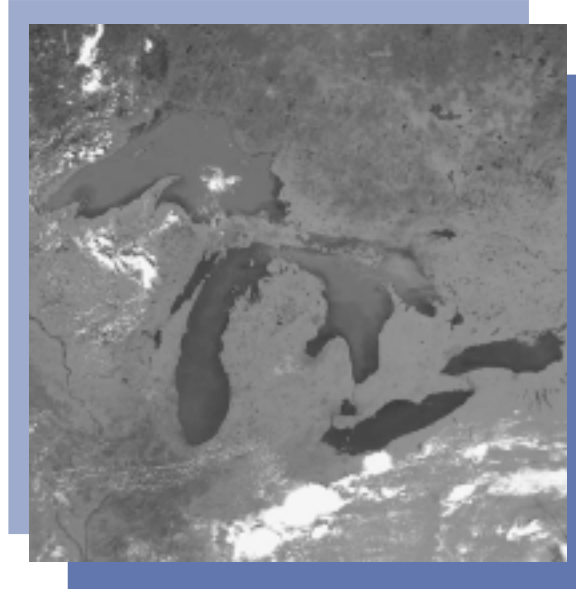


# Stateline

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Eight U.S. governors and two Canadian premiers signed agreements in December to ban most diversions of Great Lakes water outside the basin, better regulate inter-basin transfers and withdrawals, and require states and provinces to develop water-conservation plans. (photo: National Oceanic and Atmospheric Administration, Great Lakes Environmental Research Laboratory)



“There is still hard work to be done,” Doyle said.

The signing of the agreements, though, was hailed by the region’s leaders as a crucial step, one that marks a new era in Great Lakes protection.

“We’ve all been at least a little guilty of taking this incredible resource for granted in the past,” Ontario Premier Dalton McGuinty said at the signing ceremony.

“And we’ve all paid the price by having lakes that are dirty, lakes that are misused, and lakes that, from time to time, were mismanaged.

“We’ve been making up for lost time on both sides of the border, with a new attitude and respect for the five lakes.”

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## Plugging a hole

### New pacts strengthen ban on, regulation of water diversions

by Tim Anderson

Miles above the earth, Wisconsin Gov. Jim Doyle said in a December speech, the region’s state and provincial borders can’t be seen.

“All that is really visible, all that really matters, is the pristine blue waters of the Great Lakes,” he noted.

“It is from that perspective that we ultimately will be judged.”

That vision of the Great Lakes helped lead to what Doyle, seven other governors and two Canadian premiers believe are historic new agreements to protect the world’s largest fresh-water resource.

The culmination of years of multi-state, cross-border negotiations and cooperation, the agreements ban most new diversions of Great Lakes water outside the basin, develop a consistent standard to review inter-basin transfers and require each jurisdiction to implement water-conservation programs.

“I believe these documents will stand the test of time,” Ohio Gov. Bob Taft said.

But, as he and Doyle added, the process in many ways has just begun. The interstate compact must still be approved by legislatures in eight states and then receive the consent of the U.S. Congress.

### Drain on the ecosystem

The diversion of Great Lakes water has long been a concern for the region’s states and provinces. It also has occurred for decades.

In Chicago, for instance, drinking water from Lake Michigan is used, treated and then sent to the Mississippi River, and some suburbs outside the basin are allowed to tap into the Great Lakes.

Diversions like these are grandfathered into the new agreements.

What the governors and premiers want to stop is any future, large-scale plans that drain water away from the basin and threaten the valuable ecosystem.

“Only 1 percent of overall volume of the Great Lakes is replaced in any given year,” David Naftzger, executive director of the Council of Great Lakes Governors, said at the group’s Milwaukee meeting, where the agreements were signed.

“So we can expect that if significant diversions took place, we would begin to see a decline in lake levels and, of course, the subsequent impact.”

Much has been made about the potential for future withdrawals to water-hungry parts of the world, including American’s Southwest.

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# Withdrawals from, and within, Great Lakes basin addressed

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The impetus for the new agreements, in fact, was partly a response to a 1998 proposal in Ontario to withdraw and sell Lake Superior water overseas. The province ultimately revoked the permit, but the incident served as a reminder of the Great Lakes' value.

The region must protect its water, Doyle said, and keep it from being shipped to Arizona, New Mexico or elsewhere.

The agreements remove this diversion threat, though some experts say it is minimal because of the high costs associated with shipping water long distances.

Another type of withdrawal is more likely: sending the water to communities in this region that lie outside the Great Lakes basin.

