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Dave Dempsey: Compact didn't end threat to the lakes

When last we heard of the Great Lakes Compact in October 2008, its advocates were throwing a party to celebrate ratification of the agreement to protect Great Lakes water by Congress and former President Bush. "The future of the Great Lakes is secure," proclaimed the National Wildlife Federation.

Well, the party's over - and already two challenges are testing the mettle of those who worked so valiantly to protect the lakes.

Less than seven months after the compact took effect, two Wisconsin communities, New Berlin and Waukesha, are hoping for approval of proposals to take Lake Michigan water. In the case of Waukesha, that's water needed in part to support urban sprawl, and the diversion was made more urgent by the community's unsustainable pumping of groundwater.

While fighting out that proposal, Great Lakes advocates cannot afford another diversion - of their own attention from a giant loophole in the compact that could render the entire document null and void.

The compact originated from a Canadian firm's proposal in 1998 to export 50 tankers per year of Lake Superior water to Asia.

Groups like NWF worked tirelessly to craft an agreement they hoped and believed would prevent the depletion of the lakes.

But that doesn't mean the compact prohibits proposals to take Great Lakes water.

While it is now illegal to export 50 tankers per year of Lake Superior water without permission of all Great Lakes governors, it is perfectly legal to export 50 tankers per year of bottles or other containers holding Lake Superior water.

To put it another way, the compact appears to open the door to wholesale capture of lakes water and its sale for private profit.

All of the work that went into crafting detailed rules defining whether and when water should be diverted or conserved is thus undermined.

Fortunately, it's not too late to close the loophole and truly secure the future of the Great Lakes. The fix is simple, if not politically easy:

- Correct the intentional oversight in Michigan and other Great Lakes states' laws that fails to assert water is a public resource that cannot be privately owned, any more than the air can.
- Enact a congressional resolution expressing the interpretation of the House, Senate and president that the Great Lakes Compact cannot be interpreted or used by any party to claim private water

ownership.

Author William Ashworth wrote, "Children of a culture born in a water-rich environment, we have never really learned how important water is to us. We understand it, but we do not respect it."

While valid elsewhere, that's not true in Michigan, where water commands the respect of all.

It's time to put that respect to work by correcting the Great Lakes Compact.

Additional Facts

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