

Great Lakes—St. Lawrence River Water Resources Regional Body
Meeting Summary
Conference Call Meeting
December 4, 2007

Notice:

Notice of the meeting was provided to the public through the Great Lakes Information Network's distribution list on November 5, 2007. Notice was also posted to the Great Lakes-St. Lawrence River Water Resources Regional Body's (Regional Body) website at www.glsregionalbody.org.

Call of Meeting:

1:00 p.m. EST—The meeting was called to order by Kevin Wilson, Designee of Regional Body 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): David Phippen, 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 Eliot Spitzer): Don Zelazny, Great Lakes Programs Coordinator, New York State Department of Environmental Conservation.

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.

Vicki Deisner, Environmental Policy Coordinator for the Ohio Department of Natural Resources, participated in the discussions on behalf of Sean Logan, Director, Ohio Department of Natural Resources, and designee of Ohio Governor Ted Strickland.

Actions Taken

Review of June 27, 2007 Regional Body meeting minutes.

A motion was made on behalf of Governor Spitzer to formally approve the minutes of the June 27, 2007, Regional Body meeting. The motion was seconded on behalf of Governor Pawlenty and carried unanimously.

Reports

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 ratification legislation was signed by Governor Rod Blagojevich on August 17, 2007.

Indiana—S.B. 45 was introduced in November 2007. A committee hearing is scheduled for December 17th, 2007. The Indiana legislation includes State-specific implementation policies developed in consultation with Indiana stakeholders. A vote is expected in early January 2008.

Michigan—There are currently two Compact bills in the House (one with Republican sponsors, the other with Democratic sponsors) that collectively have 40 sponsors. A bill is also pending in the Senate. A vote is expected in each chamber as early as December 5, 2007.

Minnesota—Compact legislation was passed by both the House and Senate, and was signed by Governor Pawlenty on February 20, 2007, making Minnesota the first State to pass the Compact.

New York—The New York Assembly unanimously passed the Compact on April 23, 2007. The Senate passed the Compact on July 16, 2007. Because the New York-specific implementation language included in the Senate bill differed somewhat from the Assembly-passed version, the bill will be returned to the Assembly for final approval. The Assembly is expected to take up the legislation when they reconvene as early as December 2007.

Ohio—Representative Dolan is expected to introduce Compact legislation in the House in coming weeks. Senator Grendell is expected to introduce a different version of the Compact in the Senate.

Ontario—*The Safeguarding and Sustaining Ontario's Water Act* received Royal Assent and was put into law on June 4, 2007. This action fulfills Ontario's commitment to pass legislation implementing the Agreement. Ontario will now continue to work with its

advisory panel and First Nations to develop the regulations needed to fully implement the remainder of its Agreement commitments.

Separately, a workshop will be held in January for proposed regulations to implement the intra-Basin transfer provisions of the Agreement. Also, the Ministry of the Environment is initiating consultations on water conservation and efficiency goals and objectives within Ontario. A workshop was held in August, and further, sector-specific meetings will be held.

Ontario is working with First Nations to better coordinate information-sharing.

The Ontario Ministry of Natural Resources is partnering with the Ministry of the Environment, Fisheries and Oceans Canada and Environment Canada to develop a Great Lakes Water Strategy.

Pennsylvania—H.B. 1705 has been introduced in the House, and may pass before the end of the year. The Department of Environmental Protection has worked with stakeholders to develop an amendment for consideration by the Senate.

Pennsylvania is also working on a water conservation and efficiency program for the portion of Pennsylvania in the Great Lakes Basin. A subcommittee of professionals from many sectors has been meeting to outline the key elements of a potential water conservation and efficiency program.

Québec—It is anticipated that an act to implement the Agreement will be introduced in 2008 with adoption expected to be considered by the fall. Discussions are being held with stakeholders regarding Québec's water conservation and efficiency goals and objectives.

Wisconsin—Discussions are ongoing regarding draft Compact legislation. Compact legislation is expected to be introduced in early 2008. There is overwhelming support for Compact implementation from the media, Mayors and other elected officials, stakeholders and others.