Under the agreements, an exception to the diversion ban would be made for municipalities that either border the basin or are located in counties that straddle it.

Communities could only use the exceptions for

public water-supply purposes, and they would have to return all unused water to the basin.

Depending on the extent of the withdrawal and its location, a regional review of the proposal might be required.

In some instances, unanimous approval for the exception would have to be given by the various jurisdictions in the compact.

One example of a community outside the basin eyeing Great Lakes water is the town and county of Waukesha, Wis.

The fast-growing area would be eligible for the exception, so long as it decided to meet the agreements' various criteria.

"This will give them [local officials] a framework to go forward and make their case," Doyle said.

The agreements also set forth regulations on new or increased inter-basin transfers.

- A state or province must manage and regulate any new or increased withdrawal of 100,000

gallons per day or greater. In addition, other Great Lakes states and provinces must be notified about a proposal of this magnitude.

- A proposed withdrawal of 5 million gallons of water or more would be subject to regional review and approval by the compact states.

Taft said the new rules provide the states "with a common, enforceable standard for evaluating future proposals for new or increased uses of Great Lakes water."

Other aspects of the agreements include:

- strengthening the collection and sharing of technical data, which will provide states and provinces with better information as they make decisions about Great Lakes withdrawals and management;
- requiring each jurisdiction to develop water-conservation and efficiency programs; and
- developing a regionwide conservation and efficiency strategy that will be reviewed every five years.

## Bipartisan advantage

At the Milwaukee meeting, Doyle, a Democrat, and Taft, a Republican, both said they expect the agreements to pass through their respective legislatures by the end of 2006.

"We have good bipartisan support for it," Doyle added.

The years-long process that led to the agreements was coordinated by the Council of Great Lakes Governors, a nonpartisan partnership of governors from Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin as well as premiers from Ontario and Quebec.

Doyle and Taft served as the council's co-chairs in 2005.

While pushing for passage of the measures in their states, the two governors also pledged to work with the region's congressional delegation to secure the necessary federal support.

"These agreements represent the most significant, multi-state agreement in the world to collectively manage our shared natural resources," Doyle said.

They can be viewed online at [www.cglg.org](http://www.cglg.org).



(from left to right) Wisconsin Gov. Jim Doyle, Ohio Gov. Bob Taft and Ontario Premier Dalton McGuinty sign agreements in December to provide greater protections for the Great Lakes-St. Lawrence Basin. The pacts, which still must be approved by regional state legislatures and the U.S. Congress, address concerns about Great Lakes water conservation and diversions.

## Agreements focus on one of nine priorities to protect Great Lakes

In October 2003, under the leadership of Ohio Republican Gov. Bob Taft as chair of The Council of Great Lakes Governors, states established nine priority areas for restoring and protecting the Great Lakes.

The December signing of agreements to implement the Great Lakes Charter Annex begins to address the first priority: ensuring the sustainable use of the ecosystem's water resources.

Tackling the other eight priorities is the objective of the Great Lakes Regional Collaboration, a group of local, state, tribal and federal officials. In December, the GLRC released its 15-year strategic plan (available at [www.gllrc.gov](http://www.gllrc.gov)) to address the remaining eight priorities, which are:

- 1) prevent the introduction and spread of aquatic invasive species;
- 2) improve habitat conservation and species management;
- 3) better protect and clean up near-shore Great Lakes waters so that they are consistently safe for swimming, drinking and fishing;
- 4) clean up the 31 locations in the ecosystem identified as being the most contaminated (also known as "areas of concern") ;
- 5) reduce nonpoint source pollution by protecting and/or restoring the region's wetlands;
- 6) reduce or virtually eliminate the discharge of toxic pollutants such as mercury, pesticides and PCBs into the Great Lakes;
- 7) develop a sound information base and scientific indicators to understand what is happening in the ecosystem; and
- 8) ensure the long-term sustainability of the Great Lakes through changes in how the region approaches issues related to land use, transportation, agriculture and industrial activity.

To meet the goals for each of the priorities, the GLRC estimates that implementation of the strategic plan would cost \$20 billion.

The regional group also released a list of near-term action items, with a price tag of \$300 million for the federal government and \$140 million for state and local governments.

Those recommendations include passing the National Aquatic Species Act, completing a barrier in the Chicago Sanitary and Ship Canal to keep Asian carp from reaching the Great Lakes, upgrading wastewater systems to eliminate sewage overflows, providing a dedicated funding source to clean up the 31 "areas of concern" and developing more buffer zones in coastal areas.

President George Bush created the GLRC by executive order in 2004. Federal funding has not been secured to implement the group's strategic plan.