



Ensuring the Waters of the Great Lakes Basin Are
Healthy, Public, and Protected for All

April 18, 2022

Andrew LeBaron
Water Resources Division
Michigan Department of Environment, Great Lakes and Energy
P.O. Box 30458
Lansing, Michigan 48909-7958

By Electronic Mail
LeBaronA@Michigan.gov

RE: Consumers Energy Company
Part 327 NREPA Water Withdrawal Permit Application

Dear Mr. LeBaron:

The volume and nature of the Consumers Energy Company's proposed water withdrawal of greater than two million gallons per day (MGD) at its natural gas generating station (JGS) in Jackson, Michigan warrants a close look by your agency. Implementation of the full authorities of the Great Lakes Compact is essential in this precedent-setting permit.

We have concerns about several features of the draft permit:

Consumptive use and conservation: The applicant states that approximately 17 percent of the water withdrawn will be discharged to the Grand River through the city of Jackson Wastewater Treatment Plant, with 83 percent evaporated through the JGS cooling towers. Because of the extraordinarily large volume of the withdrawal and the high percentage of consumptive use, volume estimates should be provided for each conservation measure implemented at the facility itself, not company-wide, in the documentation accompanying the permit.

Interference with neighboring wells: The applicant seeks an annual withdrawal of up to 2.76 MGD. A computer model was developed, calibrated, and run at 7.88 MGD. This supply rate is 0.88 above the historic average, and would include the 2.76 MGD for the JGS wells, and 5.12 MGD from the Jackson wells. This increase in total supply would create drawdown, estimated at 5-10 feet surrounding JGS. This will negatively affect some private wells.

The contingency plan mentioned in the Executive Summary and on Attachment C of the consultant's report seems sound, but only if Consumers Energy strictly adheres to it. We recommend a permit condition requiring Consumers to report no less than annually on wells, if

any, that are negatively impacted by its withdrawal and what steps are taken to resolve the problem.

Tracking and Volume Reduction: The applicant should be required to monitor and report water levels in its production wells and the monitoring well completed in the Marshall Aquifer (OW2D) and report water withdrawal rates on a weekly basis. If the withdrawal approaches or exceeds the projected 124 million gallon threshold for the month of August, the permit should include a condition, acknowledged by the applicant, that it will reduce the daily withdrawal upon request by EGLE to be consistent with provisions of the Great Lakes Compact that the Proposal will result in no significant individual or cumulative adverse impacts to the quantity or quality of the Waters and Water Dependent Natural Resources and the applicable Source Watershed. The above definition should be construed so as to include impacts on regional groundwater.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Liz Kirkwood". The signature is fluid and cursive, with the first name "Liz" being more prominent and stylized.

Liz Kirkwood
Executive Director
FLOW (For Love of Water)

cc: EGLE Director Liesl Clark
Attorney General Dana Nessel