

# The Waukesha Diversion

Wisconsin's Proposed Water Diversion  
submitted under the Great Lakes Compact

February 9, 2016

Presented by the Michigan Office of the Great Lakes



# Introduction

- ▶ The Wisconsin DNR advanced the City of Waukesha's Water Diversion application to the **Great Lakes Compact Council** on January 7, 2016.
- ▶ The Great Lakes Compact **excludes water diversions** with the exception of a few **straddling counties** of the basin, which must meet rigorous criteria for diversion approval.
- ▶ A **straddling county** lies partly within and partly outside the geographic boundary Great Lakes basin.

The Great Lakes Compact, est. 2008, is a legally binding interstate compact among the 8 Great Lakes States.

The compact details how the states manage Great Lakes Basin water and builds on the 1985 Great Lakes Charter and its 2001 Annex.

The Great Lakes Compact is formally known as the "Great Lakes-St. Lawrence River Basin Water Resource Compact."

The Compact Council receives counsel from the Regional Body, made up of the 8 Great Lakes Governors and 2 Canadian Premiers, of Quebec and Ontario.

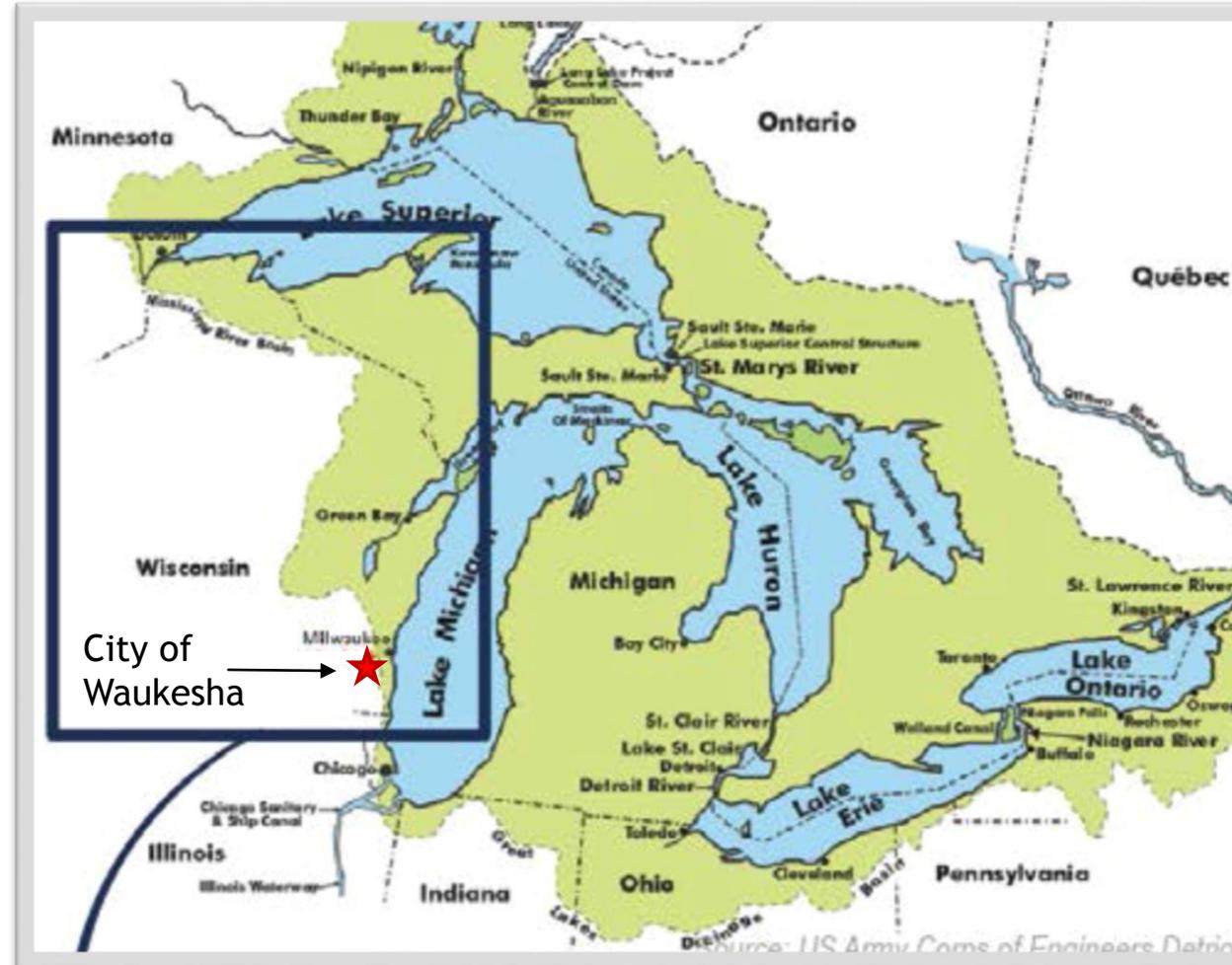
# The 4 Pillars

The proposed diversion must meet 4 pillars of Great Lakes Compact criteria to be accepted

