

The Great Lakes-St. Lawrence River Basin Water Resources Compact

Frequently Asked Questions



What is the Great Lakes-St. Lawrence River Basin Water Resources Compact?

The Great Lakes-St. Lawrence River Basin Water Resources Compact (commonly called “the Compact”) is an agreement among the eight Great Lakes Governors for managing the water resources of the Great Lakes Basin. The Compact will become legally binding once it is adopted by all the Great Lakes legislatures and consented to by Congress.

In June 2001, the eight Great Lakes Governors and the Premiers of Ontario and Quebec signed a non-binding agreement, Annex 2001 to the Great Lakes Charter. The Annex stated the parties’ commitment to create implementing agreements that would provide legal standards for approving proposals for large withdrawals of Great Lakes waters. The Compact is one of the resulting implementing agreements and was endorsed by all eight Great Lakes Governors in December 2005; the companion non-binding implementing agreement among the Canadian Provinces and the Great Lakes States is the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement.

What is the purpose of the Compact?

The primary purpose of the Compact is to provide a framework for the Great Lakes States “to act together to protect, conserve, restore, improve and effectively manage the Waters and Water Dependent Natural Resources” of the Great Lakes Basin. Other stated purposes include providing intergovernmental consultation and



cooperative planning, facilitating the exchange of data related to Great Lakes waters and water dependent resources, assessing impacts resulting from water withdrawals and other resource losses, and implementing consistent approaches to water management within the Great Lakes Basin.



What are the provisions of the Compact?

The Compact requires each state to implement a water resources management program based on the Compact's standards, thus providing consistent management across the Basin. Proposals for new large volume water withdrawals within the Great Lakes Basin must be approved by the state where the

withdrawal takes place. The Compact prohibits any new or increased diversions of water out of the Basin, except in rare cases for the purpose of public water supply, and only if specific criteria are met. States decide most diversion proposals, but certain others also require approval by a Council comprised of the Governors of each Great Lakes State. The Compact requires Great Lakes States to develop and maintain water resource inventories, and water conservation and efficiency programs. The Compact also requires public notice of, and participation during, the project application process, and provides enforcement by "any person aggrieved" through administrative and legal proceedings.

Do we need to be concerned about the supply of water in the Great Lakes?

Yes. Water shortages in the United States and throughout the world continue to worsen. In Illinois and other Great Lake States wasteful water use and urban sprawl are contributing to water shortages and increasing conflicts over water sources:

- Near the shores of Lake Michigan in South Elgin, Illinois, falling groundwater levels are drying out ponds and wetlands, destroying the habitat needed for local wildlife
- Water wells in Lucas County, Ohio, and Monroe County, Michigan, are drying up as increased water consumption by different users is causing groundwater levels to fall
- Near Green Bay, Wisconsin, aquifers have become so depleted that local officials proposed to supplement local supplies by piping in Lake Michigan water.

Outside the Great Lakes Basin, interest in diverting or exporting Great Lakes water has ranged from proposals to use the water for refilling the Ogallala Aquifer (which lies beneath portions of eight Great Plains states) to bottling it for sale in Asia.

Aren't there existing regulations in place to manage Great Lakes water resources? Why do we need more protections?

There are existing treaties and legislation in place, but none of them provide the level of protection or consistent management procedures necessary to fully protect the Great Lakes. For example, the Water Resources Development Act of 1986 ("WRDA") requires all Great Lakes Governors to consent before a large scale water diversion is permitted, yet the Act fails to provide standards for approving these projects. The Act also fails to address uses of water within the Great Lakes Basin. As federal legislation, WRDA could be repealed or amended, thus ending the requirement for all Great Lakes Governors to approve projects that could not only impact their individual states, but the Basin as a whole.

Isn't Illinois exempt from the Compact? Why does the Illinois legislature have to adopt the Compact?

Illinois is exempt only from those provisions in the Compact related to diversions and withdrawals of Great Lakes waters. A 1967 U.S. Supreme Court decree annually allocates Illinois a maximum of 3,200 cubic feet per second (cfs) of Lake Michigan water; the States have agreed the decree's allocation is sufficient to govern Illinois' use of Great Lakes water. Illinois is not exempt from the remaining Compact provisions, which include developing and maintaining a water resources inventory, developing and implementing a water conservation and efficiency program, and conducting periodic assessments on cumulative impacts to Basin waters and water dependent resources from diversions, withdrawals and consumptive uses. Because Illinois is subject to these provisions, and in order to obtain its exemption from other provisions, the Illinois legislature must adopt the Compact, just like all the other states, in order for it to take effect, and be legally binding and enforceable.

What is a Compact?

The Great Lakes-St. Lawrence River Basin Water Resources Compact is an interstate compact among the Great Lakes Governors only; the Canadian provinces will not be parties to this agreement. Compacts are interstate contracts entered into by several states, and are recognized as a legitimate and effective solution for addressing issues that extend beyond states' political boundaries. As an interstate contract, the Compact provides the framework for cooperative, coordinated, and adaptive management of Basin water resources among the Great Lakes States. Since the Compact allows each state to implement its water resources management program, aside from each state's commitment to apply the common minimum standards agreed to in the Compact, it does not affect each individual state's sovereignty over matters traditionally reserved for the states. The Compact is not an international treaty, nor does it impact international treaties such as the 1909 Boundary Waters Treaty signed by the United States and Canada.

Won't the Compact have a negative impact on the Illinois economy?

No. A number of Illinois businesses currently benefit from and depend upon Great Lakes water resources; in addition to supplying drinking water for millions of Illinois residents, Lake Michigan supports commercial fishing, shipping, manufacturing, and recreational boating and fishing by residents and out of state visitors. The Compact's findings recognize the importance of Great Lakes economies: "The Waters of the Basin can concurrently serve multiple uses (including)...municipal, public, industrial, commercial,... recreation,... Water quality maintenance, and the maintenance of fish and wildlife habitat and a balanced ecosystem." Because the standards and protections of the Compact will be applied by all of the states that impact Lake Michigan water, the Compact will ensure the health of these varied Illinois economies now and in the future.



How will Illinois benefit from passing the Compact?

As stated previously, the Compact's management protocols are designed to ensure the sustainability and quality of Great Lakes water resources for public and commercial uses. Illinois will benefit from other states' improved management of Lake Michigan water when they follow these protocols. The Compact's requirement of comprehensive assessments of any resulting environmental impacts from water withdrawals will improve and restore the ecological services provided by Great Lakes water-related resources (for example, flood control by wetlands). The Compact will also protect unique areas that are a part of Illinois' biological heritage. One example is the Illinois State Beach Park, which lies along several miles of Lake Michigan. Within the park's several thousand acres are dunes, marshes, woodlands, and the only existing stretch of beach ridge shore left in Illinois. Several threatened and endangered species are included among the park's hundreds of plant and animal species. The Compact's ecosystem-based, adaptive management approach will enhance current park protections through maintaining sustainable use of Lake Michigan waters and improving environmental integrity of the larger lake ecosystems adjacent to the Illinois State Beach Park.

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