

**Great Lakes—St. Lawrence River Water Resources Regional Body
Meeting Summary**

June 14, 2014

2:00 p.m. EDT

Notice:

Notice of the meeting was provided to the public through the Great Lakes Information Network's distribution list on May 14, 2014. Notice was also posted to the Great Lakes-St. Lawrence River Water Resources Regional Body (Regional Body) website at www.gslsregionalbody.org. The notice included an announcement that the meeting agenda, draft resolutions and materials to be discussed during the meeting were available on the Regional Body's website. Call-in information was also posted to the front page of the Regional Body website.

Call of Meeting:

2:00 p.m. EDT—The meeting was called to order by Don Zelazny, New York State Department of Environmental Conservation. Mr. Zelazny is the designee of Regional Body Chair Governor Andrew Cuomo.

Roll Call:

The following Regional Body members, constituting a quorum, were present:

Illinois (designee of Governor Pat Quinn): Daniel Injerd, Chief, Lake Michigan Management, Illinois Department of Natural Resources.

Indiana: Chris Smith. Representing Indiana, but not an official designee of Governor Mike Pence.

Michigan (designee of Governor Rick Snyder): Grant Trigger, Michigan Cleanup Manager, RACER Trust.

Minnesota (designee of Governor Mark Dayton): Pat Collins, Regional Manager, Division of Ecological and Water Resources, Minnesota Department of Natural Resources.

New York (designee of Governor Andrew Cuomo): Don Zelazny, Great Lakes Programs Coordinator, New York State Department of Environmental Conservation.

Ohio (designee of Governor John Kasich): Andy Ware¹ on behalf of James Zehringer, Director, Ohio Department of Natural Resources.

Ontario: James Nowlan¹ on behalf of Eric Boysen, Director, Biodiversity Branch, Ontario Ministry of Natural Resources.

Pennsylvania (designee of Governor Tom Corbett): Timothy Bruno¹ on behalf of Kelly Heffner, Deputy Secretary for Water Management, Pennsylvania Department of Environmental Protection.

Québec (designee of Premier Philippe Couillard): Marcel Gaucher, Director-general, Direction générale des politiques de l'eau, Ministère du Développement durable, de l'Environnement, de la Lutte contre les Changements Climatiques (MDDELCC).

Wisconsin: Jill Jonas¹ on behalf of Cathy Stepp, Secretary, Wisconsin Department of Natural Resources.

¹ Signed proxy forms for individuals participating on behalf of official member designees are available upon request.

Actions Taken

Review of December 6, 2013, Regional Body meeting minutes.

A motion was made by Mr. Injerd to formally approve the minutes of the December 6, 2013, Regional Body meeting. Mr. Collins seconded the motion.

The motion was approved and all member votes were in the affirmative. The motion to adopt the December 6, 2013 meeting minutes was adopted.

Reports

State and Provincial updates on implementation of the Great Lakes—St. Lawrence River Basin Sustainable Water Resources Agreement (Agreement).

Each Regional Body member or designee provided an update on their jurisdiction's efforts to implement the Agreement including the Great Lakes—St. Lawrence River Basin Water Resources Compact (Compact) or other mechanisms as appropriate.

Illinois

Mr. Injerd noted that his report at the December meeting focused on draft rules regarding the Lake Michigan allocation. These rules are awaiting approval by Illinois' rulemaking body. In February, the Illinois Department of Natural Resources (IDNR) formally submitted the proposed rule changes. First notice of these changes was posted, followed by a 45-day comment period that was extended by 30 days. This public comment period ended in May 2014. As follow up to the public comment period, Illinois is currently preparing responses to the joint committee on administrative rules, and hopes to move ahead soon. The gist of the rules is to update many areas of water use and conservation, with the most significant changes in the development of a water loss standard by public water supply systems. This focuses on updating fixtures, but also changing calculations of water loss in line with American Water Works Association methodology on system performance. This is a big change and will make a major improvement in the region. Illinois is encouraging public supply operators to become more aggressive to reduce water loss and leaks.

Indiana

Mr. Smith reported that Indiana originally implemented the Compact with an emergency rule. On May 13, 2014 final adoption of a permanent rule was made by the State's Natural Resources Commission. The process is now in the final steps as the rule is being reviewed by the Attorney General's office, and then will be forwarded to the Governor for signature. This should be completed in the next few weeks, and then Compact implementation will be under permanent rule.

Michigan

Mr. Trigger reported that Michigan's water use advisory council is organized through various committees. This council presented Michigan's water strategy and recommendations to Governor Snyder in December. Subcommittees are looking at many

areas to improve this strategy. With regard to water conservation and efficiency, Michigan is working to consolidate the most effective elements into a Statewide program.

