

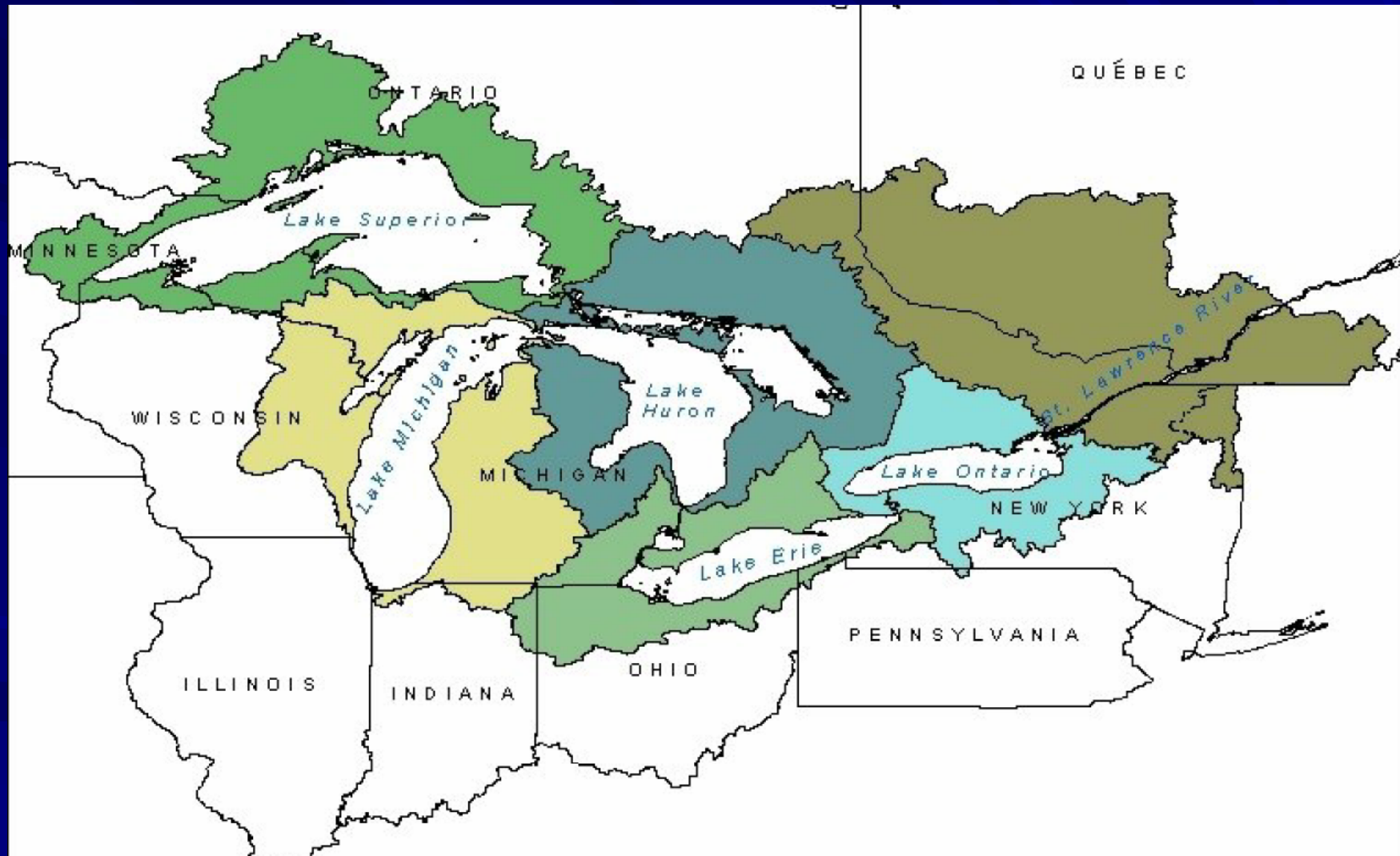


Great Lakes – St. Lawrence River Basin Water Resources Compact



Source: NASA Geospatial Interoperability Office, Jet Propulsion Laboratory, California Institute of Technology, U.S. Geological Survey, Imaging by Peter Gwizda

Parties to the GL-SLRB Water Resources Compact



“The Waters and Water Dependent Natural Resources of the Basin are subject to the sovereign right and responsibilities of the Parties, and it is the purpose of this Compact to provide for joint exercise of such powers of sovereignty by the Council in the common interests of the people of the region.”

