

Legislative Analysis



WATER USE ADVISORY COUNCIL

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House Bill 6123 as introduced
Sponsor: Rep. Scott VanSingel
Committee: Natural Resources
Complete to 9-25-18

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 6123 would amend Part 328 (Aquifer Protection) within the Natural Resources and Environmental Protection Act (NREPA) to replace the current Water Resources Conservation Advisory Council with the newly created Water Use Advisory Council.

Similarly to the current Water Resources Conservation Advisory Council, the new Water Use Advisory Council would consist of 22 members from various industries and state departments. However, the following changes would occur:

- The new council would be created within the Department of Environmental Quality (DEQ), instead of the Department of Natural Resources (DNR), where the current council was formed.
- The current council membership for an individual with knowledge and expertise in limnology (the study of the biological, chemical, and physical features of lakes and other bodies of fresh water) would be replaced with a membership for an individual *representing wetlands conservation*.
- The membership for an individual representing the general public would be replaced with a membership for an individual representing *local watershed councils*.

Additionally, various reporting requirements, studies, and testing of the assessment tool would be eliminated under the bill, and references would be added for assessment tool requirements under Part 327 (Great Lakes Preservation). The bill would eliminate a requirement that the council study and make recommendations as to how the definition of adverse resource impact in Section 32701 should be modified to more specifically address potential impacts of large quantity withdrawals on the Great Lakes, inland lakes, and other aquatic systems.

The bill would add different reporting requirements to require the council to make recommendations to the DEQ, the Department of Agriculture and Rural Development (MDARD), the DNR, and the legislature on the implementation of Part 327, as well as study and make recommendations, as needed or as requested by the DEQ or the relevant standing committees of the legislature, regarding the development and refinement of the water withdrawal assessment process contained in Part 327.

Finally, the council would be required to provide a report at least every two years to the Senate Majority Leader, Speaker of the House of Representatives, and the standing committees of the legislature primarily related to natural resources and the environment

regarding how the water withdrawal assessment process could be improved. The report would have to contain specific recommendations, including on the process of assessing adverse resource impacts.

The bill would take effect 90 days after enactment.

MCL 324.32801 and 324.32803

FISCAL IMPACT:

House Bill 6123 would not affect costs or revenues for the Department of Environmental Quality or local governments.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.