

# Michigan Department of Environmental Quality

---

Kim Fish

Water Resources Division

Michigan Wetland Association Conference

September 27, 2017

# DEQ Mission

The Michigan Department of Environmental Quality promotes wise management of Michigan's air, land, and water resources to support a sustainable environment, healthy communities, and vibrant economy.

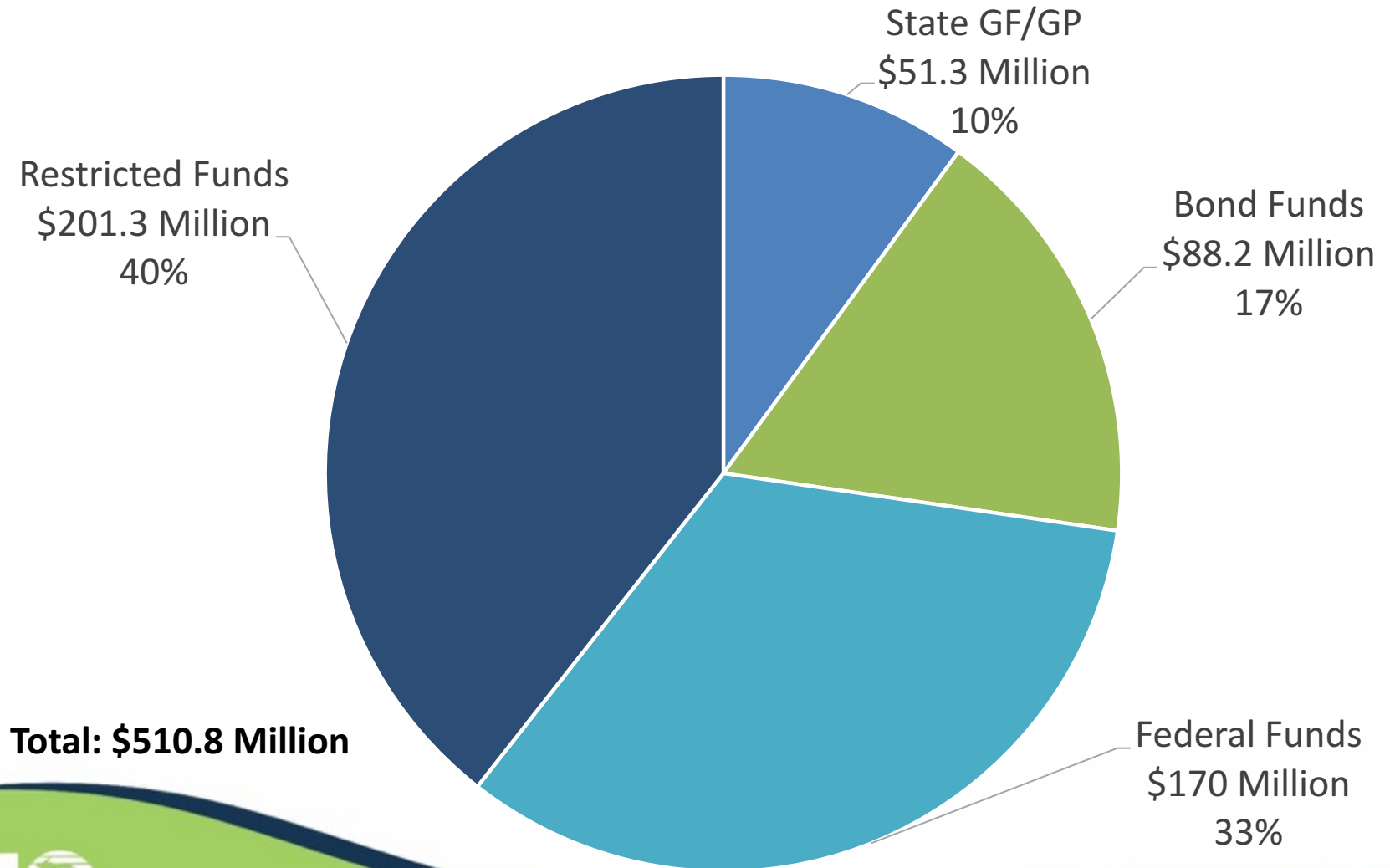


# 2017 DEQ Priorities

- Protect Public Health & Environment
- Assist Michigan Communities with addressing Infrastructure Needs
- Build External Partnerships to Address Michigan's Environmental Issues



