



CANADIAN ENVIRONMENTAL LAW ASSOCIATION
L'ASSOCIATION CANADIENNE DU DROIT DE L'ENVIRONNEMENT

July 15, 2009

Sent by e-mail to fisherb@michigan.gov

Brant O. Fisher
Water Withdrawal and Contamination Investigation Unit
Drinking Water and Environmental Health Section
Water Bureau
Michigan Department of Environmental Quality
Box 30273
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Re: Comments on Genesee County, Michigan Water Proposal: Review under Great Lakes Charter

Dear Mr. Fisher:

Genesee County's proposal to build a pipeline to withdraw 15.5 billion gallons of water a year from Lake Huron is not an acceptable solution to the water needs of the communities that this system would serve.

In 1997 Great Lakes United and the Canadian Environmental Law Association published a report *The Fate of the Great Lakes: Sustaining or Draining the Sweetwater Seas?*. That report, which in part stimulated the negotiations that led to the Great Lakes St. Lawrence River Regional Agreement and the Great Lakes Compact, concluded that Basin communities were a very big part of the threats to the system because of their unbridled wasting and unnecessary overuse of the water. Genesee County's proposal is completely out of step with the intent of the Regional Agreement and the Great Lakes Compact.

Our reasons for arriving at the conclusion that Michigan should reject the Genesee County proposal are as follows:

- 1. The proposal would increase water withdrawal and consumptive use from Lake Huron:** Genesee County asserts that there would be no change in total water taken from Lake Huron because these communities are already being

supplied by Detroit's pipeline to Lake Huron. For example, on page 10 of their application supplemental data dated February 11, 2009, they state: "In effect the withdrawal does not change nor does the contribution back to the watershed, therefore no significant change is anticipated." This statement is misleading. The application does not indicate that there will be a reduction in the water taken from Lake Huron through the Detroit Water & Sewerage Department's pipeline – the system that currently supplies Genesee County and its neighbouring communities. It is an additional straw into the Great Lakes – not a straw replacing one being taken out.

- 2. The proposal would fail to correct problems with current water system:** Genesee County states that a positive outcome of their building a new pipeline is that it will have less than a 5% loss of water due to leaks and water treatment backwash in comparison with Detroit's older Lake Huron pipeline system, which has a 20% water loss [p. 9 of application supplemental data]. Building a new Genesee County pipeline doesn't solve this problem with the existing pipeline since it does not replace or fix the current badly leaking system. Instead of public money being put into building a new pipeline, it should go into fixing an existing badly leaking system.
- 3. The proposal would dramatically increase water withdrawal and consumption by the Genesee County system and its users:** The Genesee County application is based upon projected substantial increases in water demand [p. 4 of application supplemental data]. Their projected increase for maximum daily demand between 2014 and 2039 is a shocking 42%. They then proceed to apply for a water pipeline with a capacity greater than their projected maximum daily demand – 85 mgd in contrast with their projected 78.7 mgd demand. Building a water supply based on exceeding maximum daily demand is an out-dated approach to deciding on water supply needs. A modern approach is one that focuses on finding ways to decrease maximum daily demand.
- 4. The proposal does not provide a water conservation and efficiency plan:** Page 9 of the application supplemental data briefly describes the conservation activities Genesee County and those it serves are currently undertaking. The application does not, however, proceed to describe how they plan to improve water conservation in the communities they serve. No targets are provided for water use reduction either per capita or for the system as a whole. It is unacceptable to build a new water supply system without an aggressive water conservation program.

For the reasons just stated, we have concluded that it is inappropriate for the State of Michigan to approve this application.

Instead, we urge the State of Michigan to take corrective action to the problems that currently exist with the Detroit Water & Sewerage Department's Lake Huron pipeline, especially to address the current estimated 20% water loss in the system.

Yours sincerely,



John Jackson

Program Director
Great Lakes United

Co-signed by:

Theresa McClenaghan

Executive Director
Canadian Environmental Law
Association

Kristy Meyer

*Director of Agricultural and Clean Water
Programs*
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