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WELLHEAD PROTECTION

House Bill 5115 (Substitute H-1) **RECEIVED**
First Analysis (3-5-90)

Sponsor: Rep. James A. Kosteva
Committee: Towns and Counties

MAR 21 1990

Mich. State Law Library

THE APPARENT PROBLEM:

Groundwater contamination is a serious problem. In Michigan, almost half of the state's drinking water supplies are from groundwater sources, and yet most of the contamination sites on the state's "Superfund" list (the list of known sites of environmental contamination that is compiled annually under the Michigan Environmental Response Act) involve groundwater contamination.

Following 1986 amendments to the federal Safe Drinking Water Act, in 1987 the Michigan House of Representatives held a series of legislative seminars on groundwater protection to review existing state groundwater protection programs and to examine requirements for state action under the new federal amendments. In December 1987, the House Ad Hoc Committee on Groundwater Protection issued a report making a number of recommendations to provide and to support groundwater protection.

THE CONTENT OF THE BILL:

The bill would amend the Township Rural Zoning act to require that when a township board updated its master plan or a zoning ordinance, it consider incorporating wellhead protection measures ("measures to protect from contamination groundwater that supplies or may in the future supply a drinking water well") in that update.

MCL 125.273a

BACKGROUND INFORMATION:

Two related bills (House Bills 5104 and 5105), which would amend the county and city zoning laws in a similar way, were passed by the House of Representatives on February 22, 1990 and referred to the Senate Committee on Local Government and Veterans.

FISCAL IMPLICATIONS:

The Department of Public Health says that there may be fiscal implications (of an unknown amount) for the Departments of Public Health and Natural Resources if townships decided to implement wellhead protection measures under the bills and requested technical assistance from the departments. (10-16-89)

ARGUMENTS:

For:

As with many problems, the problem of groundwater contamination is best handled by preventing it from occurring in the first place. One way to prevent (or lessen) groundwater contamination is through proper planning and zoning. The bill would not require townships to implement wellhead protection measures, but by requiring townships to consider protection of wells whenever they updated their master plans or amended their zoning ordinances, the bill would encourage planning and zoning that better protected groundwater resources.

POSITIONS:

The Michigan Township Association supports the bill. (3-2-90)

H.B. 5115 (3-5-90)