

Note: Identical letter sent to
Governors of Michigan, New York,
Minnesota, Wisconsin and Pennsyl-
vania.

September 4, 1991

Governor John Engler
Governor of Michigan
State Capitol, Lansing, Michigan 48909

Dear Governor Engler:

There is currently a proposal by the Town of Lowell, Indiana, to divert Lake Michigan water out of the Great Lakes watershed to replace its current contaminated drinking water supply. Several of our organizations participated in the June 7 meeting or the August 14, 1991 conference call on this issue, sponsored by the Council of Great Lakes Governors.

Under Federal law P.L. 99-662, approval by all 8 Great Lakes states is needed in order for the diversion to go ahead. Your decision, therefore, will have a critical bearing on the approval of this project.

After reviewing this case, and based upon currently available information, we, the undersigned, are very concerned because because of the historic, basin-wide precedent it would establish. In addition, we oppose approval of the Lowell diversion for the following reasons:

- 1) **The diversion of water, as currently proposed, would be permanent.** This would set a dangerous precedent because it is the first time a diversion decision will go through the Great Lakes Charter procedure as well as the Federal law P.L. 99-662. Allowing a permanent diversion for Lowell will likely lead to many more permanent diversions, since state officials have already acknowledged that numerous other examples exist that are very similar to the Lowell and Pleasant Prairie, Wi. cases.

All emergency diversions, such as Lowell's case, should be temporary only and must be required to return the diverted water to Lake Michigan within three years. This requirement should be legally binding with a clear schedule or time table.

- 2) **Alternatives to a permanent diversion were not sufficiently addressed.** Lowell selected the alternative of transporting water 15 miles from Lake Michigan, but they did not even consider the alternative of using well water within a 15-mile radius. Their study went only to a five-mile radius.

Lowell also admitted that they had not tested the feasibility of blending Lake Michigan water with their current well water supply so as to dilute the fluoride levels, as well as reduce the amount of Lake Michigan water needed. Lowell also said they did not test the water quality of a nearby well, citing local opposition to its use. However, Great Lakes-wide opposition to their diversion proposal was not a consideration.

3) The proposal would allow for the diversion of two to three times more water than is actually needed to meet the current needs of Lowell. Since Lowell said it needs up to 1.8 mgd, the temporary diversion should be limited to that amount. Furthermore, the pipe used to divert the water should have its maximum capacity limited to that amount, not the proposed 3.8 mgd.

Lowell's purpose for requesting the diversion was for an emergency situation, not for non-emergency purposes such as future growth. Therefore, Lowell should be required to devise a sustainable growth land use plan to minimize new residential and commercial development during the period before re-diversion would be completed.

4) A water conservation plan is not part of Lowell's proposal. Lowell should be required to develop a strict municipal water conservation plan, and be required to adopt a progressive water use fee rate. Currently, the Gary-Hobart water utility that would supply Lake Michigan's water encourages its users to consume more, not less water, because they charge a lesser rate for greater amounts of water. The State of Indiana should work with Lowell to work out the procedure whereby such a change in water rate can be arranged.

5) A decision on Lowell must also be legally binding on any land currently within Lowell that is annexed in the future by another municipality. Annexation of Pleasant Prairie land by the City of Kenosha, Wi. has occurred in the last two years. New developments on this annexed land are now using the diverted water from Lake Michigan.

Your decision on the Lowell case is critical because it will set the precedent for all future diversions. The spectre of multiple Great Lakes diversions poses too great a threat to the integrity of the Great Lakes, including the waters in your state.

We urge you to oppose approval of Lowell's diversion as currently proposed.

Sincerely,

Philip Wells

Great Lakes United

Glenda L. Daniel

Lake Michigan Federation

Mark Van Lutter

National Wildlife Federation
Great Lakes Natural Resource Center

John Stan

Hoosier Environmental
Council

Steve Sedam

National Audubon Society,
Great Lakes Region

Terrence McCloskey

Izaak Walton League,
Indiana Division

Thomas L. Washington

Michigan United Conservation Clubs

Thomas R. Anderson

Save the Dunes Council
(Indiana)

Brett Fulsey

Sierra Club, Midwest Office

Paul Muldoon

Pollution Probe (Ontario)

Sarah Miller

Canadian Environmental Law
Association

Don Anost

National Audubon Society,
Minnesota Office

Mike Grimshaw

Indiana Wildlife Federation

Richard Sahlin

Ohio Environmental Council

cc: Premier of Ontario, Bob Rae
Premier of Quebec, Robert Bourassa
Indiana Gov. Evan Bayh
Illinois Gov. Jim Edgar
Ohio Gov. George Voinovich
Council of Great Lakes Governors
International Joint Commission
Senator Richard Lugar
Senator Dan Coats
Congressman Jim Jontz
Congressman Peter Visloskey
NY State Senator John Sheffer
NY State Assemblyman William Hoyt
Great Lakes Commission
Michigan DNR, Frank Ruswick
New York DEC, Jackie Moody
Wisconsin DNR, Bruce Baker
Minnesota DNR, Paul Swenson
Pennsylvania DER, Joe Hoffman
Ontario Ministry of Natural Resources, Rae Horst
Environment Quebec, Andre Harvey

THE EFFECTS OF DIVERSION OF GREAT LAKES WATERS
ON THE ECONOMY AND ENVIRONMENT

- A SUMMARY -

In the past, proposals have surfaced to divert large quantities of Great Lakes water to the arid west, New York City, or to the Mississippi or Ohio Rivers. Recently, diversions to provide a drinking water supply for municipalities near, but outside of the Great Lakes watershed have been approved or are pending a decision. Government officials acknowledge that dozens more municipalities (outside the Great Lakes watershed) would find diversions of Great Lakes water a desirable alternative to their current low quality well water supplies.

Here is a summary of the detrimental effects of diversion on the Great Lakes' economy and environment.

- 1) Great Lakes water levels would be permanently lowered. While diversion by one small municipality may not be measurable, diversions by dozens of municipalities will be. The cumulative long-term effect of lowered water levels would lead to these additional impacts:
- 2) Receded beaches, shorelines, docks and shipping/boat accesses, reduced waterfront property values and tax receipts
- 3) Possible reduced hydropower output
- 4) Shallower navigational channels, requiring more dredging, and an additional burden for taxpayers
- 5) Increased exposure or disturbance of contaminated sediments, leading to reduced water quality, more fish contamination and threats to human health
- 6) Loss of productive fish spawning areas and therefore reduced fishing opportunities and fishing industry revenues
- 7) Loss of productive coastal wetlands, with reduced waterfowl production, hunting opportunities and reduced recreation industry revenues
- 8) Greater demand to construct costly water control structures downstream to prevent water level reductions, another burden for taxpayers
- 9) International relations between the U.S. and Canada, will be affected, since Canada would have to bear the negative effects and costs of U.S. actions. (Note: the Canadian federal government has already declared its opposition to the Lowell, Indiana diversion).