Governor for asking for the strategy, and thank Jon Allan and the team at OGL for pulling it together.

We find the draft document to be an impressive catalog of the complex actions, interactions and interdependencies of Michigan’s hydrology, economy and water-based identity. It offers a solid accounting of the many specific water-related challenges, opportunities and options facing the state today, and in decades ahead. From aquatic invasive species and harmful algae blooms to groundwater withdrawals and stormwater runoff, the document offers a sobering and insightful picture of the road ahead.

With so much information packed into the report, however, MEC would like to highlight a few noteworthy recommendations that we feel are worth noting as “clear wins” in the

strategy. MEC is pleased these are included, and we offer our support and commitment to helping with implementation:

- **Goal 1, Rec 13:** “Refine and improve the water withdrawal assessment process to ensure sustainable use of water resources and that high priority is given to incorporating existing and new data and models to better represent local and regional water resources and surface water/groundwater interactions.” By next year, the strategy says the state should have “a list of priority Water Use Advisory Council recommendations and an implementation plan.” MEC and our partner and member organizations have long been engaged in the Water Withdrawal Assessment Tool process, and are eager to resume work to bring needed improvements and wider use of an improved tool.
- **Goal 2, Rec 8 and Goal 7, Rec, 3:** “Secure a long-term funding source to accelerate the cleanup of legacy contaminated sites” and “Develop a long-term sustainable funding source for groundwater and surface water quality and quantity monitoring that is continually improved with new technologies.” MEC has long been interested in the funding issues around legacy issues and monitoring, and are eager to assist in any workgroups or data-gathering activities to move this set of issues forward. As noted below, we believe that this process should begin immediately. For example, one idea that might be considered is the creation of a “use restriction fee” assessed on responsible parties when groundwater contamination issues necessitate the establishment of groundwater use restrictions. MEC would be happy to engage in research on this or other similar proposals for improved funding for legacy issues.

### **Suggestions for Stronger Recommendations**

Of course, the essence of any useful strategy is prioritization. With this in mind, we at MEC believe there are a few issues that might warrant greater consideration or a more aggressive timeline for action than the strategy currently contemplates. These have to do with longstanding challenges where a course of action is clear and the state can get started today, even while many of the strategy’s more visionary and far-reaching recommendations are being digested and researched.

- **Septics.** The strategy rightly calls on the legislature to “Establish inspection requirements for residential on-site wastewater systems” and “develop and implement a uniform statewide sanitary code” (Goal 2, Recs. 5 and 6) But an implementation date of 2020 is far too slow. As noted in the strategy, Michigan is the only state without a statewide requirement for septic inspections, and with more than half of new residential construction taking place using septic systems, it is common sense and overdue policy the current legislature could and should pass during this legislative session.
- **Long-term Funding.** We applaud the call to “Develop a long-term, sustainable funding source for groundwater and surface water quality and quantity monitoring that is continually improved with new technologies” (Goal 7, Rec. 3). Again, the

strategy's target date of 2018 maybe too slow, as funding for key water quality monitoring programs either has expired or will run out in 2017. Now is the time to elevate these critical needs with clear strategies for funding and prioritizing the actions needed monitor contamination concerns and ensure the health and restoration of aquatic ecosystems.

- **Nutrient pollution.** While developing a strategy for preventing Harmful Algal Blooms (HABs) is critical (Goal 1, Rec. 4), we also know that agricultural runoff and sewer overflows represent a major source of nutrient overload to the Great Lakes system, and are linked to algal blooms. We would ask that a recommendation be added to Goal 1 addressing specifically agricultural practices known to unduly burden waterways with such nutrients (such as winter/frozen soil application of manure, plowing and planting of vegetative buffers around waterways, etc.).
- **Aquatic invasives and net-pen aquaculture.** Goal 1 of Chapter 1 recommends that Michigan should “prevent the introduction of new aquatic invasive species.” However, page 34 later states: “Aquaculture is another area that could thrive based on Michigan’s plentiful water supply and high water quality. . . . [I]ndustry and the state should continue to support closed-loop or recirculating systems.” In light of clear risks, and given the goal of not introducing new aquatic invasives, MEC would request this statement be amended with the following: “while simultaneously ensuring that open-water, net-pen aquaculture is not permitted in the Great Lakes or its connecting waterways, due to the high risk associated with the potential for pollution, escapement of new aquatic invasive species, heavy nutrient loading, and other known risks associated with large-scale fish farming operations in open, freshwater environments.” Similarly, we would ask that “aquaculture technology and related opportunities” be removed as an implementation metric from Goal 5, Rec. 1 unless targeted specifically to closed-loop, recirculating systems located on land.
- **Water affordability.** MEC applauds the inclusion of a recommendation focused on water affordability (Goal 6, Rec. 3). However, as pointed out during public comments at the Detroit hearing on the water strategy, there are likely more concrete actions that can be recommended to address immediate concerns about water shutoffs and accessibility of clean water to the most vulnerable. Several examples of best practices were included during public comments that should be evaluated for inclusion. In addition, language on Page 37 (“While water as a resource may be free, there are costs associated with managing Michigan’s water resources to ensure that water is of high quality and available for human uses”) should be reexamined. For those who cannot afford to pay for access to clean water, it likely matters little whether the barrier is the cost of the water or the cost of the infrastructure to deliver it.
- **Watershed approaches.** Watershed-level governance needs to be more explicitly empowered. This could be a new recommendation within governance (Goal 8, Rec. 3), but should also pull in authorities such as green infrastructure planning efforts at a larger, landscape scale (Goal 1, Rec. 14), regional economic strategies (Goal 3, Rec. 1) and regulation of land use (Goal 1, Rec. 9). This suggestion

