



March 14, 2016

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Conservation Ontario represents Ontario's 36 Conservation Authorities on matters of provincial, federal and binational interest. Conservation Authorities are local, watershed management agencies that deliver services and programs to protect and manage water and other natural resources in Ontario; including the quality and quantity of drinking water at its source. Staff from our member Toronto and Region Conservation Authority (TRCA) represented Conservation Ontario on Ontario's Stakeholder Advisory Panel during development of the *Great Lakes and St. Lawrence River Basin Sustainable Water Resources Agreement*. Conservation Ontario supports this Agreement.

Please be advised that Conservation Ontario supports the following resolution which was passed at the Executive Committee Meeting of TRCA, held on March 11, 2016:

WHEREAS on December 13, 2015, the Great Lakes Governors of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin, and the Premiers of Ontario and Québec signed the Great Lakes and St. Lawrence River Basin Sustainable Water Resources Agreement, and the Governors endorsed the companion Great Lakes and St. Lawrence River Basin Water Resources Compact (the Compact), which was later approved by the United States (US) Congress and signed by the President of the United States, banning new water diversions from the basin except in communities located in counties straddling the water diversion line between the Great Lakes and St. Lawrence Basin and other basins;

AND WHEREAS the City of Waukesha, WI, is located in Waukesha County, a county straddling the water diversion line;

AND WHEREAS the City of Waukesha has applied to use water from Lake Michigan as its source of drinking water to the Wisconsin Department of Natural Resources;

AND WHEREAS the Wisconsin Department of Natural Resources (DNR) has deemed the diversion application approvable and forwarded it to the Great Lakes and St. Lawrence River Water Resources Regional Body and Compact Council for its consensus and decision;

AND WHEREAS all eight Great Lakes states must vote in favour of the application for it to move forward to a special meeting of the Compact Council in late spring 2016;

AND WHEREAS the application does not meet the terms of the Compact, as there are significant questions about the necessity of the diversion to meet the drinking water quantity and quality needs of Waukesha and other concerns;

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AND WHEREAS the City of Waukesha plans to provide water to its neighbouring communities which have not demonstrated a need for a new water supply, contrary to the terms of the Compact;

AND WHEREAS the precedent setting nature of the Waukesha water diversion application is of great concern to the residents of the Great Lakes and St. Lawrence River Basin;

AND WHEREAS the Regional Body review process is inadequate as it provides for only one meeting to be held in Waukesha, resulting in far too limited public engagement on a matter of great regional, national and international importance;

AND WHEREAS the Regional Body's decision on Wisconsin DNR's Declaration of Finding, expected on April 21, 2016, allows for input from the eight US Great Lakes states, Ontario and Québec, and will be key in the final Compact Council decision;

THEREFORE LET IT BE RESOLVED THAT due to the potential significant negative impacts to Great Lakes Basin, Toronto and Region Conservation Authority (TRCA) does not support the Waukesha Water Diversion Application in its current form and requests that the Great Lakes and St. Lawrence River Water Resources Regional Body and the Great Lakes and St. Lawrence River Water Resources Compact Council further investigate future implications of this application through transparent and full public engagement;

THAT this resolution be provided to the Governors of the eight Great Lakes states and the Premiers of Ontario and Québec to inform their decision process for this water diversion application;

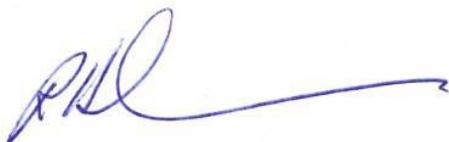
AND FURTHER THAT this resolution be provided to Conservation Ontario and TRCA's municipal partners for action and support.

Additionally, Conservation Ontario supports the attached letter from our member Lakehead Region Conservation Authority on Lake Superior.

In summary, Conservation Ontario does not support this application.

Should you have any questions or require additional information please contact Bonnie Fox (Manager, Policy and Planning) at 905-895-0716 ext. 223.