Minnesota

Mr. Collins reported that Minnesota continues to implement the Compact and Agreement. The State is taking a watershed approach to restoring streams and wetlands. This approach includes a structured process for planning, action and implementation. The Minnesota Pollution Control Agency published short videos on water quality components, including to YouTube. The Minnesota Department of Natural Resources incorporates other things including hydrology under its watershed assessment framework. Minnesota also continues to focus on groundwater management. There are several intense efforts in key locations. Currently, these are outside of the Great Lakes-St. Lawrence River Basin (Basin) but have potential for future use in the Basin. The State is expanding comprehensive groundwater withdrawal monitoring, especially in Minnesota's iron range, which is within the Basin. This ensures that withdrawals don't impact surface sources including trout streams. Finally, precipitation and lake levels are above average now.

New York

Mr. Zelazny reported that New York is implementing the State laws encompassing the Compact provisions and continuing to issue permits to public water supply systems of 100,000 gallons/day or greater. Water conservation programs have been required for these public suppliers since 1998. New permits must include a water conservation form that describes metering, detection and leaks, and a water audit must be done yearly. New permits are effective for ten years, and can be renewed. All withdrawers over 100,000 g/d must submit an annual use report for the prior year. This report form is available on the New York Department of Environmental Conservation website.

As part of New York's e-business program, an updated electronic reporting format is scheduled to be implemented in the Fall of 2014.

Existing non-public supply withdrawals will be given initial permits over a five-year transition period. As applications for new and increased public water supply withdrawals are proposed, environmentally sound and economically feasible water conservation measures are required. The Department continues to explore feasible water conservation measures for non-public withdrawals.

Ohio

Mr. Ware reported that Ohio's legislation for implementing the Compact was signed into law in May 2012 as HB 473. It became effective in September 2012. Part of this law called for an advisory group to develop implementation recommendations for certain portions of the Compact. This group met in 2013 and issued a report in 2014. Recommendations are under review for final approval by the Ohio Department of Natural Resources.

Ontario

Mr. Nowlan reported that Ontario posted regulatory amendments to implement the Agreement on April 24, 2014 for public comment on Ontario's Environmental Registry. The comment period for the regulatory amendments is now over, and the Ontario Ministry of Natural Resources will now seek direction from the newly elected government on how to proceed.

Pennsylvania

Mr. Bruno reported that Pennsylvania is working to further implement the Compact and Agreement, including via an internal review of withdrawals and consumptive uses. The State is planning activities for outreach and education, including a children's water fest in 2015.

Québec

Québec is currently implementing all provision of the Agreement. A new Government and Premier were elected in April 2014. They are now seeking to adopt the draft regulation published in 2013 concerning withdrawals of water, which will put in place a new permitting system. These 10-year permits will provide better protection for surface and groundwater taking cumulative impacts and the ecological conditions of waterways into consideration. There is ongoing development of a cumulative impact assessment tools for withdrawals at the watershed scale. The new Government has given the Ministry the mandate to make a major update of Quebec's 2002 Water Policy.

Wisconsin

Ms. Jonas reported that Wisconsin continues to be in compliance with the provisions of the compact. Water use reporting compliance has increased over the past three years and is now at 98 percent for 2013 data; 70 percent of reports were submitted online. Data quality is constantly improving.

Regarding the proposed Waukesha diversion, the Wisconsin Department of Natural Resources is still in the process of reviewing the application. Technical review will not be done before the end of 2014.

Wisconsin is also conducting a water resources inventory, including a new model to estimate stream flow and fish presence. This also includes updating a State springs inventory of spring with a flow greater than 0.25 cubic feet/second. Finally, Wisconsin is working on improving the groundwater level monitoring network, focused on improving data quality.

Administrative

Peter Johnson, on behalf of the Secretariat to the Regional Body and the Great Lakes-St. Lawrence River Water Resources Council (Compact Council), gave an administrative report. He noted, as discussed at the meeting on December 6, 2013, the water use reports for 2011 and 2012 indicate that the incremental loss threshold of 50 mgd was surpassed in both years, and therefore a cumulative impact assessment will be conducted in 2014. As agreed to in December, the Regional Body will conduct an interim assessment that compares data for Withdrawals, Diversions and Consumptive Uses for 2011 and 2012 to

the 2006-2010 datasets for each Lake watershed and the Basin. Council of Great Lakes Governors staff will work with Jim Nicholas to complete this interim assessment by the next meeting of the Regional Body.

The Council of Great Lakes Governors, on behalf of the Regional Body, submitted a proposal to develop a Basin-wide water demand forecast to the Great Lakes Protection Fund (GLPF). The meeting of the GLPF Board of Directors was earlier today, and we should have a better sense of the status of the proposal soon.

Opportunity for public comments.

Members of the public were given an opportunity to ask questions or provide comments.

Dale Phenicie, Council of Great Lakes Industries (CGLI):

Mr. Phenicie provided a brief summary on CGLI's water stewardship work, in particular the evaluation of water footprint tools. Currently, they are wrapping up pilot work on five industrial facilities. The conclusions so far find that many aspects of these tools are worthwhile and will serve the industry and region. CGLI must find a process to encourage use by industry. Even after improvements were made to the Alliance for Water Stewardship standard, it is still a tall order to conduct a complete assessment. Perhaps a unique structure and governance system can satisfy tool protocols.