# Funding the MDEQ



# Budget Challenges

- Depletion of bond dollars
- Uncertainty of federal dollars
- Lack of champions supporting DEQ's budget
- No new fees or fee increases pledges
- “My fee, my program” mentality
- Less pollution= Less money

# Legislative and Regulatory Priorities

---

- Michigan Lead and Copper Rule
- Cleanup Criteria
- Waste Management statute
- Michigan's 404 Program

# State and Federal Relationship

---

If EPA puts more responsibility on the States to implement environmental protection, is Michigan ready and willing to step up the plate?

# What we are working on...

---

- Nestle Permit
- Enbridge's Line 5 pipeline
- Lake Erie
- Flint Recovery
- Environmental Justice
- 21<sup>st</sup> Century Infrastructure



# Water Resources Division

- Protect and Monitor
  - 4 Great Lakes and Lake St. Clair
  - 11,000 Inland Lakes
  - 36,000 river miles
  - 6.5 million acres of wetlands
  - 74,000 acres of coastal dunes
  - Groundwater



For swimming, fishing, and aquatic ecosystems.

# Enbridge Line 5 Pipeline

- Pending Line 5 supports application
- Michigan Pipeline Safety Advisory Board
- Enbridge found “holidays” in protective pipe coating

# LAKE ERIE

- What is the problem?
  - Too much algae
  - Toxins produced by blue-green algae
- What is the solution?
  - Reduce phosphorus
  - Comprehensive plan
  - Adaptive management



# LAKE ERIE - PLAN

- Key strategies
  - Point source reductions
  - Restore and improve wetlands
  - Improve, update, and modernize farm operations
  - Support research
  - Adaptive management
- Schedule
  - Public comment – June 12 through July 14
  - Final Michigan Domestic Action Plan – late summer/early fall
  - Comprehensive U.S. and Canadian Plans – February 2018

# Monitoring our Beaches

## What's Going on With qPCR in Michigan?

- State of Michigan provided \$100,000 in FY 2014 and \$500,000 in FY 2015 for:
  - Equipment and Training for 11 new qPCR labs
- Goal is to build capacity for using qPCR methods for monitoring recreational water quality
  - Results in hours
  - Also potential for molecular source tracking
- HAB Monitoring
  - Targeted and complaint response



# Our Network of Michigan qPCR Labs

Marquette Area Wastewater Treatment Plant  
Lake Superior State University  
Northwest Michigan Regional Lab  
NPS- Sleeping Bear Dunes  
Central Michigan Health District  
Ferris State University  
Saginaw County Department of Public Health  
Saginaw Valley State University  
Grand Valley State University  
Hope College  
Kalamazoo County Health & Community Services  
Michigan State University  
USGS - Lansing  
Oakland County Health Department  
Oakland University





# MiWaters

File Edit View Favorites Tools Help

System Dashboard - JIRA MicSC - Gateway MiWaters - Home nSpect - Inspection List Pages - DEQHome Suggested Sites Upstairs Scanner

Home About Contact Sign Out Milgov Ho

DEQ MiWaters Water Resources Information and Forms

MiWaters – Water Resources Information and Forms  
Create and manage **Permit Applications** and **Service Requests**

Why Create a MiWaters Account?

If you are planning on any of the following:

- ... Building on a sensitive area, such as a **dune** or a **wetland**?
- ... **Discharging wastewater** of any kind?
- ... Applying **pesticides** to a **water body**?

... or similar activities, you'll need to [create a MiWaters account](#).