- ▶ **Water Return Flow**
  - ▶ Water of equal amount and quality, minus consumptive use, must be returned back to the basin after use.
- ▶ **Water Conservation**
  - ▶ The need for a diversion cannot be reasonably avoided through the efficient use and conservation of existing water supplies.
- ▶ **Water Supply & Alternatives**
  - ▶ Water can be supplied if the public is without adequate supplies of potable water and has no reasonable alternative, including conservation of existing supplies.
- ▶ **Impact Assessment**
  - ▶ The diversion of water from the basin must be without impacts that would affect the integrity of the basin ecosystem.

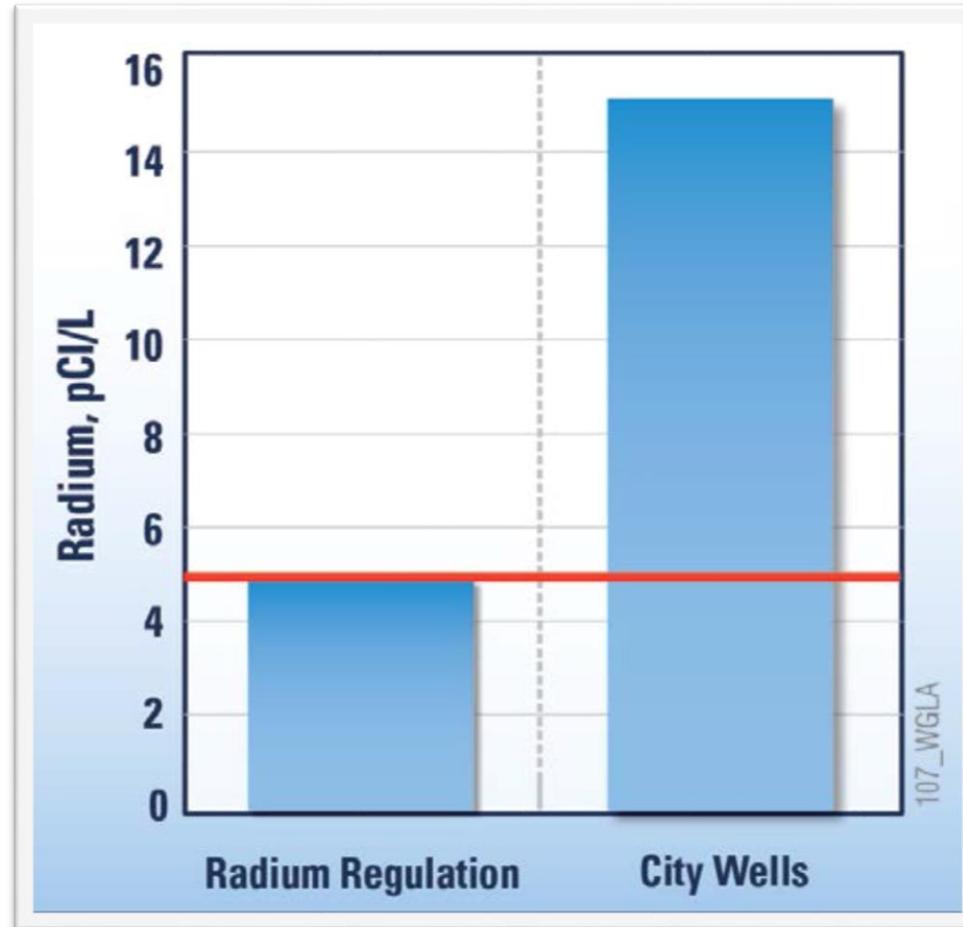
# Background

- ▶ The city of Waukesha, Wisconsin (pop. 71,000) is located in a **straddling county** of the Great Lakes Basin.
- ▶ Waukesha has reviewed its options and concluded that a Lake Michigan water diversion is its **best option**.
- ▶ The **Wisconsin DNR** reviewed & approved the application.
- ▶ The Wisconsin DNR submitted the application on behalf of Waukesha to the Compact Council and Regional Body.



