

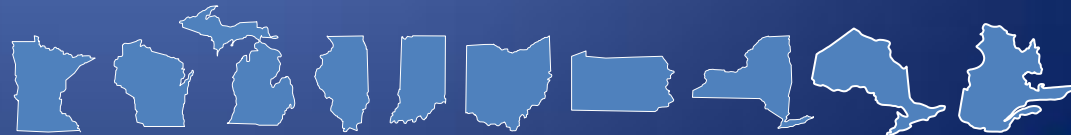
Managing water use from the Great Lakes-St. Lawrence River Basin



(312) 407-0177
www.cglslgp.org



Peter Johnson
Deputy Director

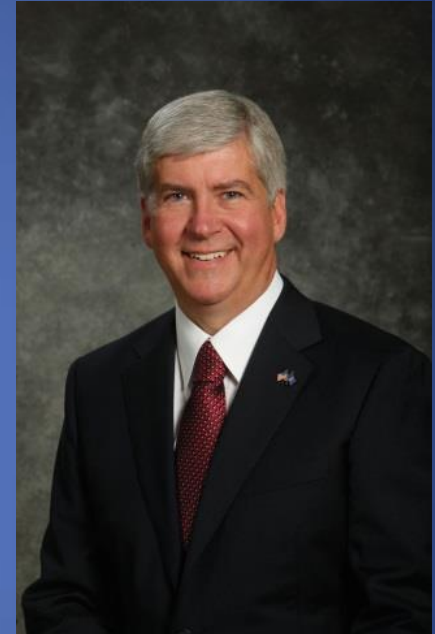


Conference of Great Lakes and St. Lawrence Governors and Premiers

**Mission: To encourage and
facilitate environmentally
responsible economic growth**

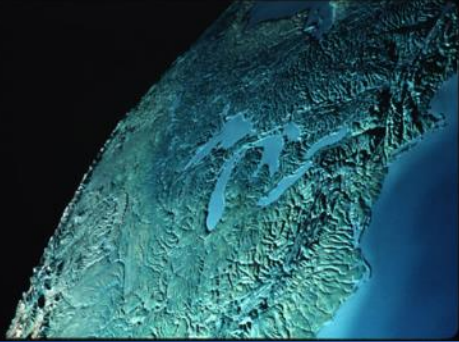
**Governors of Illinois, Indiana,
Michigan, Minnesota, New
York, Ohio, Pennsylvania and
Wisconsin**

