

Great Lakes—St. Lawrence River Water Resources Regional Body
Meeting Summary
Conference Call Meeting
December 13, 2006

Notice:

Notice of the meeting was provided to the public through the Council of Great Lakes Governors' ("Council's") e-mail distribution list and the Great Lakes Information Network's distribution list on November 22, 2006. Notice was also posted to the Council of Great Lakes Governors' website at www.cglg.org.

Call of Meeting:

1:00 p.m. CST—Meeting called to order by Kevin Wilson, designee of Great Lakes—St. Lawrence River Water Resources Regional Body (Regional Body) Vice-Chair, Premier Dalton McGuinty.

Roll Call:

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

Illinois (designee of Governor Rod Blagojevich): Daniel Injerd, Manager, Lake Michigan Management Section, Illinois Department of Natural Resources-Office of Water Resources.

Indiana (designee of Governor Mitch Daniels): Kari Evans, Policy Director, Environment, Office of Governor Daniels.

Michigan (designee of Governor Jennifer Granholm): Ken DeBeaussaert, Director, Michigan Office of the Great Lakes.

Minnesota (designee of Governor Tim Pawlenty): Kent Lokkesmoe, Director, Division of Water, Minnesota Department of Natural Resources.

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

Ohio (designee of Governor Bob Taft): Ted Lozier, on behalf of Sam Speck, Director, Ohio Department of Natural Resources.

Ontario (designee of Premier Dalton McGuinty): Kevin Wilson, Assistant Deputy Minister, Ontario Ministry of Natural Resources.

Pennsylvania (designee of Governor Ed Rendell): Cathleen Curran Myers, Deputy Secretary, Office of Water Management, Pennsylvania Department of Environmental Protection.

Québec (designee of Premier Jean Charest): Louise Lapierre, Conseillère, Bureau des relations intergouvernementales et des changements climatiques, Ministère du Développement durable, de l'Environnement et des Parcs.

Wisconsin (designee of Governor Jim Doyle): Todd Ambs, Administrator for Water, Wisconsin Department of Natural Resources.

Actions Taken

Review and vote on proposed FY 2007 Budget

A motion was made on behalf of Governor Doyle to formally approve the minutes of the August 17, 2006 Regional Body meeting. The motion was seconded on behalf of Governor Rendell and carried unanimously.

Next, a motion was made on behalf of Governor Blagojevich to adopt “Resolution #4—Adoption of Fiscal Year 2007 Budget.” The motion was seconded on behalf of Governor Daniels. All members voted in favor of the resolution. Sam Speck, on behalf of Governor Taft, submitted his written approval of the resolution prior to the meeting.

Reports

Council of Great Lakes Governors’ Water Conservation and Efficiency Initiative

The Vice-Chair then called on Jill Jonas, Director, Bureau of Drinking Water and Groundwater at the Wisconsin Department of Natural Resources; and, Rob Taylor, Director of the Lands and Waters Branch at the Ontario Ministry of Natural Resources, to provide an overview of the Council’s Water Conservation and Efficiency Initiative activities. As part of this Initiative, the Council has organized a Water Conservation Committee consisting of representatives from the Great Lakes States and Provinces. The Committee’s role is to develop broad, overarching regional water conservation and efficiency objectives that will ultimately be forwarded to the Regional Body for their review and consideration. Ms. Jonas and Mr. Taylor are Co-Chairs of this Committee.

The Conservation Committee met with representatives of the Great Lakes Tribes and First Nations, as well as the Initiative Advisory Panel, Resource Group and Observers on November 28-29 to discuss draft water conservation and efficiency objectives. It was a very positive and constructive meeting. Conservation Committee members and representatives of the Tribes and First Nations expressed a mutual interest in an enhanced and continuing dialogue. Viewpoints on a range of issues were shared by the representatives of the Tribes and First Nations including but not limited to the need to respect First Nations’ and Tribes’ jurisdiction and responsibilities, and the importance of protecting and conserving water as the lifeblood of Mother Nature. In particular, it was suggested that the draft water conservation and efficiency objectives reference Tribes’ and First Nations’ traditional knowledge and practices.

Valuable input was also provided on a variety of issues by the Initiative Advisory Panel, Resource Group and Observers. Support was expressed for enhancing regional cooperation on water conservation and efficiency. In particular, it was suggested that partnerships be created to complement work being accomplished at the State and Provincial level, including partnerships with Federal agencies, other governmental entities and non-governmental organizations.

It was also reported that the Conservation Committee will meet via conference call later this month to discuss revisions to the draft water conservation and efficiency objectives. The Committee intends to follow up early next year with representatives of the Great

Lakes Tribes and First Nations, Initiative Advisory Panel, Resource Group and Observers to discuss changes to the draft objectives as well as next steps.

International Association of Great Lakes Researchers 2007 meeting

The Vice-Chair then called on Rob Taylor to provide an overview of the upcoming meeting of the International Association of Great Lakes Researchers (IAGLR) 2007 meeting. It was noted that the meeting will take place on May 27-June 1, 2007, at Pennsylvania State University. The Regional Body will be hosting a session in conjunction with the meeting which will focus on water management decision making support. Lori Boughton, the Director of the Office of the Great Lakes at the Pennsylvania Department of Environmental Protection will act as Chair for this session. Mr. Taylor also noted that the Chair is currently calling for abstracts and papers, which closes on January 11th. He encouraged those who have an interest to make submissions before then.

Updates on new developments regarding implementation of the Great Lakes—St. Lawrence River Basin Sustainable Water Resources Agreement.

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

Illinois—Compact legislation has been introduced in the House and “shell legislation” has been introduced into the Senate. However, it is unlikely that the legislation will be acted on this year. It is anticipated that new legislation will be introduced early next year with greater interest and more co-sponsors.