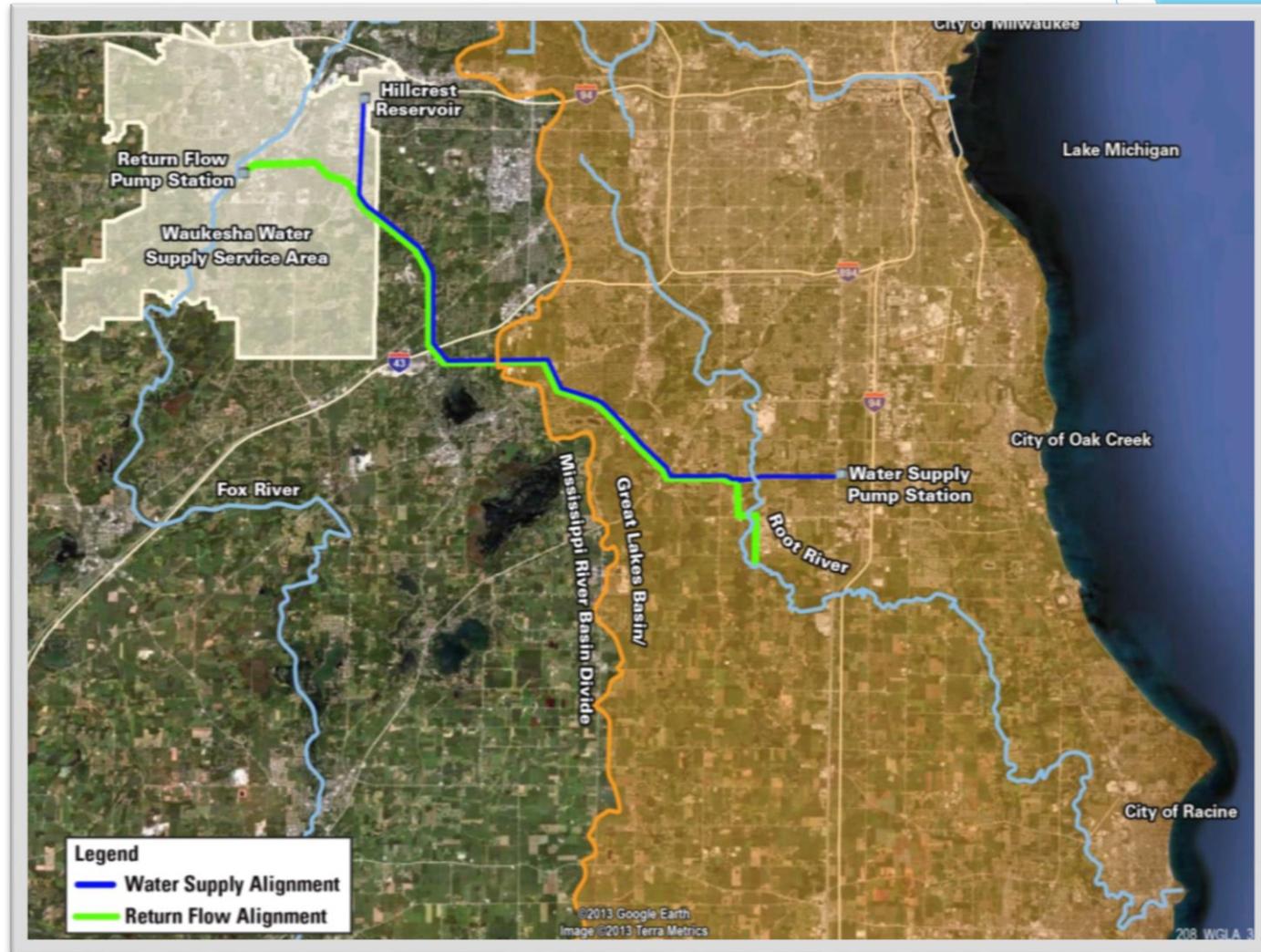
# Why a Diversion?

- ▶ Waukesha is under court order to find an appropriate drinking water source due to naturally-occurring **radium** (a carcinogen) in its drinking water aquifers.
- ▶ The city is currently treating the water and mixing sources between deep and shallow wells to be compliant with radium requirements.
- ▶ The change to an appropriate water source must occur by **2018**.



# Waukesha's Proposal

- ▶ Waukesha has proposed to use up to 10.1 million gallons of Lake Michigan water daily, based on population and industry growth projections.
- ▶ The Great Lakes Compact requires that **equal amounts of water** be returned to the **Great Lakes Basin**. Waukesha has proposed to send its treated water through the Root River, emptying into Lake Michigan at Racine.



