

**Michigan Section AWWA
Water Utility Committee
Meeting Minutes
August 10, 2005**

Meeting held at MDEQ Constitution Hall, Lansing, Michigan.

Attendees: D. Benoit, J. Caron, P. Clark, J. Cleland, J. Fivas, J. Hauser, D. Koch (Co-chair), B. Maier, M. Quinnell, D. Schendel, J. Van Uffelen, C. Van Der Kolk, J. Wierenga, K. Zarzecki

Recorded by: J. Van Uffelen, D. Koch

- A. Meeting called to order at 10:06 a.m.
- B. Preliminary Matters
 - 1. New members Jan Hauser and Dave Schendel were welcomed to the committee.
 - 2. Chair Position - Due to D. Koch's commitments to the Section Chair position and B. Veneklasen's work duties, the current co-chairs will be relinquishing their duties as and asked the other committee members to consider their own interest in the chair position. Committee members voiced support and thanks for Bob and Dave's efforts.
- C. Prior Meeting Minutes - Upon motion by Chuck Van Der Kolk with support from Patsy Clark, the minutes of the prior meeting were approved with minor corrections. Motion passed.
- D. Unfinished Business
 - 1. Water Withdrawal Legislation Update:
 - a. Water Policy Workgroup: B. Maier, J. Cleland, and K. Zarzecki provided a recap of the last meeting, which was meant to review DEQ's proposed Inland Lakes and Streams Act rules modifications. Due to many unknowns in the proposed rules, not much was accomplished. Next meeting is scheduled for August 19, for a presentation by Paul Seelbach on protection of trout streams and impacts of groundwater/surface water withdrawals. B. Maier likely to attend.
 - b. Water Legacy Act Bill Status – Still no movement on SB7/HB4151. Senate committee hearings may be a precursor to Republican sponsored bills.
 - c. Senate Committee Hearings – Senate Natural Resources Committee held state-wide hearings at various locations. The Section Chair provided testimony at the Saugatuck hearing based on the Board adopted Water Use Policy Position Statement. Several WUC members also provided testimony at the Saginaw hearing. Discussion was held on the need for additional testimony as discussed at previous meetings. P. Clark recommended that members meet with their individual representatives to discuss water withdrawal legislation to avoid a perception of trade group (vs. constituents in the water industry). K. Zarzecki/C. Van Der Kolk suggested that utilities need simple, basic points to communicate to our representatives regarding the bill's impact on utilities. Patsy volunteered to draft a one-page version of the key points.
 - d. Annex Implementing Agreements – D. Koch reviewed a draft of the Section's comments on the Annex Implementing Agreements, and solicited comment and input from committee members. He requested that all additional comments be provided to him by Friday August 12 at 4:00 PM. Additional hearings will be held on this topic and several members will be attending. The Section Chair will provide summary testimony of the Section's comments at the scheduled August 23 Public Hearing.
 - e. A discussion about the proposed legislation followed regarding the economic impact of the proposals. The members agreed that legislation that encourages wise water use and cost effective practices was preferred over mandated water reductions. Some differences of opinion were expressed regarding the Section's approach in opposing the legislation – do we oppose in totality or do we seek to rid the bill of its most onerous points.

2. De-Engineering of MDEQ – D. Koch reported that there has been no recent progress on this issue due to attention to Annex; however, efforts on a draft letter will continue, with the goal of Board support for sending to DEQ. J. Fivas reported that MML is attempting to get monthly meetings with the DEQ director, which is an opportunity to bring forth our concerns.
 3. Regulatory Summary Sheet – D. Benoit summarized progress toward document to post on the Section’s website and regularly update. Water Treatment Practices Committee is assisting in this effort, and D. Benoit will bring to the WUC once further developed.
 4. Legislative Reception – The reception is scheduled for September 20, 2005, 11 am to 1 pm at the Capitol building. P. Clark reported on the planning committee’s progress. An invitation has been prepared by MML, which will be hand delivered. A follow-up invitation will be extended with a packet of information for the legislators. The key to the success of this reception is getting your legislators there. Please contact your representatives and plan to be there. MML will collect the RSVP’s. Please inform Patsy as to whether and when you’ve invited your members.
 5. Other – Discussion was held on how best to track bills of interest as they are introduced; WUC will rely on MML.
- E. New Business
1. Lead Legislation – D. Schendel has agreed to lead a subcommittee to track proposed lead legislation. He explained that SB546 focuses on schools and day care centers and SB547 is more troublesome that would result in increased/redundant (to Federal legislation) monitoring and redefine public education. Neither bill appears to have impetus for moving forward. He also discussed legislation under consideration at the federal level. D. Schendel and P. Clark will be meeting with Senator _____ this afternoon for further discussion. The subcommittee will draft a position statement for the committee’s consideration. J. Cleland indicated that he is part of an EPA stakeholders group on LCR short-term changes, and will keep the committee informed.
 2. Legislative Lunch – To ensure success, a Planning Subcommittee for the legislative luncheon at Joint Expo will need to be appointed by the next WUC meeting; volunteers are needed.
 3. Other Regulatory Issues – State
 - a. Part 31 Rulemaking Changes: Legislative approval will be required for any Part 31 rule changes made after October 1, 2006; meaning lobbying efforts will be more important.
 4. Other Regulatory Issues – Federal – AWWA bulletins and information have been circulated via e-mail to the WUC members; the WUC will rely on Int’l AWWA Government Affairs to represent our interests on these and most federal level proposed legislation:
 - a. Water Infrastructure Financing Act
 - b. Effluent from Drinking Water Plants
 5. Contact Information for Legislators to Membership – J. Caron will investigate ways to help members identify their legislators, and develop an article on the subject for the next issue of Water Works News.
 6. Public Works Mutual Aid Protections – V. Ferrarese asked in absentia if any WUC members were aware of pending or proposed legislation on mutual aid protections for public works. No attendees were aware of any such actions, and Vince will be asked for additional details.
 7. Other:
 - a. C. Van Der Kolk reported on successful AWWA efforts toward eliminating the MTBE “safe harbor” in energy legislation on the national level, and on recent research studies showing low correlation of THM’s and miscarriages, possibly providing for favorable impacts on future DBP legislation/rules.
- F. Upcoming Meeting Schedule – Upcoming meetings scheduled for November 9, 2005 and February 15, May 10, and August 9, 2006.
- G. Meeting adjourned at 12:41 p.m.