Up-to-date information regarding State and Provincial implementation of the Agreement and Compact is available at the Great Lakes-St. Lawrence River Water Resources Regional Body website at <http://www.glslregionalbody.org/AgreementImplementationStatus.aspx>

Water Use Information

The Chair recognized Mr. David Naftzger, Regional Body Secretary, to provide a report on recent work related to water use information. Mr. Naftzger noted that the Regional Body continues to work towards improving water use data collection and information-sharing in order to ensure that water use information is timely, accurate and comparable. He stated that the Regional Body Secretariat staff is working on a funding proposal to support this work, which is expected to accelerate early next year.

Water Conservation and Efficiency Initiative

The Chair then called on Rob Taylor, Director, Lands and Waters Branch, Ontario Ministry of Natural Resources, and Jill Jonas, Director, Bureau of Drinking Water and Groundwater, Wisconsin Department of Natural Resources, to provide a report on the Great Lakes Water Conservation and Efficiency Initiative. Mr. Taylor and Ms. Jonas served as Co-Chairs of the Committee of State and Provincial staff which developed draft regional water conservation and efficiency objectives for the Regional Body's consideration.

Mr. Taylor noted that in developing the recommendations, the Committee sought input from an Advisory Panel of regional stakeholders as well as from Tribes and First Nations. A public comment period was held on draft objectives from March 15 – June 8, 2007. The Committee considered the comments in reviewing the draft objectives before submitting their recommendation to the Regional Body on August 21, 2007. Mr. Taylor noted that the objectives were intentionally drafted so as to include sufficient detail yet allow flexibility for implementation at the State and Provincial level.

Ms. Jonas added that numerous meetings, discussions and conference calls took place during the development of the draft objectives. She also emphasized that the proposed objectives provide specificity while allowing flexibility for implementation in each State and Province.

The Chair asked if any Regional Body members had questions for Mr. Taylor or Ms. Jonas.

The representative for Governor Strickland's Designee asked if a letter received from several stakeholders on November 30, 2007, outlining suggested revisions to the draft water conservation and efficiency objectives had been considered.

Mr. Taylor stated that the issues outlined in the stakeholders' letter were not new to the Committee and that they had been deliberated at great length along with a variety of other matters.

Ms. Jonas added that the issues raised in the stakeholder letter were specifically considered during the development of the Committee's recommendation. She noted that the consensus of Committee members was to move forward with the recommendation as submitted to the Regional Body on August 21, while allowing for more specificity if desired at the State and Provincial level.

The Designee of Governor Blagojevich also noted that the Water Conservation and Efficiency Committee considered the proposed changes during the drafting of the objectives. He said that adopting the proposed changes would be problematic and could require significant increases in financial commitments from each State and Province.

Regional Science Strategy

The Chair called on Rob Messervey, Manager, Water Resources Section, Ontario Ministry of Natural Resources, to provide a report on regional efforts towards improving Great Lakes science. Mr. Messervey noted that Ontario is hosting a session at the May 2008 meeting of the International Association of Great Lakes Researchers (IAGLR), which builds upon a May 2007 IAGLR session. The session will be focused on providing leadership for the regional science strategy referenced in the Great Lakes—St. Lawrence River Basin Sustainable Water Resources Agreement and related decision-making support.

Mr. Messervey noted that the session will be held at Trent University in Peterborough, Ontario, from May 20-23, 2008. He encouraged interested parties to submit an abstract for the session, noting that abstracts are due January 11, 2008. Areas of particular interest include cumulative impacts, consumptive use coefficients, the relationship between groundwater and surface water, the delineation of the Basin boundary, innovation in water conservation and efficiency, water budgeting and traditional ecological knowledge. Mr. Messervey invited the States and Provinces to consider Co-Chairing the session with Ontario.

Mr. Messervey noted that a recommendation from the 2007 IAGLR Session was to develop a Regional Science Advisory Committee to assist with the development of the Science Strategy.

Administrative

The Chair then called on Mr. David Naftzger, Regional Body Secretary, to provide an administrative report. Mr. Naftzger noted that the Council of Great Lakes Governors serves as Secretariat and maintains the Regional Body website at www.glsregionalbody.org. He said that Secretariat staff continue to respond to media inquiries and track media coverage related to implementation of the Agreement. Mr. Naftzger stated that although there was a slight spending overage in the FY2007 Regional Body expenditures due to unique start-up costs such as the development and launch of the website, Regional Body spending is on-track to be within budget over the two-year period including FY2007 and FY2008. More specific information is available to Regional Body members upon request. The draft FY2009 budget will be developed in coming months by the Chair and Vice-Chair in consultation with the Secretariat staff.

