

## **TAKE THE POLITICS OUT OF THE GREAT LAKES WATER COMPACT One Governor Veto Runs Counter to Democracy and Sound Science**

**By: Waukesha County Executive Dan Vrakas**

Recently, there has been a call for Wisconsin and the other states to act to protect the Great Lakes. For me, it is imperative that these protections be based on sound science and must minimize the possibility for politics to interfere with water use decisions. Unfortunately, the current draft of the Great Lakes Compact uses overly broad and undefined terminology which can lead to political wrangling as opposed to accountable, consistent, and science based decisions concerning water use. I believe this is not in the best interest of Wisconsin.

A Compact that is good for Wisconsin can be developed that leaves the current version almost entirely in tact as drafted. My proposed revision to the current draft of the Compact would simply strike the controversial provision that requires the unanimous approval of all Governors from Great Lakes States for water diversions to communities in straddling counties, which have some streams and groundwater that flow into the Great Lakes. The default under the Compact would still allow for a vote of the Governors, but the threshold for allowing water to these communities would be by a majority vote of the Governors rather than the veto power of one of them.

Why is such a change important to Wisconsin? Residents of southeast Wisconsin recognize that the quality and quantity of the region's deep groundwater aquifer is deteriorating. In an effort to address this issue, Waukesha County is significantly contributing financially and technically to the preparation of a long range regional water plan, which is nearly complete. A key component in the Plan will be the presentation of several scenarios that analyze scientific and financial factors and address how best to provide a sustainable water supply to southeast Wisconsin. I anticipate that some of the scenarios will consider extending Great Lakes water to communities that are outside of the Great Lakes Basin and will require the water to be returned to the Lake after use. The use and recycling of water back to Lake Michigan is a very environmentally sound option for some communities in the region.

Under the current version of the Compact, two neighboring States to Wisconsin, Illinois and Michigan, have a tremendous ability to dictate water use in Wisconsin while Wisconsin has no say over water uses in these two states. Under the proposed Compact, Illinois is granted an exemption, which allows for the diversion of water from Lake Michigan up to 2.1 billion gallons per day. It is used to provide water to Chicago and its suburbs, which exist outside of the Lake Michigan basin. Virtually none of the diverted water is returned to the Lake. By comparison, the City of Milwaukee uses an annual average of 122 million gallons per day, all of which is returned to Lake Michigan.

The State of Michigan can also extend Great Lakes water to any community in Michigan without the approval of the Governors due to the fact that essentially every community lies within the Great Lakes Basin. It might surprise you to know that Michigan has a

history of opposing water diversions across the sub-continental divide and is very likely to utilize its authority over Wisconsin's water use decisions. As stated in a Summer of 2006 Journal Sentinel article by Noah Hall, a law professor at Wayne State University in Detroit who helped to draft the Compact, "The political conventional wisdom in Michigan is very straightforward: Don't approve a Great Lakes diversion, especially before an election."

As a result, there is significant potential for political involvement over water use when these states already compete for jobs and economic development. This means that Wisconsin is playing both the water and economic development game with one arm tied behind its back. Michigan and Illinois can virtually veto such water use proposals without fear of any repercussions. On its face, this provision should raise some serious concerns among leaders in southeast Wisconsin and throughout the state.

Ideally, the best solution would remove all possibilities of politics and base the water use decisions on Wisconsin's traditional definition of diversion, which indicates that a diversion occurs only when water is not being returned. Proudly, this Wisconsin tradition is not only science based, but is environmentally responsible.

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