Great Lakes – St. Lawrence River Basin Water Resources Compact



- Council provides:
 - forum for states to cooperatively craft minimum regional standards for water resource management
 - Regional review of proposed projects
- States:
 - retain flexibility and autonomy to administer regional standards under state law
 - develop programs to meet their needs



Parties act together to:

- Protect, conserve, restore, improve and manage the Water and Water Dependent Natural Resources of the Basin
- Remove causes of controversies
- Cooperate on planning and action
- Facilitate consultation, data exchange, & process consistency
- Prevent significant adverse impacts from withdrawals and losses
- Promote comity (*legal reciprocity*)



Parties agree to:

- Provide leadership to develop collaborative strategy to strengthen scientific basis of water management decision making
- Manage withdrawals, consumptive use and diversions in accord with compact
- Not approve inconsistent proposals
- Monitor approved proposals for consistency
- Council / Regional review when applicable



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Water Resources Council

“...body politic and corporate, with succession for the duration of this Compact, as an agency and instrumentality of the governments of the respective Parties.”

- Governors of the Parties or alternate
- 1 vote each Party
- Decisions by simple majority (unless specified)
- Quorum = majority of Parties
- Annual budget equitably apportioned among Parties



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Water Resources Council

- “It is the policy of the Parties to preserve and utilize the functions, powers and duties of existing offices and agencies of government to the extent consistent with this Compact. Further, the council shall promote and aid the coordination of the activities and programs of the Parties concerned with Water resources management in the Basin”
 - Cooperate with such agencies
 - Employ any agency of any Party for any purpose
 - “Develop and adopt plans consistent with the Water resources plans of the Parties”



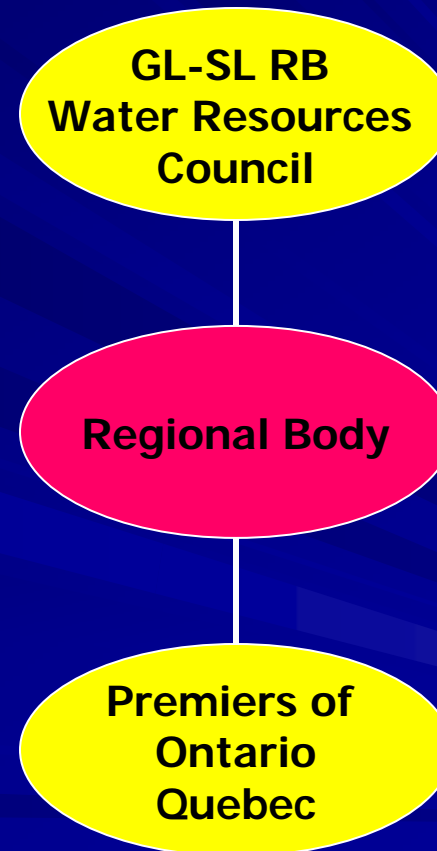
GL-SLRB

Water Resources Council

- Council Goals
 - Improvement of waters and water dependent natural resources
 - Hydrologic and ecologic integrity
 - Retaining surface and ground water
 - Sustainable use
- Council Objectives help parties meet goals
- State G&Os consistent with basin G&Os
- State conservation and efficiency programs
- Periodic review of G&Os and programs

Regional Body

- **Council composed of Governors of states party to the compact (& alternates)**
- **Regional Body composed of members of the Council and the Premiers of Ontario and Quebec**
- **Regional Review of proposals**
- **Protection of the integrity of the GL-SLRB Ecosystem**





Regional Body Review

- Integrity of Ecosystem considering uncertainties of:
 - Future demands on basin
 - Changes in environmental conditions
 - Reliability of existing data
- New or increased consumptive use > 5 mgd
- Originating Party provides notice & technical review
- Public notice & public meeting
- Considers comments before issuing Declaration of Finding on whether it meets the Standard of Review and Decision
- Forwards comments to Originating Party