Packages of information to describe Great Lakes-centered tools will be published in a clearinghouse. The hope is that ascribing and complying with this system would lead to the assumption that Compact and Agreement standards are met. The final report will show the need for this. He noted that the project needs an opportunity to build capacity and requires resources. Overall, they are very encouraged, and will supply a report to an expert panel soon.

Tim Eder, Great Lakes Commission:

Mr. Eder noted that the Great Lakes Commission and Council of Great Lakes Governors hosted a workshop for water use managers in May. The workshop provided an opportunity to discuss data reporting issues and challenges, assumptions and limitations. It was a good investment of time and resources, and a great opportunity to learn and share experience. Great Lakes Commission staff, in particular, found it very valuable for addressing quality assurance issues.

Larry Levine, Natural Resources Defense Council:

Mr. Levine inquired about the Regional Body resolution on water conservation & efficiency objectives, and is interested to hear what analysis has been done in support of the recommendation to reaffirm these objectives. He noted that the Cumulative Impact Assessment was referenced in this analysis, but wondered what other resources were considered.

Dick Bartz, United States Geological Survey (USGS):

Mr. Bartz commented that USGS published a report about consumptive use of thermoelectric power plants, including plants in the U.S. waters of the Basin. The report may offer an interesting way to confirm numbers reported by States. He offered to arrange a call or webinar with staff that wrote the report and model. The report is available online, and was shared with Council of Great Lakes Governors and Great Lakes Commission staff.

New Business

Resolution #22 Adoption of Fiscal Year 2016 Budget (July 1, 2015-June 30, 2016).

Mr. Zelazny stated that the proposed budget and the resolution granting approval of the budget were previously distributed to the members and were posted to the Regional Body website on May 14.

Mr. Johnson noted that this resolution provides funding for the Secretariat. Similar to previous years, funds will be used to fulfill work required under the Compact and Agreement. The total funds are listed in the resolution. At this time, the Regional Body will consider preliminary approval because not all Regional Body appointments have been made yet, and the vote must be unanimous. This budget is voted on a year ahead so that the jurisdictions can budget in the upcoming year. Assuming there are no objections at this time, the Regional Body will give preliminary approval and the resolution will be formally approved at the December meeting.

Mr. Trigger moved to grant preliminary approval of the resolution. Mr. Injerd seconded the motion. A roll-call vote was taken:

Illinois—Yes

Indiana —Yes (As the individual indicating assent was not the Designee of the Governor, this was only an indication of support and not a binding vote).

Michigan—Yes

Minnesota—Yes

New York—Yes

Ohio—Yes

Ontario—Yes

Pennsylvania—Yes

Québec—Yes

Wisconsin—Yes

Mr. Zelazny noted that the resolution is approved preliminarily, and will be presented in December for final adoption.

Draft Resolution #23--Affirmation of Basin-Wide Conservation and Efficiency Objectives

Mr. Johnson stated that the proposed resolution affirming Basin-wide water conservation and efficiency objectives was previously distributed to the members and posted to the Regional Body website on May 14. He noted that under the Compact, and taking into consideration the recently completed Cumulative Impact Assessment, water conservation and efficiency programs are underway that are consistent with Basin-wide objectives. These programs will be reviewed again within 5 years, as another assessment is done.

Mr. Zelazny invited a motion to approve the resolution. Mr. Collins moved to approve the resolution, Ms. Jonas seconded the motion.

Mr. Zelazny invited discussion. Mr. Trigger commented that a recent media article mentioned that Las Vegas is spending \$1 billion on a water supply system. That region appears to have over-allocated Lake Mead and the Colorado River, which no longer reaches Mexico. The southwest U.S. continues to have population growth and declining water supply. In contrast, the Regional Body and Compact Council foster dialogue to do the best possible job of managing Basin resources. The greatest threat to the Basin continues to come from outside of the Basin, and Las Vegas is a reminder of that.

Mr. Injerd mentioned that the water conservation and efficiency objectives provide a broad overarching template to ensure various programs have some overall consistency to address primary areas of need. In that sense, they remain valid and have worked quite well. The jurisdictions have flexibility to adopt various measures and still remain compliant with regional objectives. It is a good tool and will continue to be in the next few years.

Mr. Zelazny asked if there were any objections to the resolution. Hearing none, the resolution passed without objection.

Other business

No other business was raised during the meeting.

Adjournment

A motion was made by Mr. Injerd to adjourn. Mr. Gaucher seconded the motion. All members voted in the affirmative, the motion was approved and the meeting was adjourned at 3:00 p.m. EDT. The next meeting of the Regional Body will be set and noticed at a future date.

The full text of the materials discussed at the meeting is available online at www.glsregionalbody.org.