Indiana—The legislature has adjourned for the year and will not reconvene until January 2007. Indiana will develop State-specific implementation policies in consultation with Indiana stakeholders before seeking to enact Compact enactment legislation. Therefore, it is unlikely that legislation will be introduced before 2008.

Michigan—Water management legislation that is “Compact friendly” was enacted into law earlier this year. Compact legislation was introduced in the House this year, but because it was introduced late in the year it was not acted upon. It is anticipated that strong consideration will be given to Compact implementation legislation in 2007.

Minnesota—The legislative session has ended for 2006. It is anticipated that the Minnesota legislature will seek to pass Compact legislation that includes Minnesota's State-specific implementation policies shortly after it reconvenes in 2007. Sponsors in the House (Representative Tom Huntley) and Senate (Senator Ann Rest) have been identified.

New York— On May 25, Governor Pataki proposed Compact adoption legislation and on June 23, 2006, it was passed by the State Assembly. The Senate is convening a Special Session before it recesses for the year, but it is unlikely any action on the

Compact will occur. If the Senate does not pass the Compact, it is anticipated that the new Governor will initiate the ratification process again with new sponsors in 2007. It is anticipated that once the Compact is passed, New York would consider separate legislation as needed to implement State-specific elements.

Ohio—Compact legislation has been introduced in both legislative chambers. Committee hearings have been held. The relevant House committee has passed the Compact and it is anticipated that it will be passed by the full chamber later today. The Senate may act on the legislation before the end of the session as well. If not, Compact enactment legislation will be introduced in early 2007.

Ontario—Efforts to implement the Agreement are underway, including the review of laws and regulations by all relevant Ontario ministries as necessary in order to identify needed revisions. It is anticipated that a legislative implementation package will be introduced in the spring of 2007.

Pennsylvania—The legislative session ended on November 28, and no legislation has been introduced. 40% of the 2007-2008 legislative membership will be new members, and the Governor's office is in the process of identifying new sponsors for 2007.

Québec—On November 30, the National Assembly approved the Agreement. The Agreement will now be brought into legal force gradually, by the appropriate changes to laws and/or regulations, such as by a re-evaluation of the Environmental Quality Act.

Wisconsin—A special legislative committee has been organized and has met monthly since September. The next meeting is scheduled for Friday, December 15. The committee is charged with submitting a report and recommendation to the legislature early in 2007 regarding Compact ratification and any corresponding implementing legislation to be introduced with the Compact.

Up-to-date Compact information regarding implementation is available at the Council of Great Lakes Governors' Website at www.cglg.org/projects/water/CompactImplementation.asp

New Business

Regional Body leadership transition.

Pursuant to Article 401, paragraph 4 subsection c, on the one year-anniversary of the signing of the Agreement, the current Vice-Chair (Premier Dalton McGuinty of Ontario) became the Chair of the Regional Body. Pursuant to the terms of the Agreement, the Premier of Ontario, will serve as Regional Body Chair until December 13, 2007.

As stated in Article 401 paragraph 4 subsection b, "the Vice Chair shall be chosen by drawing lots from amongst those members who have not yet served [as Chair or Vice-Chair]." Pursuant to this term of the Agreement, James Plahm, Certified Public Accountant and Auditor with the accounting firm of John D. Kopczyk, Ltd., certified that lots for all of the States and Provinces, except the Chair (Ohio) and Vice-Chair (Ontario)

were placed in a container. Minnesota's lot was drawn by Mr. Plahm from the container. Accordingly and pursuant to the terms of the Agreement, the Minnesota Governor (Governor Tim Pawlenty) will serve as Regional Body Vice-Chair from December 13, 2006-December 13, 2007, and will in turn serve as Chair of the Regional Body from December 13, 2007-December 13, 2008.

Opportunity for public comments.

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

- Christine Elwell, Friends of the Earth Canada-Ontario: Ms. Elwell noted that she was part of the Ontario Advisory Committee. She suggested that the dispute resolution procedures contained in the Compact and whether similar opportunities could be provided for in connection with the Agreement.
- Jeanette Nague, Lake Michigan Interleague Organization (League of Women Voters): She noted that the Interleague Organization had endorsed the Compact and asked what role they can play to move the Compact forward in the States. Several Governor's representatives responded by providing suggestions and asking her to follow up with them individually to discuss opportunities to work together.
- Betty Semeniuk, Ontario Federation of Agriculture: Ms. Semeniuk asked for a clarification of the draft water conservation and efficiency objectives and proposals for making them more "active." Mr. Taylor responded by noting that suggestions included, for example, using the word "encouraging" conservation activities rather than "engaging" in conservation activities.
- Tim Morrissey, Sierra Club of Canada: Mr. Morrissey had a question about the Compact in Ohio, and expressed concerns that he had heard that the companion legislation was weakening the Compact. Mr. Lozier responded by noting that the Governor's office has been working hard with legislatures to address stakeholder concerns in legislation outside of the Compact. No changes were being proposed to the Compact itself in the legislation currently under consideration in the House.

Finally, the representative for Premier McGuinty as the new Chair of the Regional Body noted that outgoing Regional Body Chair Governor Taft's representative, Ohio Department of Natural Resources Director Sam Speck, could not participate in today's Regional Body meeting call. Mr. McGuinty's representative recognized Mr. Speck for his work in developing the Agreement and paid tribute to his leadership. The other Regional Body representatives echoed and joined in this tribute.

No date was selected for the next meeting of the Regional Body.

Following these comments, a motion was made on behalf of Governor Blagojevich to adjourn. The motion was seconded on behalf of Governor Rendell and carried unanimously.

The full text of the materials discussed on the call are available online at www.cglg.org.