- Originating Party and Council “shall consider” RB’s Declaration of Finding before making a decision on the proposal

Data Baselines

- Within 1 year of effective date of Compact
- Parties to compile list of existing approved withdrawals
 - Withdrawal capacity
 - Treatment capacity
 - Distribution capacity
 - Other limiting factors
- Based on most restrictive capacity

Data Collection

- Within 5 years each Party will develop a water resources inventory of location, type, quantity, and use
- Common base of data
- Water use registration (>0.1 mgd)
- Annual reporting for users
- Annual reporting by Parties to Council established data base repository
- Coordinate collection and application of scientific information for impact assessment



Decision-Making Standard

- Minimum Standard – parties may use more restrictive standards
- All water withdrawn, less an allowance for consumptive use, shall be returned to the source watershed
- No significant adverse impacts to quantity or quality of Water or Water Dependent Natural Resources of the Basin
- Incompliance with other applicable laws and regional agreements
- Incorporates environmentally sound and feasible water conservation measures
- Use is Reasonable



Is Use Reasonable?

Factors to consider:

- Provides for efficient use / minimizes waste
- Existing supplies are used efficiently
- Balance between economic and social development and environmental protection of proposal and other existing or planned withdrawals from same source
- Supply potential of the source
- Degree and duration of adverse impacts to other users and ecosystem and mitigation plans
- Inclusion of restoration of hydrologic functions in Source Watershed

Use inside Basin

- Managed by States consistent with “Decision-Making Standard”
- State established regulation thresholds & scope
- No state plan = 0.1 mgd default
- Uses overall are reasonable
- Withdrawals overall produce no significant impacts to Water of the Basin
- Other objectives of Compact are achieved

Diversions

- Out of Basin - Generally prohibited
- Intrabasin – from the watershed of one GL to the watershed of another GL
 - >0.1 mgd - State Regulation
 - <0.1 mgd – 5mgd - + Exemption Standard & Council review
 - <5 mgd - + Unanimous Council Approval



Diversion Prohibition Exemption Standard

- All water withdrawn minus allowance for consumptive uses returned to source watershed
- Cannot be reasonably avoided through conservation and efficient use
- Limited to amount reasonable for proposed purposes
- Minimize withdrawals and consumptive use by conservation measures
- Compliant with other applicable laws and regional agreements
- No significant adverse impacts to the quantity or quality of the waters or water dependent natural resources of basin



Exemptions to Diversion Prohibition

- Meets Exemption Standard
- Straddling Community - PWS purposes in an area of a outside of GL basin or watershed
 - Return all water withdrawn minus allowance for consumptive uses
- Straddling County – PWS purposes of community without adequate supplies
 - Managed & Regulated by Originating Party
 - No reasonable alternative including conservation
 - Not endanger integrity of Basin ecosystem
 - Regional Review & no Council member disapproves

Definitions

- **Diversion** – transfer from the Basin to another watershed or an Intra-basin Transfer
 - except water used in the Basin to produce a product that is transferred out of the basin
- **Intra-basin Transfer** – transfer from the watershed of one Great Lake to the watershed of another Great Lake
- **Consumptive Use** – portion of water lost due to evaporation, incorporation into Products or other processes

Definitions

- **Party** – a state that is party to the compact
- **Originating Party** – the party where an application or registration is made or required
- **Regional Body** – Governors of the parties to compact and the Premiers of Ontario and Quebec
- **Straddling Community** – incorporated municipality with boundaries partly within the basin or partly within two Great Lakes watersheds
- **Community within a Straddling County** – incorporated local government outside the basin but wholly within a county that lies partly within the basin

Exemptions

- Withdrawals for the following purposes are exempt from the management and regulation requirements
 - To supply vehicles, including vessels and aircraft for the needs of the cargo, for ballast or other needs related to operations
 - To use in a non-commercial project on a short-term basis for firefighting, humanitarian, or emergency response purposes

Questions?

www.ncwater.org

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Division of Water Resources