**Premiers of Ontario and
Québec**



Michigan Governor Rick Snyder, Chair



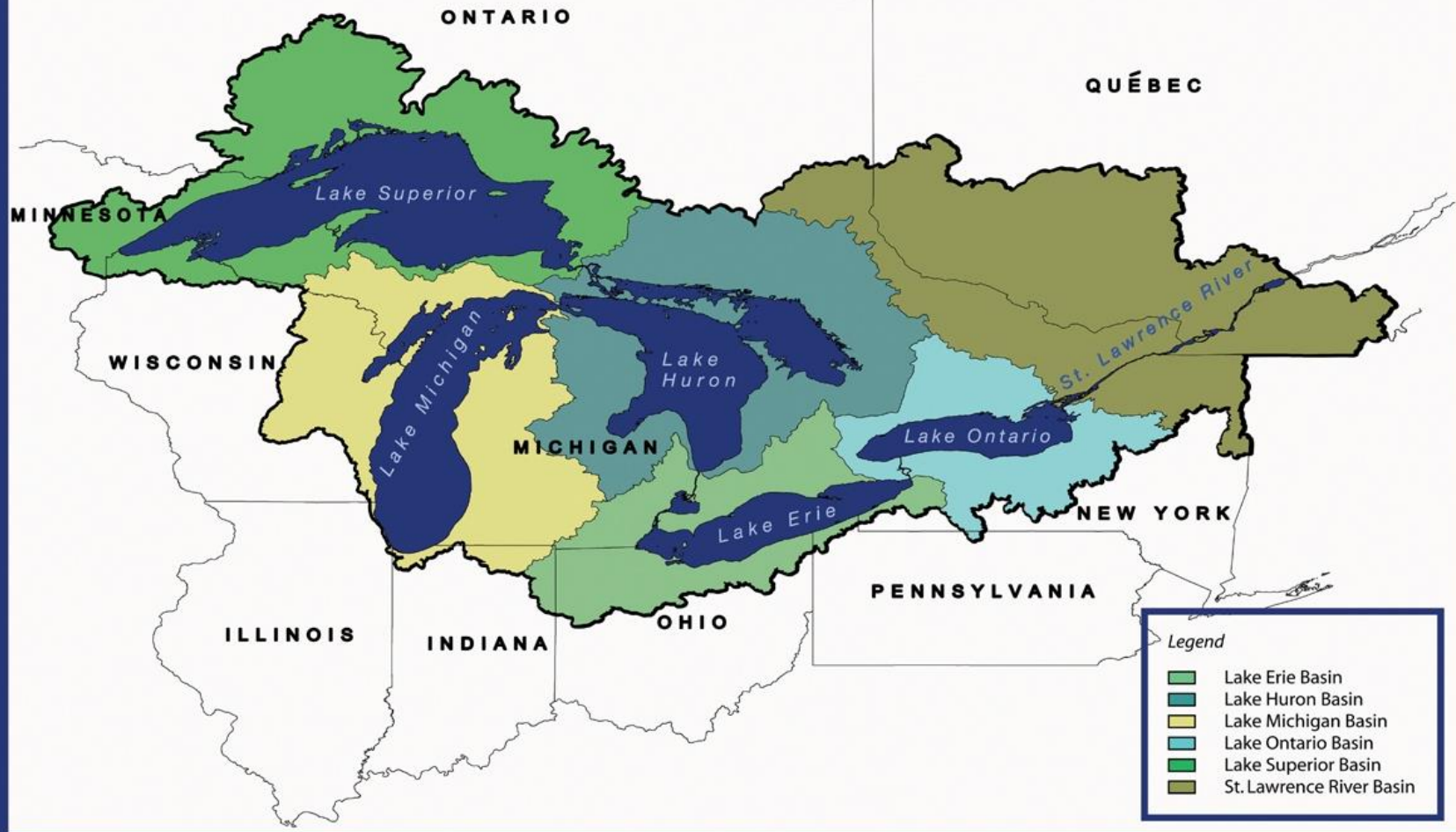


Overview

- **Great Lakes Overview**
- **History and Legal Framework**
- **Impetus for New Agreements and Development Process**
- **Great Lakes—St. Lawrence River Basin Water Resources Compact**
- **Lessons Learned**
- **Discussion and Questions**



The Great Lakes Basin





North America's "Waterbelt"

- Nearly 20% of the world's surface freshwater
- About 90% of US surface freshwater

Home to 35 million people

- 25 million US
- 10 million Canada

Major Urban Centers





“Blue Water” Economy

- Agriculture (irrigation, livestock)
- Drinking water
- Tourism, Boating and Recreation
- Shipping
- Hydropower
- Industrial uses and cooling





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)**





Boundary Waters Treaty of 1909

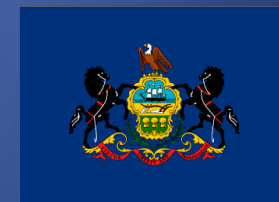
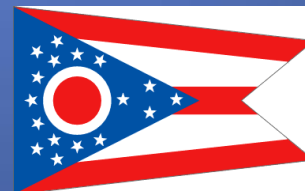
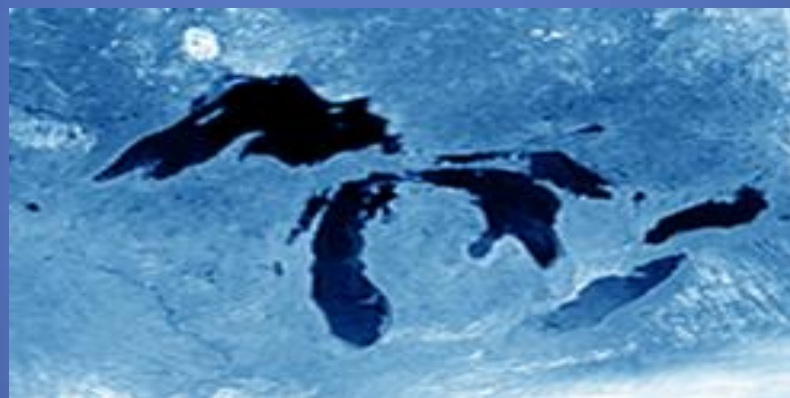
- Treaty between federal governments
 - Protect levels and flows
 - Prevent and resolve water disputes
- Created International Joint Commission

Limitations

- Geographic scope – boundary waters
- Only uses affecting levels and flows on the other side of the border



