



## MICHIGAN LEAGUE OF CONSERVATION VOTERS

**Date:** January 18, 2024  
**To:** Members of the Michigan House Natural Resources, Environment, Tourism, and Outdoor Recreation Committee  
**From:** Chris Semrinec, State Government Affairs Coordinator  
**Re:** **SUPPORT HB 5205: EGLE Part 31 Rulemaking Authority**

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Chairwoman Pohutsky and Members of the Natural Resources, Environment, Tourism, and Outdoor Recreation Committee:

Thank you for the opportunity for Michigan LCV to express its support for House bill 5205 to restore EGLE's rulemaking authority under Part 31 of the Natural Resources and Environmental Protection Act (NREPA).

In 2006, Part 31 of NREPA, which prescribes rules for water resources protection in the state, was amended. This change stripped EGLE of its rulemaking authority over water resources protection; we believe that authority should be restored so that the department can properly oversee Michigan's water resources, prevent contamination, manage surface water standards and the state's floodplain program.

**Allowing EGLE rule promulgation under Part 31 will improve environmental and public health**  
Part 31 of NREPA states, "The department shall protect and conserve the water resources of the state and shall have control of the pollution of surface or underground waters of the state..." In order for the department to uphold its duty under NREPA, it is important that the state has the flexibility to update the state's practices to match improving science and technology in the wake of emerging contaminants such as polyfluoroalkyl substances (PFAs) and E. Coli contamination, which has contaminated over 11,000 sites in Michigan. According to the Agency for Toxic Substances and Disease Registry, increased exposure to these contaminants can lead to negative health effects such as kidney and testicular cancer, changes in liver enzymes, and increased risk of high blood pressure and pre-eclampsia in pregnant women. Passing this legislation is imperative to allow EGLE to mitigate the extreme negative effects this harmful pollution may cause.

**Setting surface water quality standards will improve the health of the Great Lakes**

Uncontrolled nutrient loading of phosphorus and nitrogen in Michigan has led to expansive eutrophication, or the excessive richness of nutrients in a body of water. In the Great Lakes, and especially Lake Erie, this has caused an increase in harmful algal blooms that negatively impact surface water quality. In addition to environmental harms, human contact with algal blooms can lead to numerous health concerns and the economic impact on Michigan's fishing and tourism industry is extreme. In a study compiled by the University of Michigan, harmful algal blooms in Lake Erie alone cause approximately \$82 million in economic losses each year based on losses in fishing and tourism. Federal standards for these nutrients have been set by the Environmental Protection Agency, however, EGLE currently has no rulemaking authority over the excessive presence of these nutrients in the Great Lakes, despite being required by law to protect them.



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**Part 31 rule promulgation is necessary to maintain Michigan's floodplain insurance program**

Given the unique geography of our state, a critically important program available to residents is the National Flood Insurance Program. This federal program is available to states that agree to manage their floodplains in such a manner that additional flood prone structures are not built. According to EGLE, an estimated 6% of land in Michigan is prone to flooding, which includes roughly 200,000 buildings. In order for the State of Michigan to continue offering this necessary program to residents, EGLE must hold the power to make amendments to floodplain maps and standards in order to comply with federal regulations.

Thank you again for allowing Michigan LCV to express our support for re-establishing EGLE's rule-making authority under Part 31 of NREPA and we urge you to pass this legislation. Please do not hesitate to contact our organization to provide clarification or further detail about our support for HB 5205.

Respectfully,

A handwritten signature in black ink, appearing to read "Chris Semrinec", written in a cursive style.

Chris Semrinec  
State Government Affairs Coordinator  
Michigan League of Conservation Voters