Logged in as **Jerrod Sanders**

CONTINUE TO MIWATERS APPLICATION

[Sign in as a different user](#)

Public Information and Services  
Keep informed with our online tools — **no account necessary**

SITE MAP EXPLORER

PUBLIC NOTICE SEARCH

REPORT SPILLS, POLLUTION, UNAUTHORIZED ACTIVITIES



# MiWaters

- Basics:
  - Web-based
  - Serves external customers, internal staff, and the general public
  - Went live in August 2015
  - Replaced 25+ existing databases
- Includes 5 permitting programs
  - National Pollutant Discharge Elimination System (NPDES)
  - Groundwater Discharge
  - Part 41 Construction
  - Aquatic Nuisance Control (ANC)
  - Resource consolidated permits (JPA)



# Ongoing MiWaters Efforts

- Benefits
  - Permits, inspections, financials, compliance, and filing all in one place
  - Anywhere, anytime access
  - Tracking and reminders
  - Modern cyber security protections
- Ongoing and planned upgrades (~bimonthly releases)
  - Forms and user submissions
  - Public access to information
  - Permit processing efficiencies
  - Queries and data extraction

# **“Waters of the United States”**

## **Cooperative Federalism**

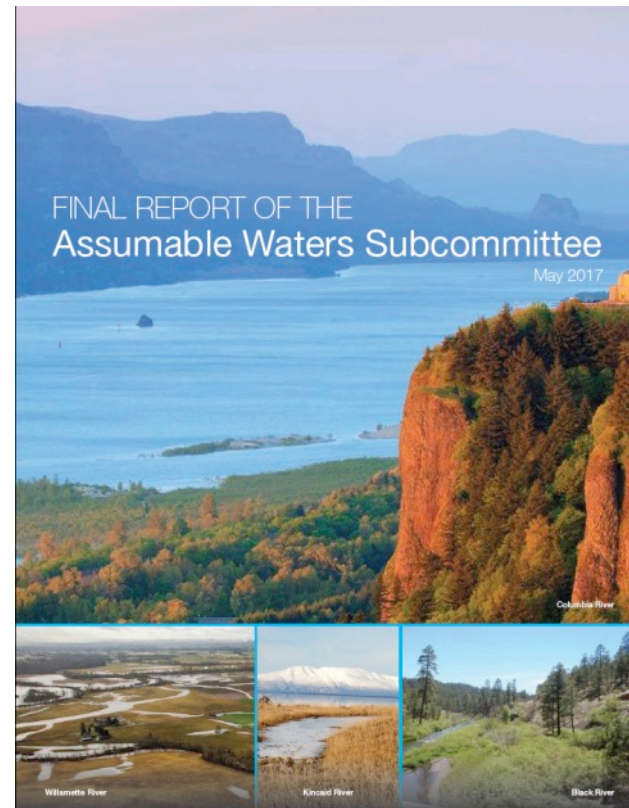
- Does WOTUS impact Michigan? Yes and No
- Michigan statutes define “waters of the state”, “inland lakes and streams” and “wetlands”
- Michigan has delegated (assumed) authority under Clean Water Act Sections 402 and 404
- EPA oversight with minimum standards
- “no more stringent than federal” proposals

# 404 Assumption

WRD was selected to represent Michigan on an EPA Advisory Committee.

Committee worked for 2 years looking at what waters/wetlands should states/tribes be able to assume.

The final report was published this year.



[www.epa.gov/cwa-404/assumable-waters-sub-committee](http://www.epa.gov/cwa-404/assumable-waters-sub-committee)

# Why It's Important to Maintain Michigan's 404 Program

- ✓ Provides clear consistent regulation
- ✓ Provides faster permit decisions
- ✓ Reduces regulatory burden for permit applicants



- ✓ Maintains state control while remaining consistent with federal regulations
- ✓ Provides regulated community better access to the permit decision makers
- ✓ Provides more public oversight of regulatory decisions
- ✓ Provides a fair impartial appeal process



# Wetland Program Status

- 2010 Wetland Advisory Council was created
- August 2012 Wetland Advisory Council issued final report
- July 2013 Public Act 98 was signed into law
- December 2016 EPA completed review of Public Act 98
- DEQ is working with stakeholders to develop fixes for EPA's concerns



Questions?