Yours Truly,



Dick Hibma
Chair

c.c.: L'Honorable David Heurtel, Minister of Sustainable Development, the Environment and the Fight Against Climate Change, Sustainable Development, Province of Québec
The Honourable Bill Mauro, Minister of Natural Resources and Forestry, Province of Ontario
The Honourable Glen Murray, Minister of the Environment and Climate Change, Province of

Ontario Jason Travers, Ontario Designee, Regional Body, and Director, Natural Resources
Conservation Policy Branch, Ontario Ministry of Natural Resources and Forestry
CAOs, All Conservation Authorities

/Encl.

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comments@waukeshadiversion.org



LAKEHEAD REGION
CONSERVATION AUTHORITY

130 Conservation Road, PO Box 10427
Thunder Bay, ON P7B 6T8
Phone: (807) 344-5857

March 1, 2016

VIA EMAIL: comments@waukeshadiversion.org

Waukesha Diversion Comments

c/o Conference of Great Lakes and St. Lawrence Governors and Premiers
20 N. Wacker Drive
Suite 2700
Chicago, Illinois
60606

Re: City of Waukesha Diversion Application

The Lakehead Region Conservation Authority (LRCA) is one of 36 Conservation Authorities located in Ontario, and one of two located on Lake Superior. Conservation Authorities in Ontario are mandated to ensure the conservation, restoration and responsible management of Ontario's water, land and natural habitats through programs that balance human, environmental and economic needs. Conservation Authorities also administer the Drinking Water Source Protection program on behalf of the Ontario Ministry of Environment and Climate Change, and therefore have a vested interest in the protection (i.e. quality and quantity) of drinking water at its source.

It is understood that the Great Lakes-St. Lawrence River Water Resources Regional Body and Great Lakes-St. Lawrence River Basin Water Resources Council are conducting Regional Review of a proposal from the City of Waukesha, Wisconsin, which would divert water outside the Great Lakes Basin to a county that straddles the Basin. The City of Waukesha, has applied for an exception to the Agreement, as out of Basin diversions are prohibited, without approval of an exception. The proposal would allow the diversion of 38.2 million litres per day of water from Lake Michigan, via the City of Oak Creek Water Utility to the City of Waukesha, which is located outside the Great Lakes Basin. The City is seeking an alternative source of drinking water as their current municipal groundwater supply contains levels of radium above drinking water standards.

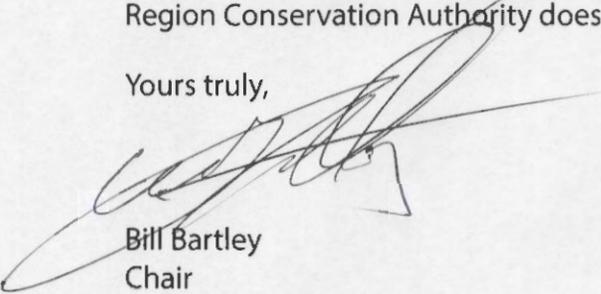
As a Conservation Authority located on one of the Great Lakes, the Waukesha Diversion proposal, if approved, presents a great concern to the Board of the LRCA as a potentially precedent setting water diversion from the Great Lakes Basin.

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Careful consideration must be given to the potential impact to the integrity of the Great Lakes Basin ecosystem, and the cumulative impacts if this sets a precedent that results in the approval of future additional diversions outside the Basin. Due to the uncertainty associated with climate change, and potential significant changes to levels and flows on the Great Lakes, the impacts associated with this type of proposal cannot be quantified. The Straddling County Exception – Article 201(3) should be examined extensively to ensure that the proposal in fact meets all conditions. In particular, confirming that a reasonable water supply alternative within the basin in which the community is located does not exist, as a water supply within the same basin is the preferred option.

Due to the potential significant negative impacts to Great Lakes Basin, the Lakehead Region Conservation Authority does not support this application.

Yours truly,



Bill Bartley
Chair

c.c.: LRCA Member Municipalities
Conservation Ontario
All Conservation Authorities