State and Provincial Water Management Programs





Great Lakes Charter of 1985

- **Good-faith agreement among the Great Lakes Governors and Premiers**
- **Consultation process for large new or increased diversions, in-Basin uses**
- **Commitment to State/Provincial legislation**

Limitations

- **Good-faith nature**
- **Uneven implementation**





Water Resources Development Act of 1986

- U.S. federal statute
- Subjected diversions to approval by the Governors (veto authority)

Limitations

- Scope -- does not include in-Basin uses
- Lack of definitions, criteria and due process
- Premiers not included in decision making



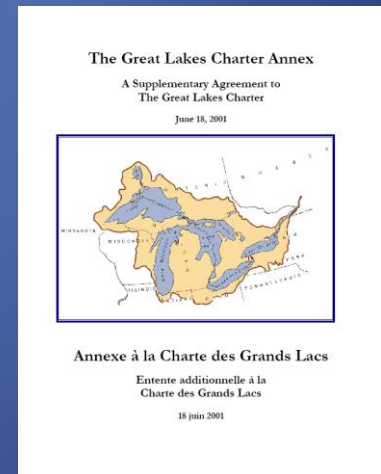
Impetus for New Protections

1998 – Nova Group proposal

1999 – Lower lake levels

**2000 – WRDA amendments,
IJC report**

2001 – Great Lakes Charter Annex



Goals

- **Creating framework for sustainable development**
- **Ensuring water is available for future use and economic growth**
- **Protecting the Great Lakes and our legacy for future generations**



Development of New Protections

Governors' and Premiers' leadership

State/Provincial Working Group

Advisory/Resource Group

Tribes/First Nations

**Outreach to State and
Federal Leaders**

Public Involvement



Public Involvement

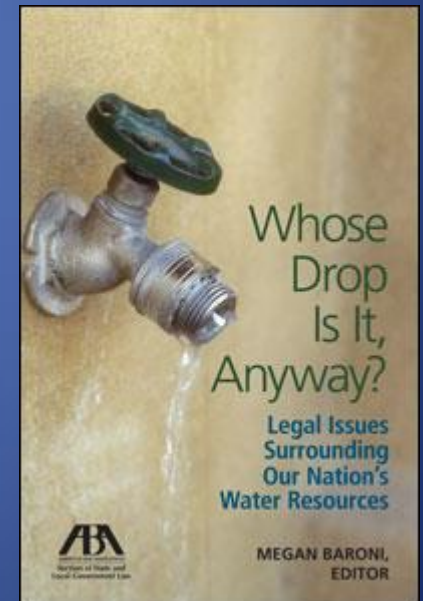
- **Public Comments—Two Rounds**
- **More than 60 Public Meetings Around Region including several regional forums**
- **Website for Comments**
- **Over 13,000 Comments Received**



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)
 - Congressional consent (2008)



State Ratification

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



Congressional Consent

July 23, 2008--SJ Res-45 introduced in 110th Congress

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

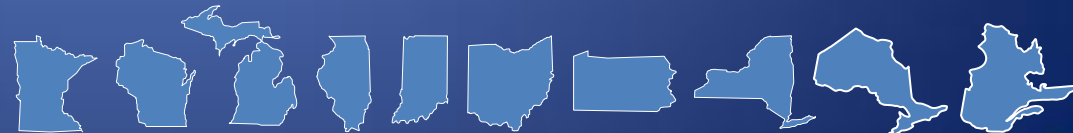


The Great Lakes Basin



Diversions

- 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





In-Basin Uses

- **State, Provincial management and regulation**
- **Use of common decision making standard**
- **State/Provincial flexibility for determining thresholds**
- **State/Provincial opportunity to comment on all large new or increased consumptive uses**





Conservation and Efficiency

- **Regional goals and objectives**
 - **Development within 2 years**
- **State, Provincial goals, objectives, programs**
 - **Consistent with regional goals and objectives**
 - **Regional review every 5 years**
- **Proposals**
 - **Conservation, efficiency measures**
 - **Conservation, efficient use of existing water supplies**





Lessons Learned

- **Water stirs passions**
- **Managing water is complex**
- **Consensus can create superior results but can be long, costly and difficult**
- **Scope must be clear and focused**
- **Strong and active leadership needed**
- **“Alternative venues” problematic**





Lessons Learned

- **Process must be fair and comprehensive**
- **Transparency, public participation key**
- **Consensus, shared ownership accelerates follow-through**
- **Follow-through actors must be prepared, actions must be clear and achievable**
- **Success encourages repetition**





Peter Johnson
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pjohnson@cglslgp.org



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