Opportunity for public comments.

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

- Sarah Miller, Canadian Environmental Law Association (CELA): Ms. Miller asked if it would be helpful for States that do not yet have Compact legislation to receive letters of support or encouragement from organizations such as CELA. Mr. Peter Johnson, Secretariat Staff, thanked Ms. Miller for her comment and indicated that as the public comment period was not structured for questions and response it would be most appropriate to follow-up with the Regional Body members individually.

- Molly Flanagan, National Wildlife Federation (NWF): Ms. Flanagan thanked the Regional Body members for considering the comments submitted by NWF and others in their November 30, 2007 letter. She apologized for the late submission of the letter. She also clarified that the letter was not requesting that the Regional Body establish regional water conservation and efficiency targets, but that it was asking the Regional Body to adopt a commitment from each jurisdiction to set water conservation and efficiency targets or other quantifiable standards within their State or Province. Ms. Flanagan also noted that NWF recently issued a report on global warming's impacts on water resources and the related need to pass the Compact. She offered to provide copies to Regional Body members upon request.
- Cheryl Mendoza, Freshwater Future (formerly Great Lakes Aquatic Habitat Network): Ms. Mendoza explained that Freshwater Future represents over 1800 organizations and advocates throughout the Great Lakes Basin who work at a grassroots level. She again noted that the November 30, 2007, letter to the Regional Body was asking each jurisdiction to develop its own standard to track and measure progress on water conservation and efficiency.
- Dale Phenicie, Council of Great Lakes Industries: Mr. Phenicie thanked the Regional Body for the opportunity to provide comments. He thanked the Regional Body for its work related to water conservation and efficiency and urged the Regional Body to adopt the draft water conservation and efficiency objectives as proposed.

The Chair thanked the speakers for their comments.

New Business

Review and vote on Resolution #6—Adoption of Basin-wide Conservation and Efficiency Objectives

Next, a motion was made on behalf of Governor Doyle to adopt “Resolution #6—Adoption of Basin-wide Conservation and Efficiency Objectives.” The motion was seconded on behalf of Governor Daniels. The motion carried unanimously by all participating Regional Body Member Designees. Governor Strickland’s Designee submitted his approval of the resolution in writing.

Leadership Transition

Pursuant to the terms of the Agreement, Premier Dalton McGuinty of Ontario will serve as Regional Body Chair until December 13, 2007. At that time, Regional Body Vice-Chair Minnesota Governor Tim Pawlenty will become Chair.

As stated in Agreement 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, the Chair recognized Mr. Toby McCarrick, Director, Great Lakes North America. Mr. McCarrick certified that lots for each of the eligible States and Provinces (Illinois, Indiana, Michigan, New York, Pennsylvania,

Québec and Wisconsin) were placed in a container. Indiana's lot was drawn by Mr. McCarrick from the container. Accordingly and pursuant to the terms of the Agreement, Indiana Governor Mitch Daniels will serve as Regional Body Vice-Chair from December 13, 2007-December 13, 2008, and the Governor of Indiana will in turn serve as Regional Body Chair from December 13, 2008-December 13, 2009.

On behalf of outgoing Chair Premier Dalton McGuinty, his Designee commented on the considerable progress that was made in 2007, including: progress related to the implementation of the Agreement and the Compact; the holding of a workshop session regarding Great Lakes science; and, the adoption of regional water conservation and efficiency objectives. The Chair noted that the timing has never been better, and the need has never been greater, to work through collective action across the Great Lakes—St. Lawrence River Basin. The Chair thanked each of the Regional Body members for their efforts to implement the Compact and the Agreement and thanked the Secretariat staff.

On behalf of incoming Chair Governor Tim Pawlenty, his Designee commented on Minnesota's great pride in being the first State to adopt the Compact. He said that he looks forward to working with the Regional Body in the coming year.

Other Business

The representative of Governor Strickland's Designee noted that the Great Lakes Commission has recently begun a Great Lakes Wind Collaborative in order to study both off-shore and terrestrial wind-based energy production. Further information is available upon request.

Adjournment

A motion was made on behalf of Governor Doyle and seconded on behalf of Governor Blagojevich to adjourn. The motion carried unanimously.

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