Managing water use from the Great Lakes-St. Lawrence River Basin

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Mission: To encourage and facilitate environmentally responsible economic growth

Governors of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin

Premiers of Ontario and Québec
Legal Framework

- Boundary Waters Treaty (1909)
- State and Provincial Programs
- Great Lakes Charter (1985)
- Water Resources Development Act (1986)
- Great Lakes—St. Lawrence River Basin Sustainable Water Resources Agreement and Compact (2005)
Impetus for New Protections

1998 – Nova Group proposal

1999 – Lower lake levels

2000 – WRDA amendments, IJC report

2001 – Great Lakes Charter Annex
Development of New Protections

Governors’ and Premiers’ leadership

State/Provincial Working Group

Advisory/Resource Group

Tribes/First Nations

Public Involvement
Development of New Protections

“It is a textbook example of collaboration—two nations, multiple jurisdictions, NGOs, agriculture and industry—all working together for the greater good of the Lakes.”

USEPA Administrator Michael Leavitt, 2004
Great Lakes – St. Lawrence River Basin Sustainable Water Resources Agreement of 2005

- Good-faith agreement among the Great Lakes Governors and Premiers
- Created Regional Body
- State and Provincial implementation
  - Provincial action
- Interstate Compact
Great Lakes – St. Lawrence River Basin Water Resources Compact

- Legally enforceable contract among the Great Lakes States
- Created Compact Council
- Implementation
  - Ratification by State legislatures (2006-2008)
Minnesota: Enacted into law
Governor Pawlenty signed on February 20, 2007

Illinois: Enacted into law
Governor Blagojevich signed on August 17, 2007

Indiana: Enacted into law
Governor Daniels signed on February 20, 2008

New York: Enacted into law
Governor Spitzer signed on March 4, 2008
State Ratification

**Wisconsin:** Enacted into law  
Governor Doyle signed on May 27, 2008

**Ohio:** Enacted into law  
Governor Strickland signed on June 27, 2008

**Pennsylvania:** Enacted into law  
Governor Rendell signed on July 4, 2008

**Michigan:** Enacted into law  
Governor Granholm signed on July 9, 2008

**OVER 95% OF ALL LEGISLATORS VOTED FOR THE COMPACT**

Conference of Great Lakes and St. Lawrence Governors and Premiers
Congressional Consent


U.S. Senate
• Lead sponsors
  Senator Carl Levin (D-MI),
  Senator George V. Voinovich (R-OH)
August 1, 2008--Passed by Unanimous Consent

U.S. House of Representatives
• Lead sponsors
  Representative James L. Oberstar (D-MN)
  Representative Vern Ehlers (R-MI)
  Representative John Conyers (D-MI)
  Representative Steven C. LaTourette (R-OH)
September 23, 2008--Passed 390-25

October 3, 2008--Signed by President Bush

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Agreement Implementation

**Ontario:** Enacted into law
- Bill 198, Royal Assent June 4, 2007
- Ontario Regulation 225/14, amended Ontario Regulation 387/04, effective January 1, 2015

**Québec:** Enacted into law
- Bill 27 (chapter C-6.2), Assented June 12, 2009
- Regulation chapter Q-2, r. 5.1, adopted June 22, 2011
- Regulation chapter C-6.2, adopted June 22, 2011
- Regulation chapter Q-2, r. 35.2, adopted July 16, 2014
Agreement and Compact

- Prohibits Diversions with exceptions
- In-Basin Uses
  - State management and regulation
  - Use of common decision making standard
  - State/Provincial flexibility for determining thresholds
- Water Conservation and Efficiency Goals, Objectives and Programs
- Common Water Use Reporting Protocols

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Withdrawals, Diversions and Consumptive Uses

- 2008--Baseline set for new or increased withdrawals, diversions and consumptive uses
- By 2013--States have in place programs to manage and regulate withdrawals and consumptive uses
- 2014—First State program reports submitted, with review by Regional Body/Compact Council
Conservation and Efficiency

- 2007/8--Regional objectives adopted, reaffirmed in 2014

- 2010--State, Provincial goals, objectives, programs in place
  - Consistent with regional goals and objectives
  - Regional review every 5 years

- Annual Assessments performed by States and Provinces

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Water Use Information

- 2009--New protocols adopted, implemented for 2011 data and beyond
- Ongoing collaboration with Great Lakes Commission, USGS and other partners
- Continued need for improved consumptive use information
- Improved information for cumulative impact assessment
Cumulative Impact Assessment

- First assessment completed in 2013
- Compares water uses to overall water budget
- Means for adaptive management
- Leads to review of decision making standard
Diversions

- 2008--All new or increased diversions prohibited

- Exceptions
  - Straddling communities
  - Communities in straddling counties
  - Intra-Basin transfers

- Exemptions
  - Ballast water
  - Short-term fire fighting
  - Humanitarian needs
City of Waukesha, Wisconsin Proposal for Great Lakes Water Supply

Requesting 10.1 MGD average day demand for planned water service area for full build-out (2050).

Source: City of Waukesha’s Application for Great Lakes Water Supply, Volume 2, 2013
Waukesha Regional Review Process

- Application forwarded to Regional Body/Compact Council by State of Wisconsin

- Public briefing describing proposal and process. Public comment period begins.

- Public Q&A Meeting/Public Hearing in Wisconsin.
Waukesha Regional Review Process (Continued)

- Meeting of the Regional Body and issuance of Declaration of Finding

- Meeting of the Compact Council and decision made on proposal

- Decision forwarded to State of Wisconsin; final decision and implementation
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