



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

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*Recy  
9/21/96*

July 26, 1996

SARAH MILLER  
GREAT LAKES UNITED  
SUSTAINABLE WATER RESOURCES TASK FORCE CHAIR  
C/O CANADIAN ENVIRONMENTAL LAW ASSOCIATION  
517 COLLEGE STREET 401  
TORONTO ONTARIO CANADA M6G 4A2

SUBJECT: Crandon Mine Interbasin Diversion

Dear Ms. Miller:

You requested that the Wisconsin Department of Natural Resources notify and seek concurrence from the Council of Great Lakes Governors, Canadian Premiers, and the Water Resources Management Committee on the proposed Crandon Mine discharge of treated groundwater into the Wisconsin River. It's our legal opinion this isn't required by The Water Resources Development Act of 1986, or s. 144.026, Wis. Stats. and ch. NR 142, Wis. Adm. Code. We believe such a notification and project review by the groups you identified are unnecessary and could create confusion. The copy of your letter and this response will serve to inform these groups of the proposed diversion and the Department's position on the applicability of the Act.

Enclosed is a copy of the legal opinion on this issue conducted by the Department's legal staff. I also would like to emphasize that our 10 year experience with the other Great Lakes states is that The Water Resources Development Act of 1986 is viewed as applying only to proposed withdrawals from the Great Lakes proper or one of their tributaries.

The total water loss from the Crandon Mine is estimated at 886,000 gallons per day, with 664,000 gallons per day representing the average discharge volume to the Wisconsin River. The remainder of the water loss is mainly due to evaporation and water in the ore concentrate leaving the mill. This total water loss is substantially less the 5,000,000 gallon per day threshold where an approval process applies under Wisconsin Law.

Thank you for sharing your concern. I believe this information confirms that Wisconsin is in compliance with The Water Resources Development Act of 1986. We also want to assure you that any wastewater discharge must be in compliance with our water quality standards to protect the receiving water.

Sincerely,

Paulette J. Harder, Director  
Bureau of Watershed Management