

Agricultural Water Use

- I am a family farmer (___ generations, scope of farm), and water is essential to ensure a safe, abundant and affordable food supply.
- Agriculture is a partner to responsible water use and has been involved in Michigan's science-based process in the Water Withdrawal Assessment Tool since it was developed.
- The agriculture industry was one of the first groups of water users to adopt water management practices.
- The proposed bill will help all water users, including farmers, ensure our water use will not cause adverse resource impacts to streams by working with professional hydrologists to submit data analysis to DEQ, if analysis of my proposed withdrawal shows it is likely to cause an adverse resource impact, I can't move forward with it.
- Our member-developed policy supports data collection and model enhancement; taking advantage of privately collected data to refine the tool and account for regional variability.

Need for the Legislation

- The challenge – from DEQ's own data – is that the number of applications that are subject to the Site Specific Review process under the Tool has increased from 19 to 35% of proposed water uses in the last 8 years, and the average time DEQ takes to review them has more than tripled.
 - Family farmers working through today's process might spend tens of thousands of dollars satisfying the agency's requests for data with no clarity how or what will answer the question of whether their proposed use will cause what's called an "adverse resource impact" – a negative impact to a stream.
 - DEQ's staff are overwhelmed and need the ability to get back to their essential job of reviewing and ensuring water uses will not cause an adverse resource impact.

DEQ retains Authority to stop an Adverse Resource Impact (ARI)

- Concerns that this bill would weaken DEQ's authority are just not true:
 - DEQ will still have the same ability to deny any water use likely to cause an adverse resource impact.
 - Hydrologist/hydrogeologists put their certifications and reputations on the line when they submit data and analysis.
 - Farmers invest too much money in water we need for food production to put in a well we know would cause a negative impact and which DEQ would still be able to stop if it was likely to cause an impact

Data Collection/FOIA Protections

- This proposed bill will strengthen the science around water use because it will support real, on-the-ground data collection by qualified professionals that will be submitted to DEQ who will still have the ability to deny any use likely to cause a negative impact.
- It is true this proposed bill exempts the data farmers collect from the Freedom of Information Act. DEQ still gets the data, but it is highly important for food safety and security for that data to not be made available to the public. A farm's water supply is one of its most vulnerable access points by anyone meaning to do harm, and detailed knowledge about that specific site's water and geologic conditions could provide that access. Farm information is protected from FOIA in other sections of the Great Lakes Preservation part of our law, and this addition is consistent with that need to protect water data on farms.