reflects both the capacity of watershed-based organizations to do this work and also the need for a more proactive approach to managing the landscape level opportunities to protect watersheds and groundwater recharge before it is degraded. I.e., “Holistic watershed-based approaches that slow the movement of water across the landscape, increase infiltration capacity, reduce erosion, sediment, nutrient flow and wastewater discharges, and increase aquifer recharge are needed for long-term preservation on Michigan’s hydrology” (pg. 10).

- **Harbor Town program.** While the creation of a program to help market recreational harbor towns is laudable (Goal 4, Rec. 4), there are also similar fledgling initiatives within the DNR to create new programs to celebrate “Pure Michigan Trails,” water trails and “Pure Michigan Trail Towns.” MEC recommends combining all these initiatives into a single overarching program that highlights the best examples of Michigan communities linking to their recreational assets, as recommended by the Blue Ribbon Panel on Parks and Outdoor Recreation: “The state should develop a ‘Pure Michigan Places’ program based on the Trail Town® program pioneered in Pennsylvania and designed to operate like the Michigan Main Street program, which provides technical assistance and financial resources to communities that make physical and programmatic connections to nearby state and regional recreation facilities.”

Finally, we also think it’s worth noting that, from a strategic perspective, precautionary actions that protect existing functional aquatic ecosystems should probably take precedent over more innovative or even risky propositions for economic development. We support innovations in technology and want to see thriving business development and research around water conservation. However, we believe it’s better to focus on tackling the biggest challenges apparent now and taking a preventive approach to potential new sources of risk to the Great Lakes system, such as net-pen aquaculture, increased Great Lakes shipping, marketing of our abundant water to businesses that use a lot of it—all of which the water strategy touts as economic development opportunities.

### **Suggested Language and Structure Tweaks**

Lastly, there are few areas MEC believes that small tweaks in language could strengthen the document and improve it:

- The subset of priority recommendations in Table 1 should be more clearly cross-referenced to their parallel recommendations in Table 2. For example, the recommendation number from Table 2 could be included in Table 1, and where possible the actual wording of the language could be identical to reduce potential for confusion. It would also be worth considering pulling the “implementation metric” and “lead actor” categories into Table 1, and more explicitly tying each “measure of success” to a specific recommendation. This would make it easier to understand the connections between the recommendations and their outcomes (“measures of success”) and likely timeline (“implementation metric”). As an example, we were not able to discern from these charts what specific

- recommendations are being proposed to achieve the 40 percent reduction in phosphorous in Western Lake Erie (Goal 1), and the timeline for revisiting this measurement).
- Page 1: “The Strategy recognizes the core values identified with water are four-fold: economic, environmental, social, and cultural. All are equally important.” We feel the phrase “All are equally important” should be removed. On the very next page, another statement contradicts this assertion: “[W]ithout a healthy environment, human uses are diminished and fish and wildlife perish.” While we recognize the interdependency of these four areas, it is clear that they are not in actuality equal: environmental health is foundational to the other three; e.g., without an environment, there can exist neither economy nor society nor culture. The inverse is not true.
  - Page 3: “Federal, state, tribal and local regulation and restoration programs have made substantial progress in addressing this legacy [of contamination]. This network of programs and actions has been instrumental in reaching toward the goals of ensuring drinkable, swimmable and fishable waters.” This statement is probably too optimistic: legacy contamination remains one of the most serious threats to Michigan’s water (plumes, LUST, etc.) and we feel this statement to be somewhat misleading in light of later recommendations regarding the dire need for clean up funds, etc. MEC would like to see this statement revised to read: “Coordination of federal, state, tribal and local regulation and restoration programs can help address this challenging legacy of contamination which continues to put Michigan’s water at risk. This network of programs and actions has been instrumental in clarifying the actions and resources needed to ensure drinkable, swimmable and fishable waters as established. . . For example, recent investments by the federal government through the GLRI have accelerated. . .”
  - “Ideation” on page 4 is not a term commonly understood. Consider deleting, as “invention and innovation” would seem to cover similar ground.

Again, we applaud the Office of the Great Lakes on this draft document and look forward to an exciting summer of engagement and conversation to advance this important work. As the report makes clear, Michigan is defined by water, and that water needs our collective efforts to meet its full economic and environmental potential.

Thank you for the opportunity to put in comments, and we look forward to working with OGL in the upcoming implementation of this strategy

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