# Michigan's Process

- ▶ Michigan's review committee, made up of members from Michigan's Office of the Great Lakes, Department of Natural Resources, & Attorney General's Office study the proposal:
  - ▶ The team examines the proposal for potential ecological and hydrological effects.
  - ▶ Clarification questions are submitted through the Compact Council to the Wisconsin DNR.
  - ▶ The team submits a technical review to the Compact Council March 22 & posts to [www.Michigan.gov/waterdiversion](http://www.Michigan.gov/waterdiversion)
  - ▶ A final recommendation is submitted to the Governor on May 18, 2016.
- ▶ **Public input is collected** and sent to the Compact Council through a public meeting process and online comments (closing March 1), submitted at: [DEQ-waterdiversion@michigan.gov](mailto:DEQ-waterdiversion@michigan.gov).
- ▶ A government-to-government **tribal consultation** is scheduled for February 29.
- ▶ **More information** on Michigan's process can be found at [www.Michigan.gov/waterdiverson](http://www.Michigan.gov/waterdiverson).

# The Governors' Votes

- ▶ Each of the 8 Great Lakes Governors must agree to the diversion for it to be approved. **One veto** will prohibit the diversion.
- ▶ An **abstention** is considered a “Yes” vote.
- ▶ A Great Lakes Governor can **vote one of three ways**:

## Yes

The diversion is approved if all 8 Governors vote “YES”

## No

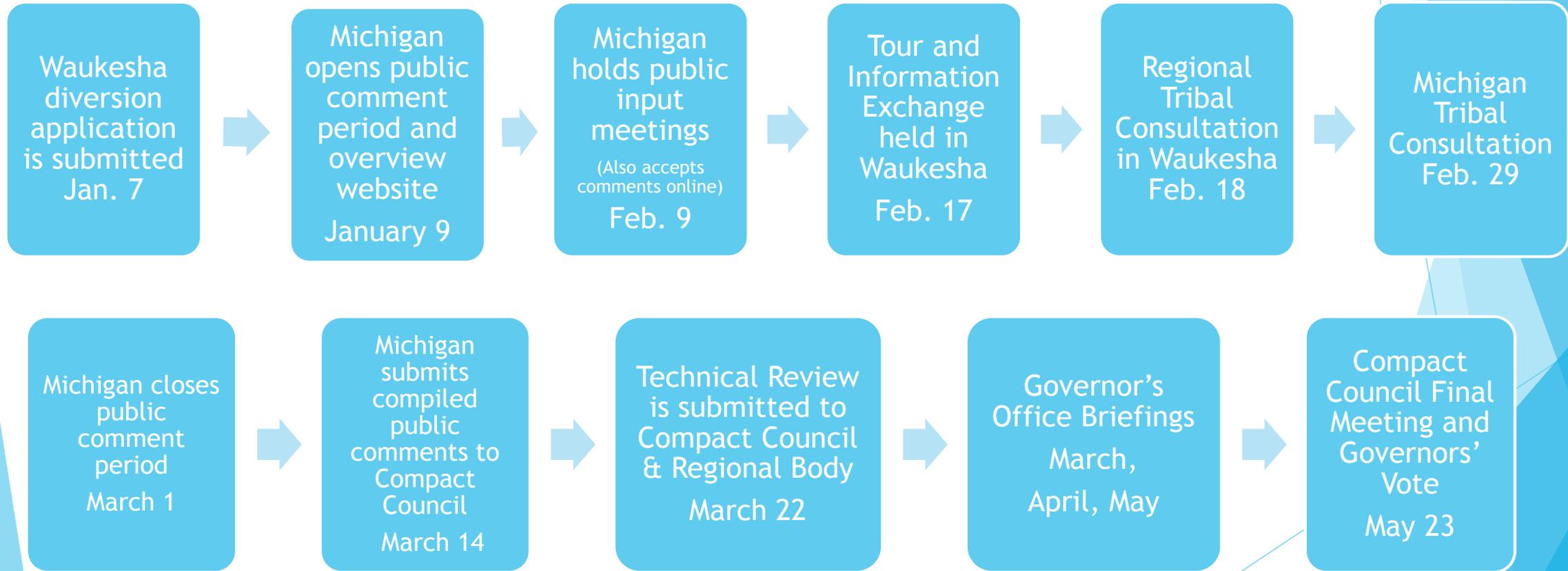
If any Governor votes “No,” the diversion is prohibited.

## Yes, with Conditions

Conditions could be applied to proposal acceptance

# Timeline

► Major steps in the application and revision process:



# Additional Information

- ▶ The Compact Council's information on the Waukesha Diversion can be found at [www.waukeshawaterdiversion.org](http://www.waukeshawaterdiversion.org).
- ▶ Wisconsin's DNR diversion information is located here: <http://dnr.wi.gov/topic/WaterUse/waukesha/>.
- ▶ **Submit comments** to the State of Michigan at [DEQ-waterdiversion@michigan.gov](mailto:DEQ-waterdiversion@michigan.gov) .